

Chapter 2. Alternatives, Including the Proposed Action

Introduction

This chapter describes and compares the alternatives considered for the proposed Blue Mountain Land exchange. It includes a complete description of each alternative to be evaluated in detail. This section also presents these alternatives in comparative form, sharply defining the differences between each alternative and providing a clear basis for choice among options by the decision maker and the public. Some of the information used to compare the alternatives is based upon the design of the alternative and other information is based upon the environmental, social and economic effects of implementing each alternative.

History of Proposed Exchange

The concept of the proposed Blue Mountain Land Exchange was initiated in October 1998. Work on the proposed exchange was postponed to allow FS personnel to concentrate on completing the August 2000 legislated Triangle Land Exchange. Some of the Blue Mountain Land Exchange parcels were originally considered in the March 2000 Triangle DEIS.

In May 2002, the FS and Clearwater signed an ATI the Blue Mountain Land Exchange. This ATI was an amendment to the October 1992 ATI, included additional lands and involved approximately 37,000 acres of non-Federal lands and 21,000 acres of Federal lands. Subsequent ATI amendments resulted in an agreement to consider exchanging approximately 28,200 acres of Federal lands for approximately 31,900 acres of non-Federal lands in the vicinity of the Blue Mountains Province of Northeast Oregon.

Public Involvement

A Notice of Intent (NOI) was published in the Federal Register on August 2, 2002. During that same month, written notices describing the proposed exchange were sent to holders of grazing permits and special use authorizations. Notices were also sent to state agencies, congressional delegations, and county commissioners.

A notice of the proposed Blue Mountain Land Exchange was published in newspapers of general circulation in counties where Federal and non-Federal exchange parcels were located. This publication occurred during the period of November 18 through December 9, 2002. Publications were in the East Oregonian (Umatilla, Wheeler and Morrow Counties), Wallowa County Chieftain (Wallowa County), Baker City Herald (Baker County) La Grande Observer (Union County), and Blue Mountain Eagle (Grant County). Legal descriptions of parcels proposed to convey and acquire were posted to the Wallowa-Whitman NF Web Site, per newspaper publication notices. This web site was updated to provide additional information to interested parties and to allow public comments to be submitted electronically.

Scoping meetings from January through March 2003 with county commissioners, environmental organizations, stakeholders, and other interested parties provided the forum to share talking points, provide additional information, answer questions, and respond to concerns. Scoping meetings were designed to document input, to ensure that meeting participants understood the exchange proposal and to identify significant issues and eliminate other issues. The PR has documentation of all public meetings for the period beginning October 2002 through when the DEIS will be released for public review.

On May 28, 2003, a mass mailing of scoping letters (1,500+) were sent to organizations and individuals on NEPA mailing lists for each forest. Also, scoping letters were sent to adjacent landowners, potentially affected parties, those organizations and individuals known to disagree with the proposal, participants in the exchange, elected and other public officials, and other interested parties.

Commensurate with FS authority and responsibility to manage NFS lands is the obligation to consult, cooperate, and coordinate with Federally recognized Indian Tribes in developing and planning management decisions regarding resources that may affect tribal rights established by treaty or Executive Order. The FS complied with this shared responsibility by working with the Tribes on a government-to-government basis and in a manner that attempts a reasonable accommodation of their needs, without compromising the legal positions of the Tribes or the Federal government.

The initiation of consultation with potentially affected Tribes began in the winter of 2001. The initial contact with the Confederated Tribes of Umatilla Indian Reservation (CTUIR) occurred by an email that explained the Proposed Land Exchange and requested a meeting. Nine meetings and three field trips with various tribal officials were documented in the year 2002. Additional correspondence occurred from letters and email. The Proposed Exchange Alternative was explained, information was provided as requested and sensitive American Indian documents were shared with the FS on a formal government-to-government consultation/relations basis. Year 2003 resulted in additional government-to-government consultation on the Proposed Land Exchange. Tribal representatives submitted scoping comments in meetings and documented concerns and recommendations in several letters. The CTUIR recommended that purchase of lands and/or easements/covenants be applied to conveyed parcels to maintain tribal access and requested that the DEIS include a wide range of alternatives. The FS provided the most recent maps of the proposed exchange and cultural resource site forms as requested. Year 2004 resulted in six meetings, phone calls and one field trip to Horseshoe Ridge. Discussions centered on access for traditional uses, the exercise of treaty rights, the impact on the amount and location of open and unclaimed lands, traditional culturally significant areas, protecting the resources in the treaties, cultural resources, resource issues, specific place concerns, effects analysis in specialist reports and status of the project.

Public Scoping Input Summary

The purpose of scoping is to determine the scope of the issues to be addressed and to identify significant issues relative to the proposed action. Scoping also helps to identify other alternatives to evaluate in detail, assists in determining data needs, provides input to formulate analysis/decision criteria and helps suggest feedback to those providing input.

The Blue Mountain Land Exchange Scoping Content Analysis (February 2004) evaluated 44 communications involving letters, emails, comment forms, questionnaires and public meeting notes. Oregon state individuals and organizations submitted 42 communications and the remaining two came from Washington State. One letter from the CTUIR was included in this content analysis. The communications were separated into 23 categories. Individual comments and categories are documented in the Content Analysis filed in the PR. Public comments received after the completion of the Content Analysis continues to be considered. All American Indian government-to-government consultation/relations throughout this NEPA process will be incorporated into the decision making process.

Identification of Significant Issues

The definition of a significant issue is a clear disagreement with the Proposed Action Alternative based on some anticipated effect. Issues are identified through the scoping process with the public, other agencies, and internal FS reviews. Also, issues are identified through government-to-government consultation/relations with affected Indian Tribes.

The scoping process is used not only to identify significant environmental issues deserving of analysis, but also to de-emphasize insignificant issues, thereby narrowing the scope of the environmental impact statement process accordingly (40 CFR 1500.4g). Therefore, impacts are discussed in proportion to their significance. An important component of the significant issue identification process is to describe cause-and-effect relationships between actions and effects.

Some issues were considered, but dropped from further analysis because they are outside the scope of the Proposed Exchange Alternative and its purpose and need; have already been decided by law; are irrelevant to the decision to be made; or are limited in extent, duration and intensity.

Based upon ID team recommendations on comments and consultation with American Indian Tribes, the Responsible Official identified five significant issues. They include: 1) exercise of American Indian treaty rights and cultural uses, 2) water quality, 3) fisheries, 4) old growth associated species and, 5) social and economic environment. These significant issues were used to develop the alternatives to the proposed exchange, as well as to evaluate and compare all alternatives.

1) Exercise of American Indian Reserved Treaty Rights and Cultural Uses

The Proposed Exchange Alternative and subsequent planned private management activities may adversely affect treaty rights and the exercise of these rights. Also, the proposed action may adversely affect the tribal social fabric, cultural uses, and religious practices.

Indicator measures: 1) Narrative on access for traditional uses and the exercising of Treaty rights; 2) Percent change in open and unclaimed lands by Treaty area; 3) Net change of plant association group acres within CTUIR ceded territory; 4) Narrative on open and unclaimed lands; 5) Narrative on cultural resources and; 6) Narrative on protecting the resources in Treaties.

All tribes with areas of interest in the Blue Mountain Land Exchange project area have a concern related to the effect of action alternatives on Treaty rights, the exercise of the rights, and how an action may affect the tribal social fabric or religious practices. The Confederated Tribes of the Warm Springs Reservation, and the Burns Paiute Tribe expressed this concern during government-to-government discussions but provided no specific recommendations related to the Proposed Exchange Alternative.

All of the Tribes went on record of not favoring land exchanges as they would prefer acquisition but not conveyance. The Nez Perce tribal representatives expressed concerns about the proposed exchange because of effects on gathering, traditional tribal access and the parcels near Wallowa Lake and a sacred landscape. The CTUIR designated representatives did not favor the proposed exchange. The CTUIR submitted three letters to the FS that identified specific concerns and recommendations. Cultural concerns regarding parcels in the Meacham area were identified because this area has traditionally been used for hunting and various other activities. Other parcels they expressed concerns about were near a traditional fishing area and traditional berry and root gathering grounds. The CTUIR is significantly concerned that there would be a net loss of the Tribe's cultural resources under the Proposed Exchange Alternative. The CTUIR's

unclaimed land within its treaty area would lose approximately 2,069 acres under the proposed exchange. Another fundamental concern of CTUIR is the harvesting of conveyed timberlands, some of which are in pristine condition, and the acquisition of private timberlands that have been harvested. Other concerns on the proposed exchange disclosed by CTUIR included effects on anadromous fish, effects on wildlife, water rights, water quality, traditional tribal access, properties of cultural significance, and the DEIS process.

2) Water Quality

The Proposed Exchange Alternative and subsequent planned private road construction, logging, grazing, and other developmental activities have a potential to increase water temperatures and introduce sediment into streams. These activities may also cause resource damage to riparian areas and floodplains, resulting in the potential reduction of wildlife and fishery numbers.

