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Environmental Assessment

Minturn Administrative Site Conveyance

Eagle-Holy Cross Ranger District, White River National Forest
Eagle County, Colorado

Section 35 and 36 of Township 5 South, Range 81 West of the 6th P.M.



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Rocky Mountain Region

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<http://www.fs.usda.gov/projects/whiteriver/landmanagement/projects>

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Table of Contents

Summary	1
Document Structure	2
Introduction	3
Background	3
Purpose and Need for Action	4
Proposed Action	4
Decision Framework	6
Public Involvement	6
Issues	6
Alternatives, including the Proposed Action	9
Alternatives Considered in Detail	9
Alternatives Considered but Eliminated from Detailed Study	10
Design Features	10
Comparison of Alternatives	11
Environmental Consequences	14
Botany/Plants	14
Recreation	17
Social/Economic.....	18
Wildlife.....	20
Consultation and Coordination	23
References	244

SUMMARY

This document is a revision of an environmental assessment (EA) that was released to the public in January 2010. In the two years that have passed since release of the EA it was determined that a portion of the proposal would not effectively meet the purpose and need, and therefore that the proposal needed to be changed. The change was related to the location of the Martin Creek Trail access. To ensure full disclosure and public involvement, we have revised the EA and are re-releasing it for public comment.

The White River National Forest proposes to convey the United States Forest Service (USFS) Minturn Administrative Site parcel via competitive sale on the open market or direct sale to another governmental agency such as municipal or county government. The 18.3 acre property is located south and west of US Highway 24 towards the south end of the Town of Minturn and is within the Eagle/Holy Cross Ranger District of the White River National Forest, Eagle County, Colorado (see Figure 1. Project Vicinity Map). This site does not include the Forest Service office located at Dowd Junction. Following the consolidation of the Eagle Ranger District and the Holy Cross Ranger District into one administrative unit in 2005, it was determined that this parcel of land was no longer needed to further the agency's public service and land stewardship mission. The proceeds from the sale of this land would be used for the acquisition, improvement, or reconstruction, of Forest Service facilities or for costs associated with the conveyance of properties under the authority of the Forest Service Facilities Realignment and Enhancement Act of 2005 (P.L. 109-54; 119 Stat. 561).

The proposed action would result in the conveyance of approximately 0.2 acres of wetlands. A deed restriction would be included in any to protect these wetlands. Additionally the proposed action would result in the relocation of the Martin Creek trailhead to a new location off the parcel.

The proposed action may:

- Contribute to additional residential and/or commercial development within the boundaries of the Town of Minturn and Eagle County.
- Result in a loss of viability on the Planning Area or result in a trend towards federal listing for three Region 2 Sensitive species.
- Adversely Impact Individuals, but is not likely to result in a loss of viability nor cause a trend towards federal listing or a loss of species viability rangewide for seven Region 2 Sensitive species.

In addition to the proposed action, the Forest Service also evaluated the **No Action Alternative**, in which the parcel of land would remain in possession of the Forest Service.

Based upon the effects of the alternatives, the responsible official will decide whether the Minturn Administrative Site should be conveyed out of United States ownership.

DOCUMENT STRUCTURE

The Forest Service has prepared this Environmental Assessment in compliance with the National Environmental Policy Act (NEPA) and other relevant Federal and State laws and regulations. This Environmental Assessment 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 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.
- *Alternatives, including the Proposed Action:* This section provides a more detailed description of the agency's proposed. This discussion also includes possible measures to mitigate potential undesirable effects. 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. This analysis is organized by resource area. Within each section, the existing condition (affected environment) is described first, followed by the effects of the No Action Alternative that provides a baseline for evaluation and comparison of the proposed action.
- *Consultation and Coordination:* This section provides a list of preparers and agencies consulted during the development of the environmental assessment.

Additional documentation, including more detailed analyses of project-area resources, may be found in the project planning record located at the White River National Forest Supervisor's Office; 900 Grand Avenue, Glenwood Springs, CO 81601.

INTRODUCTION

Background

The White River National Forest Facility Master Plan, approved in March 2003, addresses the management of the Forest's administrative facilities over the period of time from 2003-2023. The emphasis of the plan was to analyze the condition and effectiveness of the Forest's administrative facilities, while providing recommendations for reducing long term facilities maintenance costs. The Minturn Administrative Site was identified as having potential for conveyance in the 2003 White River National Forest Facility Master Plan.

The White River National Forest administratively combined the Eagle Ranger District and the Holy Cross Ranger District in 2005. Since that time both offices have been maintained, because the WRNF does not have adequate funds to co-locate the offices. The White River National Forest desires to functionally combine the two districts by constructing a new office and work compound that has the capacity to accommodate all staff. The most likely location for the new combined district office is in the Town of Eagle, the Eagle County seat. When this office is fully constructed the Minturn Administrative Site will no longer be operationally necessary for the combined Ranger District.

In 2005 the United States Congress passed the Forest Service Facilities Realignment and Enhancement Act (FSFREA) (P.L. 109-54). This authority allows for the sale, exchange, or lease of Forest Service administrative facilities or improvements with the proceeds to be retained for the acquisition, improvement, or reconstruction of Forest Service facilities.

Under the authority of FSFREA the White River National Forest has initiated a Conveyance and Redevelopment Program that specifically focuses on analyzing the administrative facility needs across the entire Forest. The conveyance of the Minturn Administrative Site will support this Forest-wide program aimed at decreasing deferred maintenance costs, increasing operational efficiencies, and providing more energy efficient administrative facilities.

An Environmental Assessment was written and provided to the public for comment in January of 2010. In the 2010 EA it was noted that the "a right of access to the Martin Creek trailhead would need to be preserved across the parcel, possibly on the east end (January, 2010 Draft Sale of Minturn Administrative Site Parcel EA). The WRNF is now proposing to eliminate the trail access from this location. The Forest Service would look for alternative locations to relocate the trailhead off the parcel of land that is being proposed for conveyance. If a site is identified, the construction and relocation of the trailhead would be analyzed in a separate document.

Purpose and Need for Action

The purpose of this initiative is to dispose of property that is no longer needed by the White River National Forest following the combination of the Eagle and Holy Cross Ranger Districts, and to improve operational efficiency in meeting the public service and land stewardship mission of the Forest Service. This action is also needed to decrease deferred maintenance costs, and to acquire funds to construct new energy efficient buildings to support the operational activities of the Forest Service.

