



United States  
Department of  
Agriculture

Forest  
Service

January 2012



# Environmental Assessment

## Minturn Equipment Yard Conveyance

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

Section 36 of Township 5 South, Range 81 West of the 6<sup>th</sup> P.M.



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Rocky Mountain Region

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## SUMMARY

The White River National Forest (WRNF) proposes to convey the United States Forest Service (USFS) Minturn Equipment Yard parcel via competitive sale on the open market. The property is located north and east 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 may:

- Contribute to additional residential development within the boundaries of the Town of Minturn.
- Result in a loss of viability on the Planning Area or result in a trend towards federal listing for two Region 2 Sensitive plant 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 terrestrial wildlife 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 White River National Forest.

Based upon the effects of the alternatives, the responsible official will decide whether the Minturn Equipment Yard 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 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 action as well as alternative methods for achieving the stated purpose. Alternatives were developed based on key issues raised by the public or other agencies. 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 other alternatives that follow.
- *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

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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. 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 Equipment Yard 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 Equipment Yard will support this Forest-wide program aimed at decreasing deferred maintenance costs, increasing operational efficiencies, and providing more energy efficient administrative facilities.

A Decision Memo was signed in March 2010 that allowed for the sale of this property to the Town of Minturn specifically for the purposes of “Open Space”. Two attempts to complete this transaction have failed because the Town had been unable to acquire the necessary funds to purchase the property. This Environmental Assessment is necessary to analyze the potential environmental effects of conveying the Minturn Equipment Yard via a competitive process that allows for the sale of the parcel to the general public and for purposes other than “Open Space”. The Town of Minturn has the option to offer a bid through the competitive process in order to acquire the property for its original desired purpose.