Indicator measures: 1) Acre net change of acquired and conveyed wetlands, floodplains, and miles of stream by category; 2) acre net change in forest structure and; 3) a professional opinion narrative on potential effects to water temperature, sediment, water yield, riparian condition and function within key subwatersheds.

This issue includes concerns about the effects the Proposed Exchange Alternative may have on water quality, quantity, riparian areas, and flood plains. The Environmental Protection Agency's (EPA) primary concern is degradation of water quality, because of the presence of T&E fisheries. EPA stated there are four 303D listed streams within the project area. They include Eagle Creek, Imnaha, and the North Fork of John Day, all listed for temperature and Lostine for sediment. Concern was expressed about logging roads that would be acquired in the land exchange. The agency recommended the DEIS detail how the FS would address forest road maintenance and management as it relates to water quality issues. The EPA discussed process for evaluating how the water quality situation might change with the land exchange.

One organization emphasized the NEPA process by stating the DEIS should analyze the cumulative impacts of road construction, logging, grazing, mining, and development that are likely to occur on the parcels acquired by the private sector. CTUIR mentioned concerns related to further aggravating water quality violations and concerns about contribution to lethal increases in water temperature. The Tribe also expressed concerns related to the effects of disturbance activities on riparian conditions. The office of the Governor expressed concern related to water quality from logging and development on two parcels.

3) Fisheries

The Proposed Exchange Alternative and subsequent planned grazing, road construction and maintenance, logging, and resolution of water rights have a potential to cumulatively degrade the quality of fish habitat for spawning, foraging, migration and rearing and may result in a decrease of fish populations.

Indicator measures: 1) Net stream mile change of conveyed and acquired steelhead, Chinook salmon, and bull trout habitat and; 2) a professional opinion narrative on potential benefits to fisheries.

This issue relates to concerns expressed about Threatened and Endangered anadromous fisheries and bull trout. EPA expressed a concern about bull trout, Chinook, and steelhead because of the indirect effects of the proposed project to impact habitat. The CTUIR expressed specific concern related to the effects of the proposed exchange on anadromous fish and water quality. They stated

they wanted forest lands to be managed to maintain viable populations of existing and desired fish... and ideally, they would like to see an option that is consistent with CTUIR'S fish restoration plan: *Wy-Kan-Ush-Mi Wa-Kish, Spirit of the Salmon, the Columbia River Anadromous Fish Restoration Plan of the Nez Perce, Umatilla, Warm Springs and the Yakama Tribes (Spirit of the Salmon)*. The CTUIR recommended the DEIS identify the current status and trend of fish populations along with describing potential cumulative effects from land management activities. The Tribe further recommended procedures for disclosing a cumulative effects analysis in the DEIS.

4) Old Growth Associated Species

The proposed Exchange Alternative and subsequent planned private logging and road construction in conveyed allocated old growth management areas may reduce the populations of old growth associated wildlife species.

Indicator measure: 1) Net change Late and old structure acres by forest (includes dedicated old growth); 2) acres of conveyed dedicated old growth by forest and 3) a professional opinion narrative on effects to old growth associated species.

This issue relates to the achievement of Forest Plans goals and objectives as applied to old growth associated species. Old growth habitat is a key habitat component to several sensitive and management indicator species. Six of the NF parcels to convey in the Proposed Land Exchange have dedicated old growth stands for a total of 493 acres. A Forest Plan amendment would be required to designate the best adjacent replacement stands before conveying these Federal parcels.

Several comments were received on concerns for old growth. One organization is concerned about the loss of old growth and “naturally regenerated habitat” in relation to the extent of native forests remaining in eastside Oregon National Forests. A group of citizens from Long Creek and the Monument area expressed a concern about the loss of 1500 acres of what was referred to as “dedicated old growth” in the exchange proposal.

5) Social and Economic Environment

The Proposed Exchange Alternative may have the potential to change employment, income, government taxes and revenues, and NFS land management and administration costs. The propose exchange also has the potential to affect traditional land uses and lifestyles.

Indicator measures: From the Social and Economic Environment section, 1) Net change in available timber volume and associated employment and income; 2) Net changes in government taxes and revenues, including net changes in property tax revenues; 3) One-time administrative cost savings; and 4) net change in annual administrative costs. From the Recreation section, 1) Net change in ROS class acres and a professional opinion narrative; 2) net change of open and closed roads miles and a professional opinion narrative; 3) acre net change of wild and scenic river corridors, wilderness areas, inventoried roadless areas and Hells Canyon National Recreation Area (HCNRA).

Many individuals and organizations throughout the scoping process expressed this issue as a concern. Several respondents expressed their concerns related to recreational preferences and resource values regarding National Forest management and desired resource conditions. The office of the Governor and another individual stated that parcel FU26 has very high recreational value, particularly for big game hunting and upland bird hunting. A business owner is concerned

about the loss of public access to the Imnaha River on the Lewis property. One individual emphasized the importance of access to public lands. Another individual expressed concern about the loss of snowmobile trails. An organization has concerns about Federal lands within congressionally designated areas, such as wilderness or national recreation areas being conveyed to the public. Several individuals believe the Wood Butte area has a significant historical importance and recreational value to the citizens of northern Wallowa County.

Several comments expressed concern about the economics associated with the land exchange. An organization is concerned about the restoration costs associated with past damage to private parcels the FS would acquire. Two individuals have a concern about the full disclosure of the economic costs to the public. Receipts to local/county/and states are a concern to another individual. The loss of property tax revenues because of the net loss of private land in the proposed alternative is also a concern to county commissioners and others.

Alternatives Considered in Detail

The process used in developing alternatives to evaluate in detail involved bringing together a considerable amount of information. First, the ID team and lands staff considered the history of land acquisition and land exchanges on the three National Forests along with land ownership adjustment direction in each of the Forest's Land and Resource Management Plans. Second, the lands staff in cooperation with Clearwater, the proponent facilitator, evaluated all opportunities to achieve the identified purpose and need statements listed in Chapter one. After a conceptual Proposed Action Alternative was developed, the lands staff utilized the existing information on each parcel to convey to determine if the proposal would comply with each Forest Plan's management direction. Clearwater conferred with private owners of parcels to convey to confirm that they could achieve their objectives and were willing to participate in the proposed exchange. Subsequent to the development of the Proposed Exchange Alternative 1, some parcels that had been listed in the Federal Register Notice of Intent were dropped. In addition, a few parcels in the Proposed Exchange Alternative were dropped for mitigation of resource issues or because some participants chose to withdraw from further consideration. Appendix D1 & 2 lists these Federal and non-Federal parcels along with a brief statement on why they were excluded from the Proposed Exchange Alternative. Appendix D3 lists Federal and non-Federal parcels likely to be dropped but still included in the effects analysis. It is important to note that the dropping of one party's parcel has a potential to affect whether the other party's parcels remain in the land exchange.

The results of public scoping helped identify the significant issues used to formulate other alternatives to be evaluated in detail and to prescribe mitigation measures that would address concerns. Based on ID team input, Tribal input and public involvement the Responsible Official has selected the following alternatives to analyze.

Alternative 1: Proposed Exchange

The FS and Clearwater Land Exchange-Oregon, a partnership in Orofino, Idaho, propose to exchange fee title to approximately 18,172 acres of Federal land and 31,741 acres of non-Federal land in scattered parcels throughout the Blue Mountains Province of Northeast Oregon.

Affected FS management units include:

- Malheur National Forest: Blue Mountain and Prairie City Ranger Districts

- Umatilla National Forest: Heppner, North Fork John Day, Pomeroy, and Walla Walla Ranger Districts
- Wallowa-Whitman National Forest: Eagle Cap, La Grande, Baker, Pine, Unity, and Wallowa Valley Ranger Districts; and the HCNRA

Watersheds identified in the exchange are: Imnaha River, Big Sheep Creek, Joseph Creek, Lostine River, Wallowa River, Middle Grande Ronde River, Upper Grande Ronde River, Willow Creek, Umatilla River, North Fork John Day River, Middlefork John Day River, Upper John Day River, Lower John Day River, and the Snake River.

All parcels proposed for exchange (Federal and non-Federal) are within the geographic area of ceded lands and/or area of interest of the Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Warm Springs Reservation, Confederated Tribes of the Nez Perce, or the Burns Paiute Tribes.

Open and unclaimed lands are public lands that the treaties state the tribes have “the privilege of hunting, gathering roots and berries, and pasturing their stock on open and unclaimed lands, in common with citizens” (Treaties). The action alternatives would impact the amount and location of open and unclaimed lands within treaty areas (table 3).

Table 3. Summary of Open and Unclaimed Lands within Treaty Areas

Treaty Area	Total Ceded Lands (Acres)	Lands Held by States (Acres)	Federal Lands (Acres)	County and Other Lands (Acres)	Reservation Lands (Acres)
Nez Perce	8,278,359	35,194	1,983,089	389	750,000
Umatilla	6,522,211	18,012	1,552,669	2,517	172,000
Middle Oregon	4,007,410	44,496	1,823,776	0	650,000
Burns Paiute		31,064	1,798,552	1,704	500
Total	18,807,980	128,766	7,158,086	4,610	1,572,500

Taken from GIS information about ownership

Federal jurisdiction includes major agencies including FS, BLM, Park Service, and Bureau of Reclamation

County and Other includes minor Federal lands

Affected acres by county are shown in Table 4 below.