Proposed Action

The action proposed by the Forest Service to meet the purpose and need is to convey the USFS Minturn Administrative Site, an approximately 18.3 acre parcel, via competitive sale on the open market or direct sale to another governmental entity such as municipal or county government. The parcel could be conveyed as one large parcel or as two smaller parcels (see Figure 1. Project Map). This conveyance would be processed under the authority of the Forest Service Facility Realignment and Enhancement Act (FSFREA) (P.L. 109-54) and the timing of the sale would be determined by the real estate market.

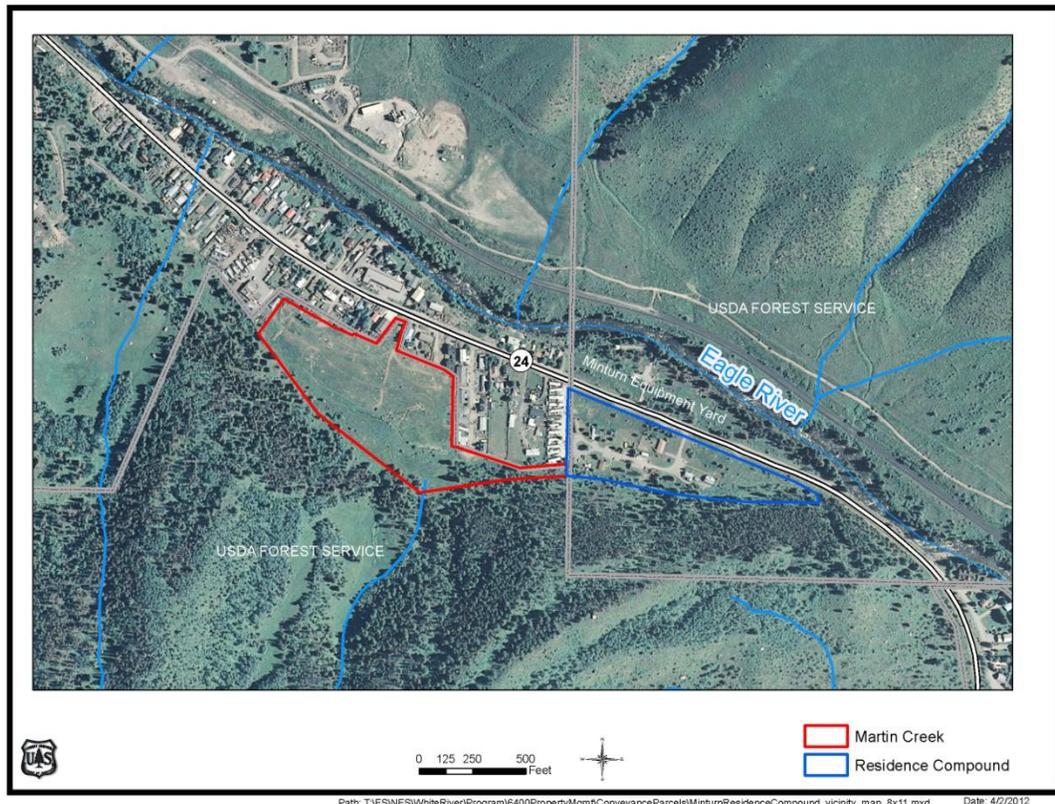
The legal description of the parcel is as follows:

A parcel of land in the County of Eagle, State of Colorado, being a portion of the NW ¼ of Section 36 and the NE ¼ of Section 35, Township 5 South, Range 81 West of the 6th P.M.

In conformance with Executive Order #11990, a deed restriction would be placed on the approximately 0.2 acres of wetland that occur on the south end of this parcel of land. This deed restriction or covenant will ensure that no development occurs in the wetland area.

The United States would not retain a public easement for the current location of the Martin Creek trailhead. The Forest Service would look for alternative locations to relocate the trailhead off the parcel of land that is being proposed for conveyance. If a site is identified, the construction and relocation of the trailhead would be analyzed in a separate document.

Figure 1. Project Map.



Management Direction

The proposed action aligns with the 2002 White River National Forest Land and Resource Management Plan (Forest Plan). **Goal 4** focuses on Effective Public Service, and maintains that the WRNF should “*ensure the acquisition and use of an appropriate corporate infrastructure to enable the efficient delivery of a variety of uses*”. More specifically **Strategy 4a.3** states that “*within five years of plan approval, complete an average of 10 percent of high priority facility reconstruction projects each year*” (WRNF LRMP pg. 1-14). In addition **strategy 4b.1** states that “*over the life of the plan, take advantage of opportunities in approved land ownership adjustments to convey, purchase, or exchange lands where needed.*” The conveyance of this parcel and the retention of the funds to be used for facility reconstruction projects across the Forest will help the WRNF meet the goal and strategies shown above.

The National Forest Management Act requires site-specific project decisions be consistent with forest plans; consistency is based on whether a project follows both forest-wide and management area standards.

The project area is located within the following management areas: 5.4, Forested Flora and Fauna Habitats (pp. 3-55 thru 3-56). The proposed action follows all applicable forest-wide and management area standards and guidelines.

Decision Framework

For this project, the responsible official is the Regional Director of Physical Resources. Given the purpose and need, the responsible official will review the environmental consequences of the proposed action and the other alternatives and any public comments in order to make the following decisions:

1. Whether or not to offer the Minturn Administrative site for sale, under the authority of the Forest Service Facilities Realignment and Enhancement Act of 2005.
2. Whether the effects of the decision support a Finding of No Significant Impact or require the preparation of an Environmental Impact Statement.

Public Involvement

A Notice of Proposed Realty Action was published in the Vail Daily and the Eagle Valley Enterprise on February 26th and February 28th 2008, and was mailed to congressional representatives, the Eagle County commission, and the Town of Minturn Town Council on February 20th 2008. In addition, as part of the public involvement process, the agency has had many conversations about this proposed conveyance with the Town of Minturn and Eagle County governments.

The original Draft of the EA was provided to the public for comment in January 2010. A notice of opportunity to comment was published in the Glenwood Springs Post Independent and the Vail Daily on January 22, 2010. The same notice of opportunity to comment was mailed to adjacent landowners, congressional representatives, county governments, municipal governments, tribal authorities, and other interested individuals.