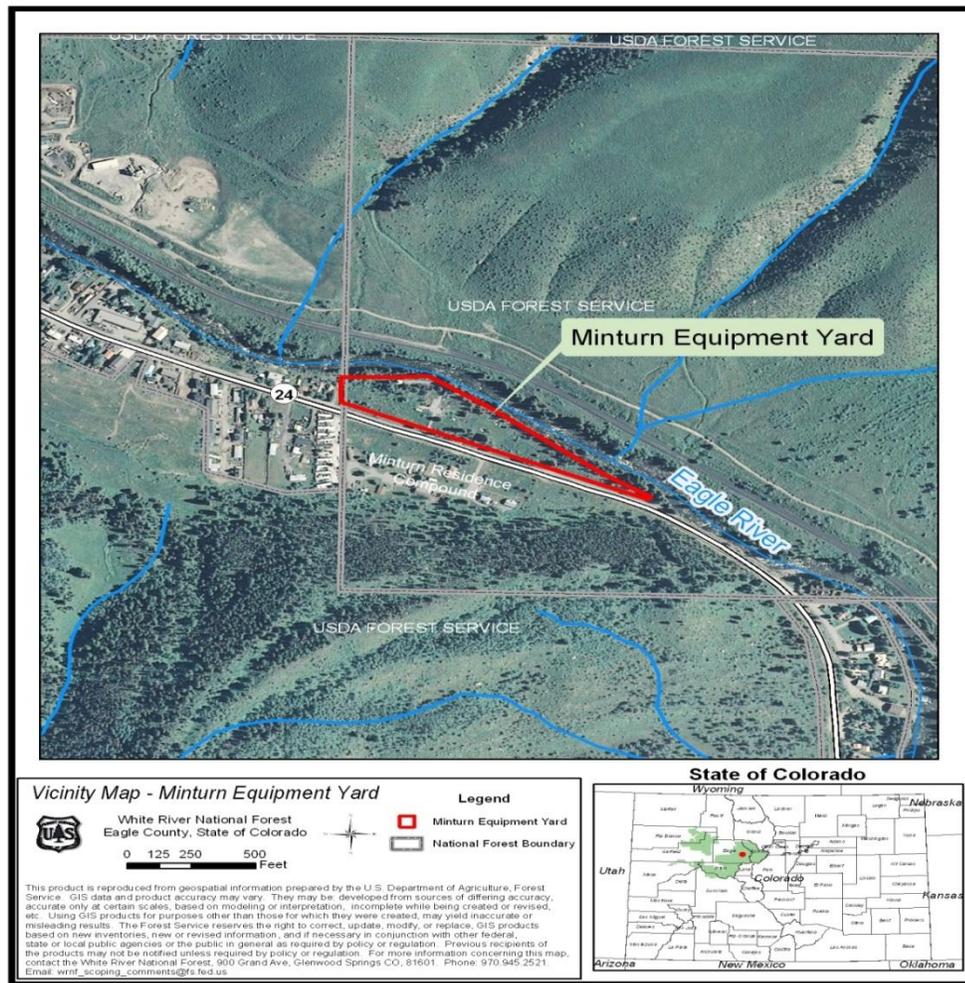
## Purpose and Need for Action

The purpose of this initiative is to convey 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 Minturn Equipment Yard, an approximately 4.39 acre parcel, via competitive sale on the open market. This conveyance would be processed under the authority of the Forest Service Facility Realignment and Enhancement Act (FSFREA) (P.L. 109-54). The timing of the sale will be determined by the real estate market.

Figure 1. Project Vicinity 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 5.41 management area, Deer and Elk Winter Range (pp. 3-57 to 3-59 WRNF LRMP). The direction provided in the plan for this management area, 5.41, does not specifically address land conveyance activities. The proposed action follows all applicable forest-wide and management area standards and guidelines.

## Decision Framework

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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 decision:

1. Whether or not to offer the Minturn Equipment Yard 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

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A Notice of Proposed Realty Action regarding the Minturn Equipment Yard was published in the Vail Daily on February 28, 2007. An additional Notice of Proposed Realty Action regarding 4 administrative parcels for sale (including the Minturn Equipment Yard) was published in the Vail Daily on February 26 and 28, 2008. The same notice was also published in the Vail Trail and the Eagle Valley Enterprise at approximately the same time. In addition, as part of the public involvement process, the agency mailed the same Notices of Proposed Realty Actions to the Town of Minturn, Eagle County government, and United States congressional representatives in February of 2007 and 2008. Since 2007 the White River National Forest has been in verbal contact with the Town of Minturn and Eagle County regarding this potential conveyance.

Quarterly updates of the project were provided in the Schedule of Proposed Actions (SOPA) beginning in April 1, 2007 running through September 30, 2010. After a Decision Memo was signed and then could not be implemented as planned the project was listed in the SOPA again starting on October 1, 2011.

Only one response to the public involvement efforts shown above was received. This response was from the Town of Minturn, which has expressed a desire to purchase the Minturn Equipment Yard. No other responses regarding the Minturn Equipment Yard were received.

## **Issues**

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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 issue, which prompted modifications to the proposed action.

### **Sale of Federally owned floodplains**

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

Executive Order 11988 -- Floodplain Management, Section 3 states that "When property in floodplains is proposed for lease, easement, right-of-way, or disposal to non-Federal public or private parties, the Federal agency shall (1) reference in the conveyance those uses that are restricted under identified Federal, State or local floodplain regulations; and (2) attach other appropriate restrictions to the uses of properties by the grantee or purchaser and any successors, except where prohibited by law; or (3) withhold such properties from conveyance."

It was decided that the best approach in this instance was to eliminate the 0.2 acres of floodplain from the project. The proposed action was modified and the original proposal to dispose of 4.59 acres has been changed. The current proposed action does not include

conveyance of any federally owned floodplains and the acreage was adjusted from 4.59 acres to 4.39 acres.

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

- **The assumed presence of two Region 2 Sensitive plant species.**
- **Potential effects to wildlife.**
- **Potential additional residential development within the boundaries of the Town of Minturn.**
- **Potential effects to recreational access.**

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 Equipment Yard 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**

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#### **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 Equipment Yard would remain in federal ownership, and the Forest Service would continue to use the parcel of land for various administrative purposes. The parcel would not be made available for residential development. The Forest would not gain the expected revenues from the sale of this parcel in order to apply them toward replacing or upgrading other administrative facilities on the Forest. The parcel would remain available for potential conveyance through other methods, including land exchanges. 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 Minturn Equipment Yard, a 4.39 acre parcel, via competitive sale on the open market. The parcel would likely be the site of residential development if sold. 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 conveyance would be determined by the real estate market. The funds from the conveyance would be retained by the White River National Forest for the purposes of administrative facility reconstruction.

The legal description of the parcel is as follows:

A parcel of land situate in Lot 17, Section 36 of Township 5 South, Range 81 West of the 6th P.M., County of Eagle, State of Colorado.

There is one structure on this parcel. It is a 400 square foot metal shed with a garage style door. The building was erected on the site in 1980. This building has been listed for decommissioning in the 2003 WRNF Facility Master Plan.