Table 4. Affected Acres by County

County	FS Acres to Convey	Private Acres to Acquire
Baker County	42	311
Grant County	6,065	9,559
Morrow County	390	159
Umatilla County	6,677	7,768
Union County	388	309
Wallowa County	4,610	13,635
Totals	18,172	31,741

The Proposed Exchange Alternative would authorize the transfer of land ownership and management authority between the parties. The FS would manage the acquired parcels in accordance with the appropriate Forest Plans, as amended.

Rights previously conveyed or permitted by the United States on NF parcels to convey would be eliminated or protected by Clearwater. These rights include easements, reservations, special use authorizations, term grazing permits, existing allotments, and water rights.

The legal description and acreage of each parcel are found in Appendix A and maps are displayed in Appendix B. Existing MA acre allocation of all parcels proposed for conveyance and proposed MA acre allocation of all parcels proposed for acquisition are displayed in Table 5.

Table 5. Alternative 1- MA Acre Allocation for All Parcels to Convey and Acquire

MA	Management Area Descriptions	FS Acres to Convey	Private Acres to Acquire	Acres Net Change
Malheur National Forest				
1-2	General Forest & Rangeland	463	1775	1312
3A	Non-Anadromous Riparian Area	4	0	-4
3B	Anadromous Riparian Area	0	0	0
4A	Big-Game Winter Range	3408	3874	466
10	Semi-Primitive Non-Motorized Recreation Areas	0	185	185
13	Old Growth	385	0	-385
14F	Visual Corridors Foreground	668	0	-668
14M	Visual Corridors Middle ground	79	224	145
RHCA	Riparian Habitat Conservation Area	758	89	-669
Totals		5765	6147	382

Table 5. Alternative 1- MA Acre Allocation for All Parcels to Convey and Acquire (continued)

MA	Management Area Descriptions	FS Acres to Convey	Private Acres to Acquire	Acres Net Change
Umatilla National Forest				
A1	Dispersed Recreation (Non-Motorized)	42	0	-42
A3	Viewshed 1	0	583	583
A4	Viewshed 2	41	80	39
A7	Wild & Scenic Rivers	0	251	251
B1	Wilderness	0	42	42
C1	Dedicated Old Growth Forest Habitat	75	200	125
C3	Big Game Winter Range	2488	1104	-1384
C4	Wildlife Habitat	1605	3718	2113
C5	Riparian (Fish & Wildlife Habitat)	97	437	340
C7	Water Quality (Anadromous Fish)	0	1328	1328
C8	Grass-Tree Mosaic (GTM)	2558	2016	-542
E1	Timber & Forage	0	2193	2193
E2	Timber & Big Game	461	454	-7
Totals		7367	12406	5039
Wallowa-Whitman National Forest				
1	Timber Production Emphasis	439	1666	1227
1W	Timber Production/Winter Range	219	253	34
3	Wildlife/Timber Winter Range	3524	2492	-1032
4	Wilderness	0	205	205
6	Backcountry	118	885	767
7	Wild & Scenic Rivers	51	2624	2573
9	HCNRA Dispersed Recreation/Native Vegetation	0	365	365
10	HCNRA Forage Emphasis	656	4330	3674
11	HCNRA Dispersed Recreation/Timber Emphasis	0	309	309
15	Old Growth Preserve	33	0	-33
18	Anadromous Fish Emphasis	0	59	59
Totals		5040	13188	8148

Dedicated old growth has been proposed for conveyance to Clearwater. In the event this occurs, other timbered stands or existing old growth would be assigned for replacement, and the appropriate Forest Plans would be amended as required.

Alternative 2: No Action

Under this alternative, the Proposed Land Exchange between the FS and Clearwater would not occur. The current landownership pattern within the project area would remain the same.

Rights previously conveyed or permitted by the United States on NF parcels to convey in Alternative 1 would remain the same. These rights include easements, reservations, special use authorizations, term grazing permits, and existing allotments and water rights.

Alternative 3: Purchase

This alternative responds to considering a range of alternatives as required by FS direction and previous case law. Several individuals, including the CTUIR requested that purchase of non-Federal parcels be evaluated in detail.

A Purchase Alternative must consider available funding from congressional Land and Water Conservation Funds (LWCF). An evaluation of LWCF dollars received for land purchase by the Malheur, Umatilla, and Wallowa-Whitman National Forests during the last five years revealed that funding has been declining, and this decline is expected to continue (PR). Only private properties with very high public resource values would successfully compete nation-wide for LWCF land purchase dollars. By using the criteria necessary to assume qualification for LWCF, the ID team developed a list of priority parcels to purchase that further the conservation of threatened and endangered species and/or enhance wilderness, Wild and Scenic River, and National Recreation Area values. The purchase qualification methodology is filed in the PR.

Assuming LWCF dollars are secured and based upon 2004 value estimation (PR), the ID team has determined that approximately 4,249 acres could be purchased. Table 6 displays the parcels listed by priority for purchase. Table 7 lists parcel acres and acres purchased by county. Table 8 displays the three proposed Forest Plans MA acre allocation of private parcels purchased under this alternative.

Federal parcels would not be conveyed under this alternative. The FS would manage purchased parcels and the Federal parcels not being conveyed in Alternative 1 in accordance with the appropriate existing Forest Plans, as amended.

Table 6. Alternative 3- Parcels Proposed to be Purchased

Parcel	Acres	Parcel	Acres	Parcel	Acres	Parcel	Acres
PU16F	343	PW16C	302	PW2A	22	PW37	4
PU1A	230	PW16E	162	PW2B	37	PW39C	141
PW1	11	PW19B	201	PW23A	39	PW45	59
PW10A	63	PW19C	162	PW23B	75	PW47A	11
PW10B	101	PW20A	159	PW25A	186	PW47B	47
PW11	41	PW20C	151	PW25B	65	PW48	233
PW13A	43	PW21A	81	PW25C	180		
PW13B	83	PW21B	76	PW25D	175		
PW13C	63	PW21C	75	PW27C	127		
PW13D	8	PW21D	151	PW28	119		
PW16A	39	PW22	41	PW29	143		

Table 7. Alternative 3- County Allocations of Proposed Acres to be Purchased

County	FS Acres to Convey	Private Acres to Purchase
Baker County	-0-	-0-
Grant County	-0-	59
Morrow County	-0-	-0-
Umatilla County	-0-	343
Union County	-0-	47
Wallowa County	-0-	3,800
Totals	-0-	4,249

Table 8. Alternative 3- Forest Plans MA Acre Allocation

MA	Management Area Descriptions	Private Acres to Purchase
Umatilla National Forest		
A7	Wild & Scenic Rivers	213
B1	Wilderness	42
C3	Big Game Winter Range	153
C4	Wildlife Habitat	130
C5	Riparian (Fish & Wildlife Habitat)	35
Total		573
Wallowa-Whitman National Forest		
1	Timber Production Emphasis	2
3	Wildlife/Timber Winter Range	140
4	Wilderness	205
7	Wild & Scenic Rivers	1753
9	HCNRA Dispersed Recreation/Native Vegetation	322
10	HCNRA Forage Emphasis	1079
11	HCNRA Dispersed Recreation/Timber Emphasis	116
18	Anadromous Fish Emphasis	59
Total		3676

Alternative 4: Deed Restriction

This alternative responds to considering a range of alternatives as required by FS direction and previous case law. Several respondents requested that a Deed Restriction Alternative be evaluated in detail. Deed restrictions on conveyed parcels in this alternative were developed in response to four significant issues. They are: 1) the exercise of American Indian treaty rights and cultural uses, 2) water quality, 3) fisheries and, 4) old growth associated species.

This Deed Restriction Alternative acknowledges that the deed covenants would decrease the fair market value of approximately 18,172 acres of the Federal parcels to be conveyed as identified in Alternative 1, by approximately fifty percent (PR). It is estimated that the FS under this alternative could acquire approximately 17,119 acres of non-Federal parcels identified in Alternative 1. The FS would manage acquired parcels in accordance with the appropriate existing

Forest Plans, as amended. The PR documents the assumptions and analysis used to identify the parcels for acquisition. Table 9 displays the parcels and their acres to be acquired.

Table 10 displays the parcels listed by priority to be conveyed, their acres, MAs and other information pertinent to the deed restrictions. Affected acres by county for the Deed Restriction Alternative are shown in Table 11. Existing MA acre allocation of all parcels proposed for conveyance and proposed MA acre allocation of all parcels proposed for acquisition are displayed in Table 12. The NF parcels to convey, which are the same as the Propose Exchange Alternative are identified on maps in Appendix B. On conveyed parcels, the FS would monitor and manage for deed restriction compliance in perpetuity. Rights previously conveyed or permitted by the United States on NF parcels to convey in this alternative would be eliminated or protected by Clearwater. These rights include easements, reservations, special use authorizations, term grazing permits, existing allotments, and water rights.