Quarterly updates of the project were provided in the Schedule of Proposed Actions beginning on April 1, 2010.

A single response, from the Town of Minturn, was received in response to the initial public involvement efforts in 2008. Three comments were received when the original draft EA was released for comment in 2010. The general tone was one of concern regarding the potential development that would occur on the property, impacts to the adjacent landowners, ensuring existing trail access, and the impacts to wildlife habitat. Based on these comments, the interdisciplinary team developed a list of issues to address, as discussed in the next section.

Issues

Issues are effects that are either directly or indirectly caused by implementing the proposed action around which there is some level of concern, dispute or disagreement. The Council on Environmental Quality NEPA regulations requires agencies to "...identify and eliminate from detailed study the issues which are not significant or

which have been covered by prior environmental review...” (40 CFR 1501.7). To achieve this, issues have been separated into two groups: key issues and other issues. Key issues have the ability to drive an alternative; drive modifications to the proposed action; or justify the proposed action. Other issues are identified as:

1. outside the scope of the proposed action;
2. irrelevant to the decision being made;
3. conjectural and not supported by scientific evidence;
4. a general comment, opinion or position statement;
5. already decided by law, regulation, forest plan or other higher level decision;
6. are expected and will be analyzed and disclosed in the environmental analysis;
7. can be reduced or avoided with conservation practices or design features.

The Forest Service identified the following key issues, which prompted modifications to the proposed action. These issues include:

Access to the Martin Creek Trail

The Martin Creek Trailhead currently lies towards the southwest end of the parcel, and accesses the Martin Creek Trail and the Holy Cross Wilderness. Based on public comment and interdisciplinary team review it was determined that maintaining access to this trail was a key issue. In the 2010 Environmental Assessment the WRNF addressed this issue by stating that access would be provided somewhere on the parcel that is being proposed for conveyance. After further analysis it was determined that retaining a public easement for this access point would significantly affect the potential revenue that could be received and consequently the ability to meet the purpose and need for the sale. Therefore it was determined the trailhead should be moved off the site to a yet-to-be determined location. Public access to the existing Martin Creek trailhead would be eliminated. The Forest Service would seek alternative locations for the trailhead and a segment of trail to reconnect to the existing route on National Forest System lands. This action would be analyzed and documented in a separate document.

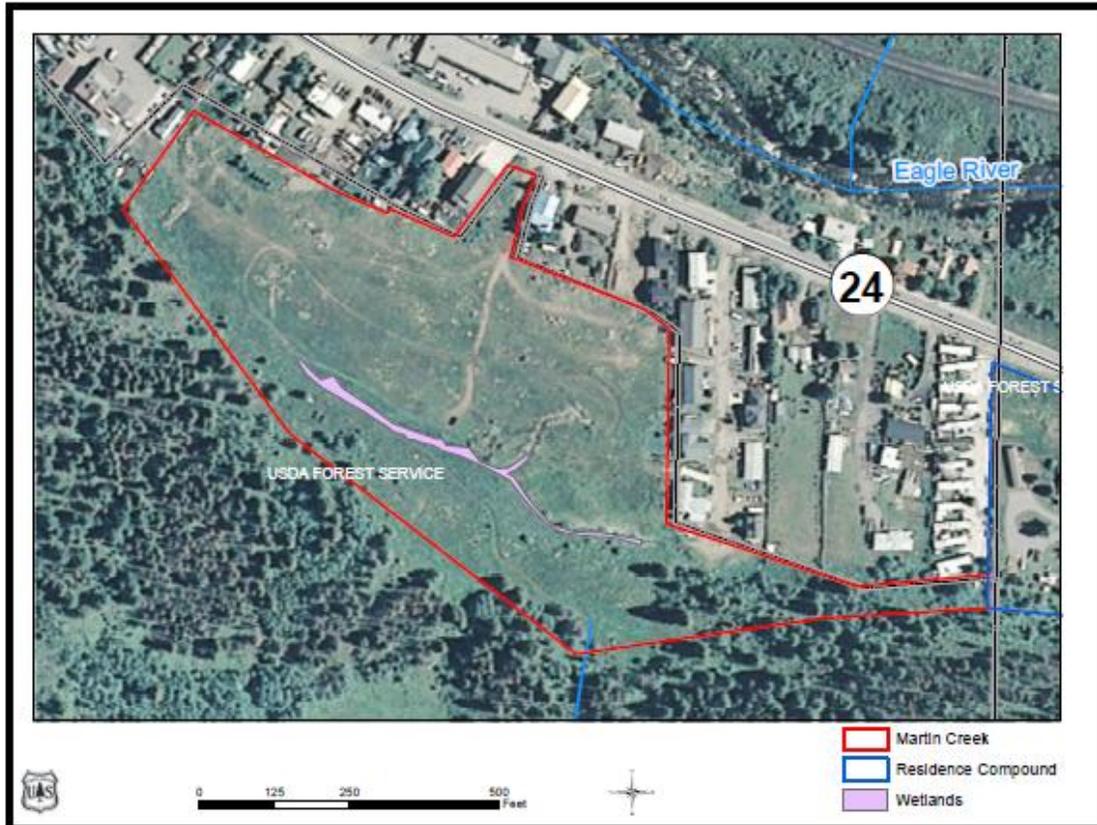
Sale of the 0.2 acre wetlands

Early in the analysis it was determined that approximately 0.2 acres of wetlands were included in the proposed conveyance.

Executive Order 11990 -- Wetlands Management, Section 4 states that “When Federally owned wetland or portions of wetlands are proposed for lease, easement, right-of-way, or disposal to non-Federal public or private parties, the Federal agency shall (a) reference in the conveyance those uses that are restricted under identified Federal, State or local floodplain regulations; and (b) attach other appropriate restrictions to the uses of properties by the grantee or purchaser and any successors, except where prohibited by law; or (c) withhold such properties from disposal.”

Research determined that Town of Minturn regulations would not ensure that the wetlands would be protected from development. Therefore it was decided to place a deed restriction on the approximately 0.2 acres of wetland that are associated with this project.

