

Bureau of Land Management  
Northeastern States Field Office  
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**DECISION RECORD**  
**Environmental Assessment**  
**NEPA #: DOI-BLM-ES-0030-2011-0004-EA**  
***Michigan Resource Management Plan Amendment, Marquette County,  
Michigan Land Sale EA***

The Bureau of Land Management conducted an environmental analysis (NEPA # DOI-BLM-ES-0030-2011-0004-EA) to disclose the site specific environmental consequences of amending the 1985 Michigan Resource Management Plan (Michigan RMP) to offer a small isolated parcel of land in Marquette County, Michigan, for sale under the Federal Land Policy and Management Act (FLPMA) of 1976 (43 U.S.C. 1712,1713). The action is needed to eliminate management responsibility for a small isolated tract of public land with no legal access, which is not needed for any Federal purpose and is difficult and uneconomical to manage. Two alternatives were analyzed for their environmental impacts.

It is my decision to approve the Proposed Action Alternative to amend the Michigan RMP and to allow the proposed sale of land in Marquette County, Michigan. The EA and FONSI analyzed the selected alternative and found no significant impacts.

Implementation of this decision will result in the application of sale procedures found at 43 Code of Federal Regulations Part 2710 for the proposed sale of a 0.82 acre parcel in Marquette County, Michigan.

- A Notice of Realty Action will be published in the *Federal Register*.
- The public will be given the opportunity to comment on the proposed sale of land.
- Identified bidders will be allowed the opportunity to submit a bid and deposit for the land.
- If a successful bid is received, an offer to purchase letter will be sent to the bidder.
- The bidder will be allowed 180 days to submit the remaining balance of the full bid price.
- If a successful bid is not received, then the land will be offered for sale on a continuing basis until the land is sold or the sale is cancelled by the Authorized Officer.

**Authorities:** The authority for this decision is contained in Sections 202 and 203 of the FLPMA.

**Compliance and Monitoring:** Upon completion of the sale, a patent will be issued to the successful bidder.

**Terms / Conditions / Stipulations:** A patent for the land will issue with the following terms and conditions:

- The parcel will be subject to all valid existing rights at the time of conveyance.
- An appropriate indemnification clause protecting the United States from claims arising out of the patentee's use, occupancy, or operations on the patented land.
- Additional terms and conditions that the authorized officer deems appropriate to ensure proper land use and protection of the public interest.
- No warranty of any kind, expressed or implied, is given by the United States as to the title, physical condition or potential uses of the land proposed for sale, and conveyance will not be on a contingency basis.

**PLAN CONFORMANCE AND CONSISTENCY:**

The Proposed Action and No Action Alternative have been reviewed and found to be in conformance with the 1985 Michigan Resource Management Plan and the enactment of the Michigan Public Land Improvement Act of 1988 (Pub. L. 100-537).

**Alternatives Considered:** Two alternatives were considered in the EA, 1) the Proposed Action Alternative: Amend the Michigan RMP and allow the disposal of public land in Marquette County, Michigan; 2) the No Action Alternative: Continue custodial management of the public land under the jurisdiction of the BLM.

**Rationale for Decision:** The No Action Alternative would not meet the purpose and need of the proposed action. This alternative was not selected because it would result in a continuation of the present custodial management of the land when all remaining public lands in the State of Michigan were transferred out of Federal ownership in 1988. The BLM does not maintain a presence in the State of Michigan and continuing to retain 0.82 acres in Federal ownership would be an inefficient use of management resources.

Under the No Action Alternative, the land would continue in its natural state; however, there would be no consolidation of land ownership and the elimination of an isolated parcel that is difficult and uneconomical to manage. The land would not be managed at the local level under local and state zoning regulations, and the land would not be added to the local tax base.

The Proposed Action Alternative to amend the Michigan RMP and allow for the sale of land in Marquette County identified the parcel for sale and offered the opportunity for public comment as part of the land use planning process. The sale of public land in Michigan conforms to the existing Michigan RMP and meets the purpose for the proposed action to eliminate a small

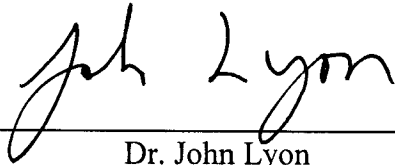
isolated parcel that is not needed for a Federal purpose and is difficult and uneconomical to manage under the general land laws.

On May 22, 2012, a Notice of Intent (NOI) to Amend the 1985 Michigan Resource Management Plan and Associated Environmental Assessment was published in the *Federal Register* to obtain comments and address concerns from interested stakeholders. No adverse comments about the amendment to the Michigan RMP were received. The EA and FONSI were released to the public on the Eastern States website following the publication of the NOI.

**Protest/Appeal Language:**

This decision shall take effect immediately upon the date it is signed by the Authorized Officer, and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay (43 CFR 2801.10(b)). Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a notice of appeal must be filed in the office of the Authorized Officer at Eastern States Office, 7450 Boston Blvd., Springfield, VA 22153. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the Authorized Officer.

Authorized Officer: \_\_\_\_\_



Dr. John Lyon  
Director  
Eastern States

09 14 2012

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Date