Table 9. Alternative 4- Parcels Proposed to be Acquired

Parcel	Acres	Parcel	Acres	Parcel	Acres	Parcel	Acres
PM2	280	PW15A	187	PW24H	98	PW44A	70
PU11	745	PW15B	87	PW25A	186	PW44B	12
PU13	108	PW16A	39	PW25B	65	PW45	59
PU15	319	PW16B	115	PW25C	180	PW46	159
PU16B	1271	PW16C	302	PW25D	175	PW47A	11
PU16C	285	PW16D	80	PW25E	74	PW47B	47
PU16D	630	PW16E	162	PW26A	315	PW48	233
PU16E	456	PW17A	118	PW26B	157	PW5	40
PU16F	343	PW17B	399	PW26C	155	PW51A	244
PU16G	31	PW18	41	PW27A	80	PW51C	79
PU16H	424	PW19A	21	PW27C	127	PW51D	78
PU1A	230	PW19B	201	PW28	119	PW6	9
PU20	390	PW19C	162	PW29	143	PW7A	83
PU21	159	PW20A	159	PW2A	22	PW7B	244
PU22B	545	PW20B	224	PW2B	37	PW7C	118
PU6	14	PW20C	151	PW2C	2	PW8A	429
PU9A	63	PW21A	81	PW3	564	PW8B	258
PU9B	32	PW21B	76	PW31	183	PW8C	39
PW1	11	PW21C	75	PW32	78		
PW10A	63	PW21D	151	PW34A	237		
PW10B	101	PW22	41	PW34B	279		
PW11	41	PW23A	39	PW34C	142		
PW12	257	PW23B	75	PW35A	229		
PW13A	43	PW24A	67	PW35B	153		
PW13B	83	PW24B	53	PW35C	76		
PW13C	63	PW24C	31	PW37	4		
PW13D	8	PW24D	41	PW39C	141		
PW14	649	PW24G	24	PW4	40		

Table 10. Alternative 4- Parcels, Acres, MAs and Riparian Deed Restrictions

Parcel	Acres	MAs	Affected Species ³	Season Grazing Restrictions (not permitted) ¹	Stream Class ²
FM10	314	1-2, 4A, 14F, RHCA	BT		Cat 2
FM11	64	14F, RHCA	SH	April 15-June 15	Cat 1
FM12	236	14F, RHCA	SH	April 15-June 15	Cat 1
FM13	317	1-2, 4A, 14F, 14M, RHCA			Cat 2
FM14	80	1-2, RHCA			Cat 4
FM15	325	4A, RHCA	BT		Cat 4
FM16A	246	4A, 13	BT		n/a
FM16B	82	4A	BT		n/a
FM17	596	4A, RHCA	BT		Cat 4
FM18	480	4A, 13, RHCA	BT, SH	Sept 1-Nov 30; April 15-June 15	Cat 1
FM19	309	4A, 13, RHCA	BT		Cat 1
FM2	16	14M	BT,SC	Aug 15-Nov 30;	
FM20	41	4A, RHCA	BT		Cat 2
FM21	241	4A, RHCA	BT		Cat 2
FM3	121	4A, 14F, 14M	BT		
FM4	368	1-2, 4A, RHCA	BT,SH	Sept 1-Nov 30; April 15-June 15	Cat 1
FM5	326	1-2, 4A, RHCA	BT		Cat 4
FM6	302	4A, RHCA	BT,SH	Sept 1-Nov 30; April 15-June 15	Cat 1
FM7	322	1-2, 4A, RHCA	BT,SH,	Sept 1-Nov 30; April 15-June 15	Cat 1
FM8	581	1-2, 4A, 14F, RHCA	BT,SH	Sept 1-Nov 30; April 15-June 15	Cat 1
FM9	398	1-2, 4A, 14F, RHCA	BT		Cat 2
FU1	5	C8	BT	Sept 1-Nov 30	Cat 2
FU10A	198	E2			Cat 4
FU10B	11	E2			Cat 4
FU11	39	C3			Cat 4
FU12	11	C3			Cat 4
FU13	41	C3			Cat 4
FU14	39	C3			Cat 4
FU15	39	C3			Cat 4
FU16	164	C3			Cat 2
FU17	80	C3	BT		Cat 4
FU18	160	C3, C5	BT		Cat 2
FU19A	158	C3			Cat 4
FU19B	157	C3			Cat 4

Table 10. Alternative 4- Parcels, Acres, MAs and Riparian Deed Restrictions (continued)

Parcel	Acres	MAs	Affected Species³	Season Grazing Restrictions (not permitted)¹	Stream Class²
FU2	160	C4, C5	BT,SH	Sept 1-Nov 30; April 15-June 15	Cat 1
FU20A	403	C3			Cat 2
FU20B	408	C3			Cat 4
FU20C	40	C3			Cat 4
FU20D	41	C3			Cat 4
FU21	319	C3, C4			Cat 2
FU22	37	C3			
FU23	242	C3, E2			Cat 2
FU24	162	C1, C3, C4			Cat 2
FU25	39	A4, C4			Cat 1
FU26	189	A1, C4			Cat 2
FU27	102	C3	BT		Cat 4
FU28	38	C3	BT		Cat 4
FU30	49	E2			Cat 4
FU3A	710	C4, C8	BT,SH	Sept 1-Nov 30; April 15-June 15	Cat 1
FU3B	658	C4, C8	BT,SH	Sept 1-Nov 30; April 15-June 15	Cat 1
FU3C	557	C4, C8	BT		Cat 1
FU3D	874	C4, C8	BT		Cat 2
FU3E	643	C4, C8	BT		Cat 1
FU4	321	C8	BT		Cat 1
FU5	57	C4	BT		
FU6A	57	C4			Cat 2
FU6B	45	A4, C3			Cat 4
FU7	35	C3			
FU8	40	C3			Cat 4
FU9	39	E2			
FW10	640	1, 3, 15	BT,SH	Sept 1-Nov 30; April 15-June 15	Cat 1
FW11	41	1	BT		Cat 4
FW12	291	1	BT		Cat 2
FW13	118	4, 6			Cat 2
FW14A	125	1W	BT		Cat 4
FW14B	81	1, 1W	BT		Cat 4
FW15	31	1W	BT		Cat 4
FW16	39	1W	BT		Cat 4
FW17A	10	7	BT		n/a
FW17C	2	7	BT		n/a
FW18	388	3	SH	April 15-June 15	Cat 1
FW19	42	1			
FW1D	325	10	BT		Cat 4

Table 10. Alternative 4- Parcels, Acres, MAs and Riparian Deed Restrictions (continued)

Parcel	Acres	MAs	Affected Species ³	Season Grazing Restrictions (not permitted) ¹	Stream Class ²
FW1E	127	10	BT		Cat 1
FW2	82	3	BT		Cat 4
FW20	79	3	BT		Cat 4
FW21	83	3	BT		Cat 4
FW22	40	3	BT		Cat 4
FW23	40	3	BT		n/a
FW24	663	1, 3	BT		Cat 2
FW25A	576	1, 3	BT		Cat 4
FW25B	59	1, 3	BT		n/a
FW26	247	1, 3	BT,SH	Sept 1-Nov 30; April 15-June 15	Cat 1
FW30	1	1	BT		N/a
FW5	39	10	BT		Cat 4
FW6A	42	3	BT		Cat 4
FW6B	38	3	BT		Cat 4
FW6C	43	3	BT,SC,SH	Aug 15-Nov 30; April 15-June 15	Cat 1
FW6D	43	3	BT		Cat 4
FW6E	38	3			Cat 4
FW6F	41	3	BT		Cat 4
FW7	121	10	BT		Cat 4
FW8	83	7, 10	BT		Cat 4
FW9	422	3	BT		n/a

1) If riparian areas were fenced to exclude livestock, grazing restrictions do not apply. Specific seasonal restrictions for Bull trout- September 1 – November 30; Spring Chinook - August 15 – September 30; Steelhead - April 15 – June 15.

2) Stream Class – Category 1 Fish Bearing intermittent and perennial streams; Category 2 Perennial non fish bearing streams; Category 4 Intermittent non fish bearing streams; n/a = no stream class on parcel.

3) Bolded BT denotes occupied habitat, not bold are parcels within Bull trout systems covered during consultation, but not occupied. SH=Steelhead, SC= Spring Chinook

The following deed restrictions would apply to all conveyed Federal parcels: Harvest of trees over twenty-one (21) inches is prohibited.

The following deed restrictions would apply to all conveyed Federal parcels containing riparian habitat. The parcels included in this alternative are listed in the above Table 8 with the assigned stream category.

Harvest of trees within:

Category 1 – Three hundred (300) feet slope distance from the high water line of a fish bearing perennial or intermittent stream is prohibited.

Category 2 – One hundred and fifty (150) feet slope distance from the high water line of a perennial stream is prohibited.

Category 4 – One hundred (100) feet slope distance from the high water line of an intermittent stream is prohibited.