Figure 2. Wetlands Map



Other issues related to the proposed action that were raised during public involvement and internal analysis include;

- The assumed presence of three Region 2 Sensitive plant species.
- Potential effects to wildlife.
- Potential additional residential/commercial development within the boundaries of the Town of Minturn.

The agency determined these were not key issues because they do not drive a change in the proposed action or drive the creation of alternatives. Effects associated with these issues are analyzed and disclosed in detail in Chapter 3. All other issues and reasons regarding their categorization are documented in the project record.

ALTERNATIVES, INCLUDING THE PROPOSED ACTION

This section describes and compares the alternatives considered for the Minturn Administrative Site conveyance project. This section also presents the alternatives in comparative form to define the differences between each alternative and provide a clear basis for choice among options by the decision maker.

Alternatives Considered in Detail

Alternative 1

No Action

The effects of the no action alternative are analyzed in this EA as required by the CEQ regulations. Under No Action, the Minturn Administrative Site parcel would remain in federal ownership, and the Forest Service would continue to use the parcel of land for various administrative purposes in the short term. In the future the parcel would remain available for land exchanges or other conveyances. The trailhead would not be relocated. Consideration of the no action alternative is documented in Chapter 3 in order to contrast the effects of the proposed action with the current condition and expected future condition if the proposed action were not implemented (36 CFR 220.7(b)(2)(ii)).

Alternative 2

Proposed Action

The action proposed by the Forest Service is to convey the USFS Minturn Administrative Site, an approximately 18.3 acre parcel, via competitive sale on the open market or direct sale to another governmental entity such as municipal or county government. The parcel could be conveyed as one large parcel or as two smaller parcels (see Figure 2. Two Parcels Map). The parcel would most likely be the site of residential and/or commercial development if sold to a private entity, while if it were to be conveyed to the Town of Minturn the most reasonably foreseeable future use would likely be for relocation of the Town of Minturn offices and creation of a park.

This conveyance would be processed under the authority of the Forest Service Facility Realignment and Enhancement Act (FSFREA) (P.L. 109-54) and the timing of the sale would be determined by the real estate market. The funds from the sale would be retained by the Forest Service for the purpose of administrative facility reconstruction.

In conformance with Executive Order #11990, a deed restriction would be placed on the approximately 0.2 acres of wetland that occur on the south end of this parcel of land. This deed restriction or covenant would ensure that no development occurs in the wetland area.

Public access to the existing Martin Creek trailhead would be eliminated. The Forest Service would seek alternative locations for the trailhead and a segment of trail to reconnect to the existing route on National Forest System lands. This action would be analyzed and documented in a separate document.

There are three single family homes, one barracks building, two storage buildings, and two mobile home pads on the site. The 2003 WRNF Facility Master Plan has listed the future use of all of the buildings as *decommission and acquire replacement*.

The mineral estate for the residence compound portion of the property was reserved to the State of Colorado when the Forest Service acquired the land in 1936. The mineral estate on this portion of the property would continue to be reserved to the State of Colorado if the property were to be conveyed. The mineral estate for the Martin Creek portion of the property was acquired by the Forest Service when it was purchased in 1979. The mineral estate on this portion of the property would be conveyed to the new owner if the property were to be conveyed.

Alternatives Considered but Eliminated from Detailed Study

The Environmental Assessment that was released in 2010 included the following language: “a right of access to the Martin Creek trailhead would need to be preserved across the parcel, possibly on the east end” (January, 2010 Sale of Minturn Administrative Site Parcel EA). It was later determined that providing a right of access in any location on the property to be conveyed would significantly decrease the revenue that the Forest Service, and therefore the taxpaying public, would receive for the property and that other options would need to be considered. After discussing many options it was determined that the trailhead access should be moved to another location, but that it would not be in the best interest of the Forest Service to expend funds to identify, analyze, relocate, and construct the new trailhead until a sale of the Minturn Administrative Site parcel is completed. In the scenario analyzed in this EA, public access to the existing Martin Creek trailhead would be eliminated. The Forest Service would seek alternative locations for the trailhead and a segment of trail to reconnect to the existing route on National Forest System lands. This action would be analyzed and documented in a separate document.

The prior alternative that included creating a new access point on the existing site has now been eliminated from additional study.

Design Features

Design features are developed to ease some of the potential impacts caused by the proposed action or alternatives. In addition to following applicable standards and guidelines from the Forest Plan as well as management measures and recommendations from Forest Service directives (handbooks, manuals) the following specific design features have been identified by the interdisciplinary team as necessary to minimize environmental impacts that could be caused by the Minturn Administrative Site

Conveyance. The design feature is the draft language that would be applied as a deed restriction regarding the approximately 0.17 acres of wetland that exist on the parcel.

“Non-Federal party (Patentee), its successors and assigns, do hereby covenant and agree that there will be no new construction, filling of land, livestock grazing, or reductions in water supply or vegetal diversity on the 0.17 acres of wetlands identified in Exhibit B, attached hereto and made a part hereof, unless specific permission is granted by the U.S. Forest Service. This covenant shall remain in effect until such time as the United States determines that this requirement is no longer necessary. Removal of this covenant will be documented by execution and recordation of an appropriate document by the authorized officer. For monitoring purposes, the United States shall be permitted access across lands of the Patentee to inspect the wetlands, identified herein.”

Comparison of Alternatives

The following table summarizes the findings of the effects analysis which are detailed in Chapter 3. Resources which show that there are no effects attributable to the Proposed Action or No Action are not elaborated upon in Chapter 3. Resources which show that there are effects attributable to either the Proposed Action or No Action are further discussed in Chapter 3. Documentation of all effects analyses can be found in the project record.