The mineral estate was reserved to the State of Colorado when the Forest Service acquired the land in 1936. The mineral estate would continue to be reserved to the State of Colorado if the property were to be conveyed.

## 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 #1 Summary of Environmental Effects by Alternative**

	<b>Alternative 1 No Action</b>	<b>Alternative 2 Proposed Action</b>
<b>Aquatics/Fish</b> (no further analysis)	No Effects	<ul style="list-style-type: none"> <li>No Effects for Federally listed Threatened, Endangered, or Proposed aquatic species.</li> <li>No Impact for Region 2 Sensitive aquatic species.</li> <li>The proposed action would neither contribute towards nor negatively affect meeting aquatic Management Indicator Species objectives at the Forest-wide scale.</li> </ul>
<b>Botany/Plants</b> (see Chapter 3 for further analysis regarding the Region 2 Sensitive plant species)	No Effects	<ul style="list-style-type: none"> <li>No Effects for Federally listed Threatened, Endangered, or Proposed plants.</li> <li>Likely to result in a loss of viability on the Planning Area or result in a trend towards federal listing for two Region 2 Sensitive species.</li> </ul>
<b>Cultural</b> (no further analysis)	No Effects	<ul style="list-style-type: none"> <li>There are no known American Indian religious or cultural sites, archeological sites, or historic properties on the tract.</li> <li>The State Historic Preservation Officer determined that this sale will not affect any historic properties.</li> </ul>
<b>Hazardous Materials</b> (no further analysis)	No Effects	<ul style="list-style-type: none"> <li>Hazardous materials assessments, called Environmental Site Assessments, were conducted by <b>Walsh Environmental Scientists and Engineers LLC</b> on the site in 2008, 2010, and again in 2011. The results of these assessments show that “no indications of recognized environmental conditions or material threats were</li> </ul>

	Alternative 1 No Action	Alternative 2 Proposed Action
		identified...therefore, WALSH does not recommend further investigations of this parcel at this time.”
<b>Hydrology</b> (no further analysis)	No Effects	<ul style="list-style-type: none"> <li>No floodplains or wetlands are located within the boundaries of the proposed action. No effects to the hydrologic resources are anticipated.</li> </ul>
<b>Minerals</b> (no further analysis)	No Effects	<ul style="list-style-type: none"> <li>The subsurface mineral rights are reserved to the State of Colorado. No effect to the mineral resource is anticipated.</li> </ul>
<b>Recreation</b> (see Chapter 3 for further analysis)	No Effects	<ul style="list-style-type: none"> <li>A small amount of incidental recreational use, river access, has occurred in the past. Recreational access would no longer be available to the public.</li> </ul>
<b>Social/Economic</b> (see Chapter 3 for further analysis)	<ul style="list-style-type: none"> <li>The WRNF would not create revenue to assist in the physical consolidation of the Eagle-Holy Cross Ranger District.</li> </ul>	<ul style="list-style-type: none"> <li>This parcel sale would potentially contribute to additional residential development (up to 28 residential lots created) within the boundaries of the Town of Minturn.</li> </ul>
<b>Wildlife</b> (see Chapter 3 for further analysis regarding the Region 2 Sensitive wildlife species)	No Effects	<ul style="list-style-type: none"> <li>No Effects for Federally listed Threatened, Endangered, or Proposed terrestrial wildlife species.</li> <li>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.</li> <li>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.</li> </ul>
<b>Wilderness, Wilderness Study Areas, Wild and Scenic Rivers, Research Natural Areas, and Roadless Areas</b> (no further analysis)	No Effects	<ul style="list-style-type: none"> <li>The boundary of the proposed action does not lie within any of the applicable special areas. There will be No Effects to any of these special areas.</li> </ul>

# 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 Table #1.

## Botany/Plants

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### 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 cottonwood grove in a swale which is transitional to riparian habitat along the Eagle River. Elevations in the project area range between ~ 7,800 and 7,900 ft.

Two Region 2 Sensitive plant species were determined to have potential habitat on the Minturn Equipment Yard, although neither species were identified on the site. Both species are commonly known as moonworts and are listed below followed by a short description:

- **Triangleglobe moonwort (*Botrychium ascendens*)**; lives in 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 action area is on Dillon Ranger District there is a moderate likelihood that this species would be present in the action 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 Equipment Yard would remain in the possession of the Forest Service. In the short term the site would continue to provide the same botanical habitat as described in the affected environment.