Salting of livestock within three hundred (300) feet slope distance from the high water line of perennial or intermittent streams is prohibited.

The maximum annual utilization of range forage will not exceed forty five (45) percent of available forage for grasses and forbs and thirty (30) percent for shrubs.

Confinement of livestock for feeding or other livestock operations within three hundred (300) feet slope distance from the high water line of a perennial or intermittent stream is prohibited.

Construction of new livestock handling and/or management facilities within three hundred (300) feet slope distance from the high water line of a perennial or intermittent streams is prohibited.

New road construction within three hundred (300) feet of the high water line of a perennial or intermittent stream is prohibited.

Road drainage systems for new road construction and/or reconstruction of existing roads will be designed in such a manner that they will not interfere with the passage of fish. The structures will be of adequate size to pass a one hundred (100) year flood event or will be designed with adequate overflow capacity so as not to impact fish viability.

Fish passage will be provided and maintained at all road crossings of fish bearing and potential fish bearing streams.

Grazing, trailing, bedding, watering, and loading of livestock within three hundred (300) feet slope distance from the high water line of the creek will be prohibited seasonally as shown in table 10 above. This deed restriction would apply to the following nineteen (19) parcel numbers: FM11, FM12, FM18, FM19, FM4, FM6, FM7, FM8, FU2, FU3A, FU3B, FU3C, FU3E, FU4, FU25, FW10, FW18, FW26, and FW6C (for a total of approximately 7,068 acres).

The following deed restriction would apply to (13) parcels: FU2, FU3A, FU3B, FU3C, FU3D, FU3E, FU4, FU5, FU10A, FU11, FU12, FU13, and FU14.

Traditional uses of these lands for hunting, fishing, and gathering by members of the Confederated Tribes of the Umatilla, as defined in the Umatilla Treaty of 1855, will be maintained in trust to Tribal members in perpetuity.

This deed restriction would apply to two (2) parcels: FW17A, FW17C lying within the boundaries of the Wild and Scenic Lostine River Corridor.

Changes to existing uses or proposal for new uses and/or development must be in compliance with standards and guidelines as documented in the Wild and Scenic River Management Plan, dated June 1993. Where these standards and guides are in conflict with other land use restrictions, the most restrictive standards and guides will be followed. Commercial and/or residential development is specifically prohibited.

This deed restriction would apply to parcel FW8 lying within the boundaries of the Wild and Scenic Imnaha River Corridor.

Land use and development will be in accordance with 36 CFR 292.20 through 292.25, Private Land Use Regulations, HCNRA. Any changes to existing uses or proposals for new uses and/or development will required a “Certificate of Compliance” as defined in 36 CFR292.24.

Additionally, all existing and proposed uses and/or development will be in compliance with the standards and guides for Federal lands as documented in the Imnaha River Wild and Scenic River Management Plan, dated January 1993.

Table 11. Affected Acres by County

County	FS Acres to Conveyed	Private Acres to Acquired
Baker	42	0
Grant	6,065	1,667
Morrow	390	159
Umatilla	6,677	4,328
Union	388	288
Wallowa	4,610	10,677
Totals	18,172	17,119

Table 12. Alternative 4- MA Acre Allocation for all Parcels to Convey and Acquire

MA	Management Area Descriptions	FS Acres to Convey	Private Acres to Acquire	Acres Net Change
Malheur National Forest				
1-2	General Forest & Rangeland	463	0	-463
3	Non-Anadromous Riparian Area	4	0	-4
3B	Anadromous Riparian Area	0	0	0
4A	Big-Game Winter Range	3408	0	-3408
13	Old Growth	385	0	-385
14	Visual Corridors	0	224	224
14F	Visual Corridors Foreground	668	0	-668
14M	Visual Corridors Middle ground	79	0	-79
RHCA	Riparian Habitat Conservation Area	758	56	-702
Totals		5765	280	-5485
Umatilla National Forest				
A1	Dispersed Recreation (Non-Motorized)	42	0	-42
A3	Viewshed 1	0	183	183
A4	Viewshed 2	41	80	39
A7	Wild & Scenic Rivers	0	251	251
B1	Wilderness	0	42	42
C1	Dedicated Old Growth Forest Habitat	75	0	-75
C3	Big Game Winter Range	2488	761	-1727
C4	Wildlife Habitat	1605	1790	185
C5	Riparian (Fish & Wildlife Habitat)	97	352	255
C7	Water Quality (Anadromous Fish)	0	1094	1094
C8	Grass-Tree Mosaic (GTM)	2588	854	-1704
E1	Timber & Forage	0	545	545
E2	Timber & Big Game	461	93	-368
Totals		7367	6045	-1322

Table 12. Alternative 4- MA Acre Allocation for all Parcels to Convey and Acquire (continued)

MA	Management Area Descriptions	FS Acres to Convey	Private Acres to Acquire	Acres Net Change
Wallowa-Whitman National Forest				
1	Timber Production Emphasis	439	404	-35
1W	Timber Production/Winter Range	219	0	-219
3	Wildlife/Timber Winter Range	3524	1612	-1912
4	Wilderness	01	205	205
6	Backcountry	118	885	767
7	Wild & Scenic Rivers	51	2624	2573
9	HCNRA Dispersed Recreation/Native Vegetation	0	365	365
10	HCNRA Forage Emphasis	656	4330	3674
11	HCNRA Dispersed Recreation/Timber Emphasis	0	309	309
15	Old Growth Preserve	33	1	-32
18	Anadromous Fish Emphasis	0	59	59
Totals		5040	10794	5754

Alternatives Considered but Eliminated from Detailed Study

Exchange All Parcels Identified in the Notice of Intent to Exchange

This alternative was dropped from further consideration because, in some cases, both parties agreed to drop parcels for mitigation, as previously explained. Other parcels were dropped because a private entity chose to withdraw their lands from further consideration, irresolvable title issues became apparent, or the Forest Service withdrew parcels that could have been exchanged for withdrawn private parcels.

Exchange Selected Federal Parcels and Pay Cash to the Facilitator up to 25% of the Appraised Value of the Federal Parcels to Achieve Equal Value

This alternative was dropped from further consideration for several reasons. First, it is the policy of the Forest Service to minimize, to the greatest extent possible, equalization payments. Inclusion or exclusion of lands is the preferred methods to equalize. It is also unlikely that the FS could get the funding needed for such an equalization payment. Additionally, it is possible that the FS would not achieve its purpose and need goals to the greatest extent. Isolated Federal parcels that could have been exchanged, if lands rather than cash were used to equalize values, might remain in Federal ownership under this scenario. Lastly, this alternative would not be responsive to public scoping concerns related to the net reduction in private lands. Private land reduction would likely result in a loss of property tax revenues in the six county study area. Compared to the proposed alternative, less Federal lands would enter private ownership to offset revenues being lost by the counties for those private lands entering Federal ownership.

Acquire Non-Federal Parcels from the Facilitator in Exchange for National Forest Timber or Receipts for National Forest Timber

This alternative is similar to the Purchase Alternative except funds for payment of private parcels would come from receipts for National Forest timber rather than LWCF land purchase money. It is the policy (FSM 5430) to use land-for-timber authority only in high-priority cases that cannot be postponed, and/or meet the following criteria: 1) acquisition of inholdings, valued at 250,000, or less when public benefits are clearly evident; 2) if unsuccessful attempts to complete land-for-land exchanges are documented in the case file; and 3) if the public has been notified and there are no objections to the exchange. This alternative would not meet criteria 1 and 2. Land-for-timber exchanges always reduce receipts to counties because of the loss of the 25% share of timber receipts that goes to counties, in addition to the loss of tax base. The FS is not agreeable to this alternative because it would prevent loggers and other sawmills from competing for Federal timber volume that is in high demand. The acquisition of private inholdings without conveying Federal parcels would not achieve the purpose and need for the FS or the vast majority of private entities participating in the proposed exchange.

Comparison of Alternatives

This section compares the alternatives considered in detail. It is based on the presentation of alternatives, other information earlier in this chapter, and the resource effects detailed in Chapter 3 (affected environment and environmental consequences). First, the alternatives are evaluated on their response to the purpose and need and Forest Plan compliance (Table 13). Second, the significant issues that evolved through scoping are used to compare alternatives through defined measurement indicators. Environmental effects narratives are limited to concise descriptive summaries in bullet comparative form. The information in the bullet statements and Table 14 display comparative effects by aiding in defining the issues and providing a clear basis for choice among options. The bullet statements and Table 14 are intended to help the reader and Responsible Official compare how different alternatives respond to the significant issues.

The environmental effects for many resources did not significantly vary by alternative or varied in minor ways. These resources are addressed in Chapter 3 but are not presented in comparative form.

Mitigation Common to All Action Alternatives

The FS and the facilitator worked together to ensure that all alternatives evaluated in detail had the potential to comply with the management direction in the three Forest Plan's, other Federal management direction, Federal laws and regulations and executive orders. As data was gathered for each parcel in the proposed exchange and prior to the release of the DEIS both parties mutually worked to drop parcels that likely would not comply. This mitigation measure helped to assure that each action alternative could be evaluated as a whole alternative in comparative form, sharply defining the differences between each alternative and providing a clear basis for choice among options by the decision maker and the public.