Table X. Summary of Environmental Effects by Alternative

Resource	Alternative 1 No Action	Alternative 2 Proposed Action
Aquatics/Fish (no further analysis)	No Effects	<ul style="list-style-type: none"> No Effects for Federally listed Threatened, Endangered, or Proposed aquatic species. No Impact for Region 2 Sensitive aquatic species. The proposed action would neither contribute towards nor negatively affect meeting aquatic Management Indicator Species objectives at the Forest-wide scale.
Botany/Plants (see Chapter 3 for further analysis regarding the Region 2 Sensitive plant species)	No Effects	<ul style="list-style-type: none"> No Effects for Federally listed Threatened, Endangered, or Proposed plants. Likely to result in a loss of viability on the Planning Area or result in a trend towards federal listing for three Region 2 Sensitive species.
Cultural (no further analysis)	No Effects	<ul style="list-style-type: none"> There are no known American Indian religious or cultural sites, archeological sites, or historic properties on the tract. The State Historic Preservation Officer determined that this sale will not affect

Resource	Alternative 1 No Action	Alternative 2 Proposed Action
<p>Hazardous Materials (no further analysis)</p>	<p>No Effects</p>	<p>any historic properties.</p> <ul style="list-style-type: none"> • Hazardous materials assessments, called Environmental Site Assessments, were conducted by Walsh Environmental Scientists and Engineers LLC on the site in 2008 and 2010. The results of these assessments show that the “assessment has revealed no evidence of recognized environmental conditions in connection with the property except for the following: <ul style="list-style-type: none"> • Asbestos containing materials at residence compound • Unlabeled hazardous chemicals at residence compound • Encroachment of residential and commercial storage and use of martin creek parcel <ul style="list-style-type: none"> • Landfilled areas located at martin creek parcel • Storage of Universal Waste (normal household chemicals such as pesticides and batteries) on the site” <p>All hazardous chemicals were removed in 2010. Encroachments will be eliminated prior to sale. Federal regulations require disclosure of any structures that contain asbestos and/or lead paint prior to sale. Therefore no effects from Hazardous Materials are anticipated.</p>
<p>Hydrology (no further analysis)</p>	<p>No Effects</p>	<ul style="list-style-type: none"> • No floodplains are located within the boundaries of the proposed action. No effects to floodplains are anticipated. • 0.2 acres of wetland are located within the boundaries of the proposed action. A deed restriction that is designed to preclude development and maintain the area’s wetland character in perpetuity is an integral part of the proposed action. Because of this Design feature no effects to wetlands are anticipated.
<p>Minerals (no further analysis)</p>	<p>No Effects</p>	<ul style="list-style-type: none"> • Regarding the Residence compound portion of the parcel the subsurface mineral rights are reserved to the State of Colorado. No effect to the mineral resource is anticipated. • Regarding the Martin Creek Trailhead portion of the property the subsurface mineral rights were acquired by the FS and will be transferred to the new property owner. No effect to the mineral resource is anticipated.
<p>Recreation (see Chapter 3 for further analysis)</p>	<p>No Effects</p>	<ul style="list-style-type: none"> • The Martin Creek trail would no longer be accessible from the Martin Creek trailhead. If it is found to be necessary, future opportunities for nearby trail access may be available if a site can be identified, analyzed, and built.

Resource	Alternative 1 No Action	Alternative 2 Proposed Action
<p>Social/Economic (see Chapter 3 for further analysis)</p>	<ul style="list-style-type: none"> • The WRNF would not create revenue to assist in the physical consolidation of the Eagle-Holy Cross Ranger District. • The Town of Minturn and Eagle County would not receive any additional revenue through potential property taxes. 	<ul style="list-style-type: none"> • This parcel sale would potentially contribute to additional residential development within the boundaries of the Town of Minturn and Eagle County.
<p>Wildlife (see Chapter 3 for further analysis regarding the Region 2 Sensitive wildlife species)</p>	<p>No Effects</p>	<ul style="list-style-type: none"> • No Effects for Federally listed Threatened, Endangered, or Proposed terrestrial wildlife species. • May Adversely Impact Individuals, but is not likely to result in a loss of viability nor cause a trend towards federal listing or a loss of species viability rangewide for seven Region 2 Sensitive species. • The proposed action would not result in measurable impacts to elk populations at the Forest and Data Analysis Unit levels. The proposed actions would not measurably contribute to any negative trend in the Forest-wide population or trend of this Management Indicator Species (MIS) that would affect achieving Forest Plan MIS objectives or create viability concerns for this MIS on the Forest.
<p>Wilderness, Wilderness Study Areas, Wild and Scenic Rivers, Research Natural Areas, and Roadless Areas (no further analysis)</p>	<p>No Effects</p>	<ul style="list-style-type: none"> • The parcels do not lie within any of the applicable special areas. There will be No Effects to any of these special areas.

ENVIRONMENTAL CONSEQUENCES

This section summarizes the physical, biological, social and economic environments of the affected project area and the potential changes to those environments due to implementation of the alternatives. It also presents the scientific and analytical basis for comparison of alternatives presented in the chart above.

Botany/Plants

Affected Environment

The affected environment includes lands with the following habitats; 1) previously disturbed/now stabilized areas, 2) areas that experience recurring disturbances associated with urban development and use, 3) one small and highly impacted sedge/willow wetland. Elevations in the project area range between ~ 7,900 and 8,000 ft.

Three Region 2 Sensitive plant species were determined to have potential habitat on the Minturn Administrative Parcel, although none of the species were identified on the site. Two of the species are commonly known as moonworts and the third is commonly known as park milkvetch. The species are listed below followed by a short description:

- **Park milkvetch** (*Astragalus leptaleus*); lives in riparian, streamside, and swales habitat often amongst sedges and willow or wet aspen. 6,000 to 9,000 ft.

None are documented in the area and none were found during the plant survey (CNHP 2010, Roberts 2005, Proctor 2011). Growth of Park milkvetch is restricted to the Rocky Mountains, where it occurs in widely scattered locations. The plant is historically documented on the WRNF in Summit County near Green Mountain Reservoir (CNHP 2010). The nearest documented occurrence to the area is on BLM lands in Eagle County so there is a moderate likelihood that this species would be present in the area. Assuming it was present, populations would be small and localized as they are elsewhere in the Rocky Mountains (Ladyman 2006a).

- **Triangle globe moonwort** (*Botrychium ascendens*); riparian habitats among willow and historically disturbed but now stabilized habitats. 8,000 to 10,840 ft.

No plants are documented on the parcel and none were found during the plant survey (CNHP 2010, Roberts 2005, Proctor 2011). An occurrence is reported on the Aspen Ranger District at Maroon peak (Elliott 2009). It may also occur near the Copper Mountain Ski Area (Pers Com to Popovich 2010). The rarity of the species makes it vulnerable to localized extinction due to random events. However, due to the small size of the plants and its scattered habitat availability, this species may be more abundant than presently known. Because the nearest documented occurrence to the area is on Dillon Ranger District there is a moderate likelihood that this species would be present in the area.