### **Direct and Indirect Effects of the Proposed Action**

The surveys specific to this project were inadequate to determine if either of the moonwort species are absent from the Minturn Equipment Yard. 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 root function (With 2002).

### **Cumulative effects of Alternative 2**

The cumulative effects analysis is limited to the Minturn Equipment Yard. Past and present actions within the project area include: road/trail construction and maintenance, road and trail use, non-motorized recreational use, infestations of invasive species and herbicide treatments. 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

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### Affected Environment

The site was purchased from the State of Colorado in 1936 for the purposes of administrative use. The site is fenced and has been signed as an administrative site. Some incidental recreational use has occurred on the site in the past. The primary recreational use has been as an access point for the Eagle River. The site was never intended to be utilized for public access and the amount of use for that purpose has been minor.

### Environmental Consequences

#### *Consequences of No Action*

If no action is taken, the Minturn Equipment Yard would remain in the possession of the Forest Service. Current and past uses of the parcel would continue in the short term. Small amounts of incidental recreational use, river access, may continue to occur, although it would not be encouraged.

#### *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 and any recreational access to the Eagle River would no longer be under the discretion of the Forest.

If future use of this parcel is for residential development it is reasonable to expect that any new private owner of the property would not allow trespass across the property for access to the Eagle River. If the property were acquired for open space purposes recreation activities would be allowed, most likely consistent with a town park design, and access to the river would continue.

## Social/Economic

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### Affected Environment

The site was purchased from the State of Colorado in 1936 for the purposes of administrative use. 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”. The site is fenced and has been signed as an administrative site. In the past, and currently to a lesser degree, this site has been used by the Holy Cross Ranger District as a storage area. The site has been utilized for both outdoor storage and covered storage. The purpose of the outdoor storage and covered storage was for tools and equipment that were necessary for the day to day operations of the Ranger District. The site also became a location for storage of materials that were illegally dumped on Forest Service lands across the Ranger District. These

materials included vehicles, campers, refrigerators, used tires and other similar types of material. The site has recently been cleared of all outdoor storage and the only covered storage on the site is the small 400 square foot metal shed.

There are encroachments on the subject parcel that originate from the adjacent property to the west. The encroachments include an addition to a garage and a small addition to a cabin.

## **Environmental Consequences**

### ***Consequences of No Action***

If no action is taken, the Minturn Equipment Yard would remain in the possession of the Forest Service. Current and past uses of the parcel would continue in the short term. 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. The encroachments on the subject parcel would remain in place until the Forest Service chose to enforce the property rights of the United States.

### ***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 Equipment Yard 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 on the parcel 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 acknowledges that different effects would occur should the land be used for other purposes such as open space, 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 if acquired by private interest is for residential development. Through conversations with planning staff at the Town of Minturn it was determined that the minimum residential lot size allowed in this area would be 5,000

square feet were it to be zoned residential in the future. Utilizing the minimum lot size of 5,000 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 28 residential lots. A residential lot in this area of the Town of Minturn could be developed as a single family home or a duplex.

4.39 acres = 191,228 square feet

25% reduction for roads etc. = 143,421 square feet developable

143,421 square feet developable area/5,000 square feet lot size = appx. 28 lots

The Town of Minturn requires a 30 foot setback from the Eagle River when constructing any building. A 30 foot setback at this site would ensure that a majority of the riparian vegetation remain intact which would protect bank stability on the site.

A development that includes up to 28 residential lots would include some road building and infrastructure development to accommodate these new dwellings. 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 slightly increase traffic in the direct vicinity of the subject parcel. It is reasonable to assume that any future owner of the property would enforce their property rights and request that the encroachments on the west end of the parcel be removed. 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 conveyance is located at approximately 7900 feet elevation, located in a valley bottom and is comprised of mixed grass with scattered lodgepole pine. 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:

**Table #2, Region 2 Sensitive Wildlife Species with Potential Habitat on Site**

Sensitive Species	Basic Habitat Description
<b>BIRDS</b>	
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
<b>MAMMALS</b>	
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 Equipment Yard would remain in the possession of the Forest Service. In the short term 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 equipment yard 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), offers some suitable habitat conditions for the seven species. The parcel currently serves as a storage area, so vehicle traffic in the parcel occurs on a recurrent basis. 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.

Conveyance 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 parcel 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:

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Andrea Brogan, Archeologist  
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### ***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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