Table 13. Comparison of Responsiveness to Purpose and Need and Forest Plans Compliance by Alternative

<p>Alternative 1 Responsiveness to Purpose and Need</p>
<p>The Proposed Exchange Alternative was designed to be responsive to the purpose and need statements documented in Chapter 1 page 2. This alternative would provide for more cost efficient management of NFS lands. It would consolidate the Federal land base and provide for more effective conservation and management of natural resources. Acres of wetlands, floodplains and riparian areas would be increased. Federal land ownership would be consolidated in special areas such as wilderness, wild and scenic river management areas, roadless areas and the HCNRA. These lands would be managed to Federal standards into the future. The design of this alternative emphasized acquisition and protection of important habitat for threatened and endangered species. This alternative best addresses the land management goals of both the FS and private parties to the proposed exchange.</p>
<p>Alternative 1 Forest Plans Compliance</p>
<p>Alternative 1 was designed to follow all three Forest’s landownership adjustment direction. Consolidation of Federal jurisdiction and acquisition of key resource lands were determined to be the primary direction for land adjustment. Conveyed parcels would contain a total of 493 acres of dedicated old growth. The best available replacements for these stands have been identified and would be designated as old growth. A decision to implement this alternative would require site-specific Forest Plan amendments for the three Blue Mountain Forest Plans. The Malheur National Forest replacement stands do not meet Forest Plan guidelines. The three Forests would move closer to the described condition in the Forest Plans because of the Proposed Land Exchange.</p>
<p>Alternative 2 Responsiveness to Purpose and Need</p>
<p>The No Action Alternative would not be responsive to the purpose and need statements. Management efficiency on NFS lands would not change. Management of NFS lands would continue as they are now. Private entities involved in the Proposed Land Exchange would not realize their goals. This alternative does not consolidate lands to either the FS or the private parties in the proposed exchange, limiting achievement of land management goals of both parties.</p>
<p>Alternative 2 Forest Plans Compliance</p>
<p>Alternative 2 would not add to landownership adjustments that have occurred from previous land exchanges, therefore landownership adjustment direction in the Forest Plans would not be implemented with this alternative. Special area acres would remain the same. Natural resources would continue to be managed as they have in the past.</p>
<p>Alternative 3 Responsiveness to Purpose and Need</p>
<p>The Purchase Alternative achieves few of the purpose and need statements. Since this alternative would purchase approximately 13% of the lands that would be acquired in Alternative 1, it would provide for improved management efficiency, improved resource management, protection of special areas and acquisition and protection of threatened and endangered species habitat to a lessor degree than Alternative 1. The higher priority lands would be designated for purchase however the facilitator states that many of the private entities participating in the proposed exchange want to acquire Federal property to achieve their individual goals. The logistical problems associated with the Purchase Alternative further reduce the probability of achieving either the FS or the private party’s goals and objectives. Clearwater Land Exchange, Oregon would not participate in the purchase of lands under this alternative.</p>

Table 13. Comparison of Responsiveness to Purpose and Need and Forest Plans Compliance by Alternative

Alternative 3 Forest Plans Compliance
Alternative 3 would move towards compliance with the Umatilla and Wallowa-Whitman National Forest Plans landownership adjustment direction by purchasing priority parcels that further the conservation of threatened and endangered species and/or enhance wilderness, Wild and Scenic River, and National Recreation Area values. Although, the identified logistical problems associated with purchase of private parcels make it improbable that a large number of acres would be purchased over the 10-year analysis period. The purchased parcels would implement landownership adjustment direction in the three Forest Plans, but to a lesser degree than Alternative 1 because of the limited number of acres that likely would be purchased.
Alternative 4 Responsiveness to Purpose and Need
The Deed Restriction Alternative achieves more of the purpose and need statements than the Purchase Alternative but somewhat less than the Proposed Exchange Alternative. The Deed Restriction Alternative would acquire approximately 46% less acres than the Proposed Exchange Alternative. The FS would convey more lands than it would acquire because the deed covenants would decrease the value of the Federal lands to convey. Alternative 4 would provide for improved resource management, protection of special areas and acquisition and protection of threatened and endangered species habitat but to a lesser degree than Alternative 1. Management efficiency would be improved somewhat but off set by substantial FS costs incurred in monitoring and managing deed restriction compliance. This alternative would not achieve the vast majority of the private entity's desired management goals and objectives and would likely result in many lands being withdrawn from the exchange. Clearwater Land Exchange, Oregon would not participate in the exchange under this alternative.
Alternative 4 Forest Plans Compliance
Alternative 4 would move towards compliance with the three Forest Plans landownership adjustment direction by acquiring priority parcels that further the conservation of threatened and endangered species and/or enhance wilderness, Wild and Scenic River, and National Recreation Area values. Although, the identified logistical problems associated with deed restrictions on conveyed parcels make it improbable that many of the parcels identified for acquisition would be actually acquired. The facilitator would not assist in the exchange once the decision to implement Alternative 4 would be made. Conveyed parcels would contain a total of 493 acres of dedicated old growth. A decision to implement this alternative would require site-specific Forest Plan amendments for the three Blue Mountain Forest Plans. The Malheur National Forest replacement stands do not meet Forest Plan guidelines. This alternative would implement landownership adjustment direction in the three Forest Plans more than the Purchase Alternative but less than the Proposed Exchange Alternative because the amount of acres that would likely be acquired would be less

Significant Issue Narrative Comparison by Alternatives

Issue - American Indian Treaty Rights and Cultural Uses

Access for Traditional Uses and the Exercising of Treaty Rights

Alternative 1

- Continues the trend of past land exchanges where upland habitat is conveyed in exchange for acquisition of stream habitat.
- NFS Lands would not have reduced access.
- Most watersheds would have a net gain of acres available for exercising treaty rights.
- The Umatilla Watershed and the Upper Grande Ronde would have a net loss of NFS lands.
- Meacham and Butcher Creeks would have a net loss of 1300 acres.
- Horseshoe Ridge and in the lower portions of Meacham and Butcher Creeks would have Federal ownership blocked up.

Alternative 2

- No changes to access for traditional uses and the exercising of treaty rights.

Alternative 3

- Continues the trend of adding protection of riparian habitat in high priority fisheries habitat but less than Alternative 1 and 4.
- 3,180 acres of the 4,250 acres would be purchased in the Imnaha drainage; no acres purchased in the Umatilla drainage.
- Purchased parcels would not adversely impact access for traditional uses and the exercising of treaty rights.

Alternative 4

- Continues the trend of past land exchanges where upland habitat is conveyed in exchange for acquisition of stream habitat.
- Would result in a net decrease of approximately 1,050 acres of NFS lands.
- Access for traditional uses and the exercising of treaty rights would not be adversely impacted because of deed covenants on conveyed lands.
- Would not block up the NFS lands on Horseshoe Ridge, resulting in limiting access to gathering sites in this area when compared to Alternative 1.

Open and Unclaimed Lands

Alternative 1

- Would have the second highest net increase in open and unclaimed lands with 13,569 acres.
- The location of open and unclaimed lands would change; some requiring arduous walks.
- Increases the open and unclaimed lands by approximately 0.2 percent.

- CTUIR open and unclaimed lands would have a loss of 0.13 percent.

Alternative 2

- No change in acres or location of open and unclaimed lands ceded by treaties. CTUIR open and unclaimed lands would not change.

Alternative 3

- Would have the least net increase in open and unclaimed lands with 4,250 acres.
- Increases the open and unclaimed lands by approximately 0.06 percent.
- No change in CTUIR open and unclaimed lands.

Alternative 4

- Would have the highest net increase in open and unclaimed lands with 17,120 acres, because of deed covenants on conveyed lands.
- Increases the open and unclaimed lands by approximately 0.24 percent.
- CTUIR open and unclaimed lands would increase by 0.13 percent.

Cultural Resources

Alternative 1

- No effect on any National Register listed or eligible cultural resources.

Alternative 2

- No effect to cultural resources; no Federal parcels would be conveyed.

Alternative 3

- No effect to cultural resources; no Federal parcels would be conveyed.

Alternative 4

- No effect on any National Register listed or eligible cultural resources.

Protecting the Resources in the Treaties

Alternative 1

- Places a strong focus on acquiring lands with potential for high quality fisheries habitat.
- Approximately 33 percent of all acquired acres would be within or adjacent to roadless and wilderness areas.
- Would result in a net gain of 40 miles of fish bearing, 10 miles of perennial, and 96 miles of intermittent streams.
- Would help facilitate reaching population goals for the Columbia River Basin Fish and Wildlife Program.

Alternative 2

- Fisheries habitat would continue to be impacted by private ownership and related uses.
- The ability to hunt, gather roots and berries, and pasture livestock would not change.

- Working towards reaching population goals for the Columbia River Basin Fish and Wildlife Program would continue but Alternatives 1, 3 and 4 would better facilitate this objective.