- **Narrowleaf moonwort** (*Botrychium lineare*); historically disturbed but now stabilized habitats. 0 to 11,000 ft.

No plants are documented on the parcel and none were found during the plant survey (CNHP 2010, Roberts 2005, Proctor 2011). While Colorado Natural Heritage Program (CNHP) (2010) does not record it, Narrowleaf moonwort was observed on the WRNF under a powerline near Copper Mountain by Don Farrar (pers com to Rick Thompson 2009a). Review of recent information indicates there is an increase in the number of known locations of narrowleaf moonwort and the geographic range is much larger than was previously understood (Federal Register 2007). Population sites are generally small in area and number of individuals, making the species difficult to locate and survey for, or detect in plant surveys.

Environmental Consequences

Consequences of No Action

If no action is taken, the Minturn Residence Compound and Martin Creek trailhead parcel would remain in the possession of the Forest Service. The site would continue to provide the same botanical habitat as described in the affected environment.

Direct and Indirect Effects of Alternative 2

Park Milkvetch

The surveys specific to this project were inadequate to determine that park milkvetch is absent from the property. Absence must be determined in middle June while the species is in both flower and fruit. This species is difficult to locate during plant surveys because it is small and inconspicuous and hides amongst riparian vegetation. In instances where surveys are not adequate to definitely determine that the species is absent from a project area presence of the species can be assumed and effects can be analyzed based on this assumption. No final conclusions or determinations are made at the time of this draft as there will be an opportunity to conduct the necessary surveys in June of 2012. After these surveys are conducted a final determination will be made for the final version of the EA. Park milkvetch appears to be most vulnerable to habitat loss, especially activities that cause its habitat to dry out. Intense ground disturbances could result in drier soils. Under the proposed action a deed restriction/covenant would be placed on the 0.2 acre wetland where potential habitat for park milkvetch exists, and no development would be allowed in its habitat.

It is unclear how dependent park milkvetch is on cross pollination but it may be pollinated by medium to large sized bee species (Ladyman 2006a). Development within the property could alter existing surrounding habitats and species compositions required by bees. Therefore development of the property may result in negative indirect impacts to park milkvetch should this species be found on site, by destroying pollinator habitat including potential and existing nest sites and by removing food resources. Where there are small populations of park milkvetch separated by relatively large distances, pollinators may be especially limited because park milkvetch tends to have few and inconspicuous flowers.

Several invasive exotic species (weeds) occur on this parcel including spiny plumless thistle, musk thistle, canada thistle, yellow toadflax, dalmation toadflax, woolly mullen, white top, chamomile and white top.

Trianglelobe moonwort and Narrowleaf moonwort

The surveys specific to this project were inadequate to determine if either of the moonwort species are absent from the Minturn Administrative Site. In instances where surveys are not adequate to definitely determine that the species is absent from a project area presence of the species can be assumed and effects can be analyzed based on this assumption. No final conclusions or determinations are made at the time of this draft as there will be an opportunity to conduct the necessary surveys in June of 2012. After these surveys are conducted a final determination will be made for the final version of the EA. Moonworts may occur in upland habitats that could be developed and structures could be built in occupied plant habitat where individual plants or whole populations of plants would be lost. Surveys will determine whether there is potential for this effect.

Moonwort species may depend on a shifting pattern of suitable habitats for long term persistence (Popovich 2005). Because moonworts in general are mostly found in previously disturbed areas, actions that clear or burn acres could create habitat for this species (Popovich 2003). Actions that remove vegetation may allow for more efficient spore (seed) dispersal.

Invasive Species: Invasive species (weeds) can be spread by activities including development that uses mechanized equipment and livestock grazing. Invasive species presence on the site could compound other disturbances and can change mycorrhizal communities (With 2002).

Cumulative effects of Alternative 2

Park Milkvetch

The cumulative effects analysis is limited to the project area. Past and present actions within the project area include: road/trail construction and maintenance, road and trail use, non-motorized recreational use, culvert replacement, urban development, infestations of invasive species and herbicide treatments. The proposed action would add cumulatively to past, present and reasonably foreseeable actions in the following ways; As previously discussed potential future development within the property could alter existing surrounding habitats and plant species compositions required by bees. The surveys will help determine the cumulative effects and the magnitude of the effect and whether these cumulatively are sufficient to potentially reduce viability on the planning unit for park milkvetch. **Trianglelobe moonwort and Narrowleaf moonwort**

The cumulative effects analysis is limited to the project area. Past and present actions within the project area include: road/trail construction and maintenance, road and trail use, non-motorized recreational use, culvert replacement, urban development, infestations of invasive species and herbicide treatments. The proposed action could add cumulatively to past, present and reasonably foreseeable actions in the following ways; The surveys will help determine the cumulative effects and the magnitude of the effect and whether these cumulatively are sufficient to potentially reduce viability on the planning unit for both *Botrychium* species.

Recreation

Affected Environment

The residence compound portion of the parcel is not available for public recreational use and functions as an administrative site only.

The Martin Creek portion of the parcel currently provides recreational access to the Martin Creek trail and the Holy Cross Wilderness. This is a low use trail that receives the majority of its visitation from neighbors and hunters (during the fall hunting season). Exact trail use numbers are difficult to attain, but best estimates from Eagle-Holy Cross Ranger District Staff estimate approximately 500 people per year access the Martin Creek trail from the property. In addition, three outfitter/guides (working under Forest service permit) access the Martin Creek trail from the property. The outfitter/guides provide hunting and horseback services to their clients, and approximately 55 outfitter/guide user days per year (one user day = one client per day) are allotted for this trailhead.

The trailhead, and associated poor condition access road, utilizes a very small portion of the Martin Creek portion of the parcel. The remainder of this portion of the parcel is unutilized vacant land within the boundaries of the Town of Minturn.

Environmental Consequences

Consequences of No Action

If no action is taken, the Minturn Administrative Site parcel would remain in the possession of the Forest Service. The site would continue to provide the same recreational opportunities as described in the affected environment.

Direct and Indirect effects of Alternative 2

Because the residence compound portion of the parcel receives no public recreational use there would be no direct or indirect effects related to the proposed sale of this portion of the parcel.

Under the proposed action the Martin Creek trailhead would no longer be accessible. Approximately 500 trail users and 55 outfitter guide user days would be displaced. Access to the trail would be from other locations greater than one mile from this trailhead. If found to be necessary and feasible the Forest Service would seek other nearby opportunities for a trailhead, If a location is found, the construction and relocation of the trailhead would have to be analyzed in a separate NEPA analysis document. This process would not be initiated until a sale of the property is realized. Access to the trail would still be available, although a multi-mile detour would be necessary. If it is determined that a new trailhead is needed, the local effect from this lost opportunity for public land access at this location would be reduced if a new location can be identified and constructed at a nearby location.

Displacement of the approximately 500 trail users and 55 outfitter guide user days to other trails/trailheads may cause additional traffic on other trails that offer similar recreational opportunities. The majority of the users that access the Martin Creek trail from the parcel that is proposed for conveyance are neighbors. Therefore it is reasonable that most of the displaced trail users would choose to recreate on other trails that are in close proximity to the Town of Minturn.

Social/Economic

Affected Environment

The residence compound portion of the site was acquired from the State of Colorado in 1936 as part of a larger land exchange and was used as a Ranger District Office until a new office was constructed north of this site along Interstate 70. The Martin Creek portion of the site was purchased from Vail Associates in 1979 and was also part of a larger land purchase that totaled approximately 2,900 acres.

Currently the parcel of land is utilized by the Eagle-Holy Cross Ranger District for employee housing, horse pasture, storage, and a trailhead. There are three single family homes on the site that provide housing for permanent staff on the Ranger District, one barracks building that provides housing for seasonal employees, two storage buildings, and two mobile home pads that provide alternative housing for permanent staff. All of the buildings are in poor condition and have a backlog of deferred maintenance issues, and are not energy efficient. It has been determined that the buildings are beyond their useful life.

There is a trailhead and poor condition access road for the Martin Creek trail located on the parcel. Additionally, there are numerous property encroachments from adjacent landowners. These encroachments range from sod lawns and miscellaneous yard equipment to driveways and sheds. A survey has been completed to document all the encroachments and notices will be sent to all encroaching landowners requesting removal of the encroachments.

It is not legal for a municipal or county government to zone over federal lands that lie within their boundaries, and therefore the Town of Minturn zoning maps indicate the parcel as “Federally Regulated”.

Environmental Consequences

Consequences of No Action

If no action is taken, the Minturn Administrative Site parcel would remain in the possession of the Forest Service. Current and past uses of the parcel would continue in the short-term and in the future the parcel would remain available for land exchanges or other conveyances. If no action is taken the WRNF would not gain the revenue that is necessary to construct new energy efficient buildings for the efficient operation of the White River National Forest and the Eagle/Holy Cross Ranger District.

If the WRNF continued to own the parcel it would not be made available for residential or commercial development and the Town of Minturn would not gain any potential tax revenue.

Direct and Indirect effects of Alternative 2

The direct effect of implementing the proposed action is that the land being analyzed would no longer be in the ownership of the United States Forest Service.

If the Minturn Administrative Site were to be conveyed out of federal ownership and into private hands the WRNF would gain revenue to assist in the maintenance and construction of administrative facilities that are in need of restoration or replacement across the Forest and the Ranger District.

Indirect effects of implementing the proposed action include the potential that the parcel would be developed in the future. It is necessary to analyze this private development scenario to disclose the potential effects if that were to occur. The Forest Service acknowledges that other, potentially lesser effects would occur should the land be used for other purposes such as open space, parks, or Town of Minturn offices and that some speculation is necessary to determine what a development of the parcel might include. A development scenario based on the best information available is presented. Other development scenarios are possible but it is not feasible, nor within the scope of this analysis, to consider every potential development scenario for the project area. This scenario is being utilized as a reasonable example to disclose potential effects.

Since Federal lands are not subject to Town zoning regulations, the zoning of similar adjacent lands was used to determine the most reasonably foreseeable future use of the parcel. Based on present zoning and uses on adjacent private lands, and the future development plans identified in the Minturn Community Plan, the most reasonably foreseeable use of the property is a mix of residential and commercial development. More specifically the Martin Creek portion of the parcel, although adjacent to commercial uses has very little frontage along US Highway 24. Commercial uses on the Martin Creek portion of the parcel would be less desirable than some type of residential use. The residence compound portion of the parcel would be better suited to commercial use because of the amount of highway frontage. Some type of residential/commercial mix of uses would be well suited to the residence compound portion of the parcel.

Through conversations with planning staff at the Town of Minturn it was determined that the minimum residential lot size allowed on the Martin Creek portion of the parcel would be 7,500 square feet were it to be zoned residential in the future. Utilizing the minimum lot size of 7,500 square feet and a recommendation from planning staff at the Town that approximately 25% of the land base in any development is utilized for roads, utilities, setbacks and the other infrastructure it was determined that the parcel has the potential to accommodate approximately 49 residential lots. A residential lot in this area of the Town of Minturn could be developed as a single family home or a duplex.

11.5 acres - 0.2 acres of protected wetland = 11.3 acres
11.3 acres = 492,228 square feet
25% reduction for roads etc. = 369,171 square feet developable
369,171 square feet developable area/7,500 square feet lot size = appx. 49 lots

Through conversations with planning staff at the Town of Minturn it was determined that the minimum mixed use lot size allowed on the residence compound portion of the parcel would be 10,000 square feet were it to be zoned mixed use in the future. Utilizing the minimum lot size of 10,000 square feet and a recommendation from planning staff at the Town that approximately 25% of the land base in any development is utilized for roads, utilities, setbacks and the other infrastructure it was determined that the parcel has the potential to accommodate approximately 22 mixed use lots. A mixed use lot could accommodate both residential and commercial uses.

6.8 acres = 296,208 square feet
25% reduction for roads etc. = 222,156 square feet developable
222,156 square feet developable area/10,000 square feet lot size = appx. 22 lots

A development that includes up to 22 mixed use lots and up to 49 residential lots would include some road building and infrastructure development to accommodate these new homes and businesses. All necessary utilities are located nearby including sewer, water, electric, phone, etc. Location of these utilities nearby would limit the necessity of installing new utilities to the site, but it would be necessary to install these utilities to each lot. Some minor outages/disturbances to neighbors could be expected due to this utility installation. The potential development would increase traffic in the direct vicinity of the parcel. There is potential that the view from neighboring residences would be altered by the potential development. The Town of Minturn zoning code would allow a maximum building height of 28 feet for any new buildings in this area.