Alternative 3

- Places a strong focus on acquiring lands with potential for high quality fisheries habitat but not to the extent of Alternatives 1 and 4.
- Approximately 81 percent of all purchased acres would be within or adjacent to roadless and wilderness areas.
- Would result in a net gain of 14 miles of fish bearing, 2 miles of perennial, and 33 miles of intermittent streams.
Would help facilitate reaching population goals for the Columbia River Basin Fish and Wildlife Program, but not to the extent of Alternatives 1 and 4.

Alternative 4

- Places a strong focus on acquiring lands with potential for high quality fisheries habitat.
- Approximately 52 percent of all the acquired acres in Alternative 4 would be within or adjacent to roadless and wilderness areas.
- Would result in a net gain of 27 miles of fish bearing, net loss of 5 miles of perennial, and a net gain of 43 miles of intermittent streams.
- Retains protection on parcels conveyed as a deed covenant.
- Results in a net increase in miles of riparian areas protected by Federal standards within ceded lands; approximately 39 miles of fish bearing streams, 14 miles of perennial, and 117 miles of intermittent.
- Would help facilitate reaching population goals for the Columbia River Basin Fish and Wildlife Program.

Issue - Water Quality

Alternative 1

- Acquires 60 times more acres of wetlands and 16 times more acres of floodplains than it would convey.
- Affects to water quality, riparian condition, and water yield would be localized, and generally too small to be measured.
- Erosion and sedimentation would likely increase for one to two years following harvest and associated activities in Butcher Creek, Bear Creek and Upper Dry Gulch.

Alternative 2

- No change in wetlands and floodplain acres.
- The opportunity to acquire substantial acres of wetlands and floodplain would be forgone.
- Commercially timbered non-acquired parcels would likely be harvested.
- Effects to water quality, riparian condition, and water yield would be localized and generally too small to be measured.

- Logging related sedimentation affects to water quality and reduced recruitment of woody material would increase in Texas Bar subwatershed and decrease in Butcher Creek subwatershed compared to Alternative 1.

Alternative 3

- Would acquire about 1% of the acres of wetlands and 33% of floodplains acres when compared to Alternative 1.
- Effects to water quality, riparian condition, and water yield would be localized and generally too small to be measured.
- Cumulative water quality effects would be similar to Alternative 2

Alternative 4

- Would acquire about 50% of the acres of wetlands and 80% of floodplains acres when compared to Alternative 1.
- Deed restrictions on conveyed parcels would maintain water quality and riparian condition at its current level and allow recovery of their components.
- More acres would be harvested than the other action alternatives; less effect to water quality and riparian condition would occur than in Alternative 1
- Only Butcher Creek Subwatershed would see more acres harvested than in Alternative 1.
- Effects to water quality would be about the same as Alternative 2 and 3.

Issue - Fisheries

Steelhead trout

Alternative 1

- Would represent the greatest potential benefit to steelhead trout based on the amount of habitat that would be acquired.
- The majority of harvest and road construction effects to steelhead would be upslope and pose minor indirect effects.

Alternative 2

- Represents the least benefit to steelhead trout since no habitat would be acquired.
- Opportunities to acquire and substantially restore habitat would be foregone.

Alternative 3

- Would rank below alternatives 1 and 4 when considering benefits to steelhead trout since minor amounts of habitat would be purchased.

Alternative 4

- Would rank a close second to Alternative 1 when considering benefits to steelhead trout since it acquires slightly fewer miles of steelhead habitat.
- Would provide the same protections to riparian habitat on conveyed lands as on FS lands due to deed covenants.

- Non-acquired commercial parcels when logged would pose an indirect effect to steelhead trout when logged.

Chinook salmon

Alternative 1

- Would represent the greatest potential benefit to Chinook salmon based on the amount of habitat that would be acquired.
- The majority of harvest and road construction effects to Chinook salmon would be upslope and pose minor indirect.

Alternative 2

- Represents the least benefit to Chinook salmon since no habitat would be acquired.
- Opportunities to acquire and substantially restore habitat would be foregone.

Alternative 3

- Would rank below alternatives 1 and 4 when considering benefits to Chinook salmon since minor amounts of habitat would be purchased.

Alternative 4

- Would rank a close second to Alternative 1 when considering benefits to Chinook salmon because of less protective management for upslope activities on parcels not acquired. Would provide the same protections to riparian habitat on conveyed lands as on FS lands due to deed covenants.
- Non-acquired commercial parcels when logged would pose an indirect effect to Chinook salmon when logged.

Bull trout

Alternative 1

- The minor amount of habitat protection would likely not be great enough to increase fish production or survival of juvenile fish.
- Effects to bull trout habitat would be similar to Alternative 4

Alternative 2

- Would forego opportunities to improve management on nearly 13.1 miles of bull trout habitat.
- Merchantable timber would likely be logged on private parcels in Dry Gulch, Butcher Creek, Bark Cabin Creek, and Texas Bar; erosion and sedimentation would likely increase for one to two years following harvest.

Alternative 3

- The minor amount of habitat protection would likely not be great enough to increase fish production or survival of juvenile fish.
- Beneficial effects are greater than Alternative 2, but less than Alternatives 1 and 4.

Alternative 4

- Deed restrictions would apply to 0.14 miles of foraging/migratory/overwintering habitat.
- The minor amount of habitat protection would likely not be great enough to increase fish production or survival of juvenile fish.
- Effects to bull trout habitat would be similar to Alternative 1.

Issue - Old Growth Associated Species

Alternative 1

- Conveyance and subsequent logging of parcels with old growth habitat would have localized negative effects by displacing individual old growth associated species at the subwatershed scale.
- Loss of old growth habitat at the Blue Mountain scale would not likely to affect the viability of old growth associated species or jeopardize the continued existence of these species.
- All three National Forests would require a Forest Plan amendment to convey dedicated old growth.

Alternative 2

- Current status of old growth and LOS would not change on NFS lands.
- Old growth habitat on NFS lands would likely not be logged and continue to function as old growth.
- LOS on private lands would likely be logged within the next 10 years, resulting in localized effects to old growth associated species.
- No Forest Plan amendment would be required.

Alternative 3

- Current status of old growth and LOS would not change on NFS lands.
- Effects to old growth associate species would be similar to Alternative 2 since four acres of LOS and no dedicated old growth would be purchased.
- LOS on private lands not purchased would likely be logged within the next 10 years, resulting in localized effects to old growth associated species.
- No Forest Plan amendment would be required.

Alternative 4

- Conveyance and subsequent logging of parcels with old growth habitat would have localized negative effects by displacing individual old growth associated species at the subwatershed scale.
- Negligible difference would occur between Alternative 1 and 4 when considered in the context of species viability for old growth associated species.
- Conveyed dedicated old growth would be the same and the net loss of LOS would be slightly more than Alternative 1 because of harvesting LOS on non-acquired parcels.

- Deed restrictions would not provide suitable habitat for old growth associated species on areas with LOS.
- All three National Forests would require a Forest Plan amendment to convey dedicated old growth.

Issue - Social and Economic Environment

Lumber and Wood Products, Associated Employment and Income

Alternative 1

- Results in a net loss of private acres, but would likely result in an annual increase in the supply of timber available for harvest.
- The projected increase in average annual harvest would not be expected to substantially alter current trends in local timber harvest or existing forest-related employment levels.
- Conveyed parcels would include approximately 82.9 MMBF of harvestable timber resources that would be available for harvest.
- Harvestable volume would be equivalent to 42 percent of total harvest in the six-county analysis area in 2003.
- Would support approximately 33 additional FTE jobs and approximately \$1 million in additional income each year for the 10 year planning period, when compared to Alternative 2. Employment estimates include direct, indirect, and induced employment.

Alternative 2

- Results in no change of private acres and continuation of private harvesting trends.
- Continuing trends in projected harvest volume would not be expected to affect current trends in local timber harvest and existing forest-related employment levels.
- Private parcels would include approximately 46.1 MMBF of harvestable timber resources that would be available for harvest.
- Harvestable volume would be equivalent to 23 percent of total harvest in the six-county analysis area in 2003.
- Estimated annual harvest would support approximately 42 FTE direct, indirect, and induced jobs and approximately \$1.2 million in income. This alternative is base line when comparing the action alternatives.

Alternative 3

- Results in a net loss of private acres and a small reduction in average annual timber available for harvest.
- The change in projected harvest volume would not be expected to affect current trends in local timber harvest and existing forest-related employment levels.
- Private parcels not purchased would include approximately 45.7 MMBF of harvestable timber resources that would be available for harvest.
- Harvestable volume would be equivalent to 23 percent of total harvest in the six-county analysis area in 2003.

- Would support no additional full-time equivalent (FTE) jobs and a small loss in income each year for the 10-year planning period, when compared to Alternative 2.