A development scenario such as the one laid out above would gradually increase tax revenue to the Town of Minturn and Eagle County as the parcel leaves federal ownership and land improvements occur.

Cumulative effects of Alternative 2

It is expected that further residential and commercial development of privately owned lands in the entire Eagle and Vail Valleys would continue. Development of other lands would result in additional residential/commercial development in the surrounding area. Past developments in the surrounding area have increased the amount of residential/commercial development in the Eagle and Vail Valleys.

Wildlife

Affected Environment

The parcel proposed for sale is located at approximately 7900 feet elevation, located in a valley bottom. The Martin Creek portion of the parcel is undeveloped and dominated by grass. The Residence Compound portion of the parcel is developed with structures,

roads, infrastructure, and is dominated by a mix of native grasses and exotic vegetative cover. Lodgepole pine trees border the southern edge of the parcel. The general area is rural, though the parcel is adjacent to privately owned property developed with structures and infrastructure. The area has received high levels of human use in the past and has incurred previous disturbances.

The May 25, 2011 Region 2 Revised Sensitive Species List for the White River National Forest includes two insects, nine mammal, and 17 bird species that may occur or their habitat may be present on the Holy Cross Ranger District. Out of the 38 species with habitat potential on the Ranger District, seven have potential habitat on or near the subject parcel. These seven terrestrial wildlife species and a short habitat description are shown below:

Sensitive Species	Basic Habitat Description
BIRDS	
northern goshawk, <i>Accipiter gentilis</i>	Coniferous, deciduous, and mixed forests, <11,500' elevation
flamulated owl, <i>Otus flammeolus</i>	Late-seral open-grown ponderosa pine/Douglas-fir & aspen adjacent to meadows, secondary cavity nests, 6000 to 10,000' elevation
olive-sided flycatcher, <i>Contopus cooperi</i>	Mature spruce/fir, aspen, forest/meadow edges, <11,500' elevation
purple martin, <i>Progne subis</i>	Late-seral aspen near meadows & water <9000' elevation, secondary cavity nesting in aspen
MAMMALS	
Townsend's big-eared bat, <i>Plecotus townsendii</i>	Mines, rock crevices, structures, tree cavities, edge habitats 6100 -9500' elevation in dry to mesic forests
fringed myotis, <i>Myotis thysanodes</i>	Fir-pine forests/woodlands 3900 to 10,000' elevation, mines, rock crevices, structures
hoary bat, <i>Lasiurus cinereus</i>	Conifer & deciduous tree cavities or cliffs on edge of clearings

Environmental Consequences

Consequences of No Action

If no action is taken, the Minturn Administrative Site parcel would remain in the possession of the Forest Service. The site would continue to provide the same wildlife habitat as described in the affected environment.

Direct and Indirect Effects of Alternative 2

Because the Minturn Administrative Site parcel is dominated by grass and already impacted and partially developed only portions of the parcel provides habitat for the seven species listed above, mainly foraging habitat. Some of these species utilize open areas for foraging while others prefer forested conditions for foraging found outside of the action area.

Upon conveyance and future development of the parcel, some trees could be removed. Therefore, there could be a small amount of change to upland forest structure right along the edge of the parcels where some trees occur. This change in forest structure could slightly reduce the quality of habitat for these species, but is not likely to result in loss of habitat. This could be a decline in roosting/resting habitat, cavity trees, hiding cover, or foraging habitat. However, the quality of habitat offered inside the parcel for these

species is low. Therefore, conveyance of the parcel would have an insignificant effect on the habitat for these species.

The surrounding 500 foot area, (an area that extends outward 500 feet from the parcel boundary and encircles the entire parcel) which is treed, offers more suitable habitat conditions for the seven species. The parcel currently serves as employee housing, fire work station, and horse pasture, so vehicle traffic in the parcel occurs daily. Residential and commercial development already exists north and south of the parcels along Highway 24. Some dispersed recreational use already occurs in some form in the area.

Therefore sale of this parcel is not likely to affect any habitat for northern goshawk, flammulated owl, olive-sided flycatcher, purple martin, Townsend's big-eared bat, fringed myotis, and hoary bat in that 500 foot surrounding area beyond the existing condition.

If the 500 foot surrounding area is intermittently occupied by northern goshawk, flammulated owl, olive-sided flycatcher, purple martin, Townsend's big-eared bat, fringed myotis, and hoary bat, development of the parcels that may occur after conveyance of the parcel may include the use of ground based mechanical equipment, including noise, lights, and associated disturbances, including later occupancy and use. These disturbances could be a nuisance to those species that is not measureable, resulting in an insignificant effect on these species.

Cumulative effects of Alternative 2

It is expected that further residential and commercial development of privately owned lands in the entire Eagle Valley and surrounding areas would continue. Development of lands providing habitat for these species would result in a loss of habitat. Past developments reduced the amount of habitat for some of these species already.

Increased developments on privately owned lands could increase motorized vehicle traffic on the I-70, Highway 6 and Highway 24 transportation corridors. Increased traffic may affect the ability for these birds to attract a mate if they have to compete with increased traffic noise levels.

No additional cumulative effects are expected.

CONSULTATION AND COORDINATION

The Forest Service consulted the following individuals, Federal, State, and local agencies, tribes and non-Forest Service persons during the development of this environmental assessment:

FOREST SERVICE INTERDISCIPLINARY TEAM

Andrea Brogan, Archeologist
Lara Duran, Wildlife Biologist
Matt Grove, Fisheries Biologist
Wendy Haskins, Forest Planner
Johnny Proctor, Botanist
Kevin Warner, Recreation Specialist, Lands/Realty Specialist, and ID Team Leader
Mark Weinhold, Hydrologist

FEDERAL, STATE, AND LOCAL AGENCIES

Colorado State Historic Preservation Office
Eagle County
Town of Minturn

TRIBES

Southern Ute Indian Tribe
Ute Mountain Ute India Tribe
Ute Indian Tribe

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