Alternative 4

- Results in a net increase in private acres and an annual increase in the supply of timber available for harvest.
- The projected increase in average annual harvest would not be expected to substantially alter current trends in local timber harvest or existing forest-related employment levels.
- Conveyed parcels plus the private parcels not acquired would include approximately 61.7 MMBF of harvestable timber resources that would be available for harvest. The same parcels would be conveyed as Alternative 1 but deed restrictions result in lower harvestable volume than Alternative 1.
- Harvestable volume would be equivalent to 31 percent of total harvest in the six-county analysis area in 2003.
- Would support approximately 14 additional FTE jobs and approximately \$400,000 in additional income each year for the 10-year planning period, when compared to Alternative 2. Employment estimates include direct, indirect, and induced employment.

Government Taxes and Revenues

Alternative 1

- Results in a net reduction in private lands subject to Oregon property taxes.
- Results in a small decrease in local property tax revenues that would be partially offset by an increase in PILT payments.
- Majority of property tax revenue reduction occurs in Wallowa County.
- Net reduction in private acres in Wallowa County would result in estimated property tax net reduction revenue of approximately \$3,000, less than 0.1 percent of total property taxes imposed in this county (FY2004-05).

Alternative 2

- Government taxes and Revenues would remain the same for all six counties.

Alternative 3

- The purchase of 4,249 acres results in a commensurate net reduction in the number of acres subject to Oregon property taxes.
- Results in a small decrease in local property tax revenues (less than Alternative 1) that would be partially offset by an increase in PILT payments.
- Majority of property tax revenue reduction would occur in Wallowa County.
- Net reduction in private acres in Wallowa County would result in estimated property tax net reduction revenue of approximately \$1,400, less than 0.1 percent of total property taxes imposed in this county (FY2004-05).

Alternative 4

- Results in a net loss of 1,053 Federal acres and an increase of private lands when compared to Alternative 2.
- Results in a slight overall net increase in property tax revenues that would be partially offset by a small decrease in PILT payments.
- Majority of property tax revenue reduction would occur in Wallowa County.
- Net reduction in private acres in Wallowa County would result in estimated property tax net reduction revenue of approximately \$2,000, less than 0.1 percent of total property taxes imposed in this county (FY2004-05).

ROS Class

Alternative 1

- Results in a net increase of 13,532 acres in all ROS classes.
- Would realize a net acre increase in the developed end of the ROS scale by adding 8,050 acres and would also make available an additional 5,482 acres at the primitive end of the scale.
- After increased regulation of OHV use begins, the cumulative effect trend towards changes in ROS classes would likely stop.

Alternative 2

- Current mix of ROS classes would not immediately change.
- After increased regulation of OHV use begins, the cumulative effect trend towards changes in ROS classes would likely stop.

Alternative 3

- Results in a net increase of 4,225 acres in all ROS classes.
- Would realize a net acre increase in the developed end of the ROS scale by adding 2,571 acres and would also make available an additional 1,653 acres at the primitive end of the scale.
- After increased regulation of OHV use begins, the cumulative effect trend towards changes in ROS classes would likely stop.

Alternative 4

- Results in a net decrease of 1,073 acres in all ROS classes.
- Would realize a net acre decrease in the developed end of the ROS scale by losing 3,582 acres and would make available an additional 2,509 acres at the primitive end of the scale.
- After increased regulation of OHV use begins, the cumulative effect trend towards changes in ROS classes would likely stop.

Access

Alternative 1

- Net effect on road access to NFS lands would be an increase associated with 101 miles of open roads on acquired parcels accompanied by a decrease associated with 59.5 miles of open roads on conveyed parcels.
- None of the 59.5 miles of conveyed open roads provide access to NFS lands; these roads would be subject to landowner permission for access.
- Routes that provide access to NFS lands would have a right-of-way retained as a condition of conveyance.
- Long time users would lose recreation opportunities on conveyed parcels if private owners restricted access.
- Resolves trail right-of-way issues on approximately 7.3 miles of trail within the Wallowa-Whitman, Malheur and Umatilla forests.

Alternative 2

- Access to Federal and private lands would remain the same.
- Changes to public access would evolve from projects (i.e., timber sales, etc.).
- Access to private lands could be altered if lands were sold or if current owners changed access policies.
- Public access to the Imnaha River would continue to be limited.
- Use of approximately 7.3 miles of trail with no public right-of-way could lead to inadvertent or deliberate trespass on private property.

Alternative 3

- Net effect on road access to NFS lands would be an increase associated with 8.5 miles of open roads on purchased parcels.
- No conveyance of roads.
- Least possible disruption to visitors and recreationists because access would only increase.
- Resolves trail right-of-way issues on approximately 2.8 miles of trail within the Wallowa-Whitman forest.

Alternative 4

- Net effect on road access to NFS lands would be an increase associated with 53 miles of open roads on acquired parcels accompanied by a decrease associated with 59.5 miles of open roads on conveyed parcels.
- None of the 59.5 miles of conveyed open roads provide access to NFS lands; these roads would be subject to landowner permission for access.
- Routes that provide access to NFS lands would have a right-of-way retained as a condition of conveyance.
- Most disruption to visitors and recreationists. Replacement of dispersed hunting camps and other sites lost to private lands would likely be more difficult to find since there would be a net loss of Federal acres.
- Resolves trail right-of-way issues on approximately 5.7 miles of trail within the Wallowa-Whitman and Malheur forests.

Table 14. Table Comparison of Significant Issues by Alternative

Significant Issue	Alternative		
	1	3	4
American Indian Treaty Rights and Cultural Uses			
Net change open and unclaimed Nez Perce Treaty Area acres	+9,351	+3,819	+15,104
% Net change to total open and unclaimed Nez Perce Treaty Area acres	+ .47	+ .19	+ .76
Net change open and unclaimed Umatilla Treaty Area acres	-2,069	+87	-1,002
% Net change to total open and unclaimed Umatilla Treaty Area acres	- .13	+ .006	- .07
Net change open and unclaimed Middle Oregon Treaty Area acres	+6,329	+343	-1,772
% Net change to total open and unclaimed Middle Oregon Treaty Area acres	+ .35	+ .02	- .10
Net change open and unclaimed Burns Paiute Treaty Area acres	-42	0	-42
% Net change to total open and unclaimed Burns Paiute Treaty Area acres	.002	0	.002
Net change plant association Black Cottonwood group acres within CTUIR ceded territory	-26	0	-26
Net change plant association Douglas Fir group acres within CTUIR ceded territory	-611	0	-1,364
Net change plant association Ponderosa Pine group acres within CTUIR ceded territory	-365	0	-879
Net change plant association Sub Alpine Fir group acres within CTUIR ceded territory	0	0	0
Net change plant association White Fir group acres within CTUIR ceded territory	-723	+12	-1,777
Net change plant association Lodgepole Pine group acres within CTUIR ceded territory	-23	0	-23
Net change plant association Western Juniper group acres within CTUIR ceded territory	+7	0	0
Water Quality			
Net change wetland acres	+648	+7	+336
Net change floodplain acres	+195	+67	+155
Net change miles of fish bearing streams	+41	+14	+29
Net change miles of perennial streams	+9	+2	-5
Net change of intermittent streams	+96	+33	+43
Net change mid-structure acres	+6,043	+859	-2,696
Net change late structure acres	-1,951	+4	-2,209
Fisheries			
Net change miles of steelhead trout habitat	+29.2	+9.27	+26.0
Net change miles of Chinook salmon habitat	+15.6	+9.85	+15.6

Table 14. Table Comparison of Significant Issues by Alternative (continued)

Significant Issue	Alternative		
	1	3	4
Net change miles of bull trout habitat	+13.1	+8.7	+13.1
Old Growth			
Net change WWNF late and old structure acres (Includes dedicated old growth)	-28	+4	-54
Net change UNF late and old structure acres (Includes dedicated old growth)	-1,057	0	-1,315
Net change MNF late and old structure acres (Includes dedicated old growth)	-423	0	-423
Conveyed WWNF dedicated old growth acres	33	0	33
Conveyed UNF dedicated old growth acres	75	0	75
Conveyed MNF dedicated old growth acres	385	0	385
Social			
Net change ROS class primitive acres	+241	+241	+241
Net change ROS class semi-primitive non- motorized acres	+592	+702	+592
Net change ROS class semi-primitive motorized acres	+4,649	+711	+1,676
Net change ROS class roaded natural acres	+7,792	+1,783	-1,420
Net change ROS class roaded modified acres	-205	+343	-2,639
Net change ROS class rural acres	+463	+445	+477
Net change miles of open and closed roads	+41.5	+8.5	-6.5
Net change Wild & Scenic River Corridor acres	+2,122	+1,684	+1,870
Net change wilderness acres	+201	+201	+201
Net change Roadless Areas within & adjacent to acres	+9,292	+3,209	+7,000
Net change HCNRA acres	+7,504	+3,529	+7,504
Economic			
Net change harvestable commercial timber volume (MBF)	+36,882	-381	+15,672
Net change annual employment (FTE jobs)	+33	0	+14
Net change annual income \$	+946,000	-10,000	+403,000
Net change 6 county area property tax revenues \$	-5,200	-1,700	+800
One time administrative savings \$	1,436,500	25,100	610,247
Net change annual administrative costs \$	+114,891	+37,192	+130,568
Net change of boundary to be maintained (miles)	-342	-37	-216

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