

Notice of Decision
Black River Land Exchange
Southwestern Region
Apache National Forest
Springerville RD, Apache County, AZ
Alpine RD, Greenlee County, AZ

As the Responsible Official, H. Wayne Thornton, Director of Lands and Minerals, Southwestern Region, Forest Service, U.S. Department of Agriculture, signed a Decision Notice and Finding of No Significant Impact (FONSI) on August 27, 2004 approving the Black River Land Exchange. The selected alternative (Alternative 1) includes exchange of approximately 400 record (396.35 calculated) acres of non-Federal land for 337.20 preliminary surveyed acres of Federal land. The non-Federal land consists of three separate parcels of land, all on the Apache National Forest for Federal land consisting of two parcels on the Apache National Forest within the Springerville Ranger District. Copies of the Environmental Assessment and Decision Notice/FONSI are available at the Southwest Region Office, Director of Lands and Minerals at 333 Broadway SE, Albuquerque, New Mexico 87102, 505-842-3271, the Apache-Sitgreaves Forest Supervisor's Office at P.O. Box 640, 309 South Mountain Avenue, Springerville, AZ 85938, phone: 928-333-4301, FAX 928-333-6357, or on the internet at www.fs.fed.us/r3/asnf at the Projects and Plans link.

Decision Subject to Appeal: This Decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. The written appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer, Forest Service, U.S. Department of Agriculture, STOP 1104; 1400 Independence Avenue, SW; Washington, DC 20250-1104 (regular mail). Federal Express and hand-delivery address is USDA, Forest Service, Ecosystem Management Coordination (EMC), ATTN: Appeals, Yates 3CEN, 201 14th Street, Washington, DC 20024; telephone 202-205-0895; and Fax number is 202-205-1012.

The business hours for those submitting hand-delivered appeals are: 7:00 a.m. to 5:00 p.m. EST (EDT), Monday through Friday, excluding holidays. An electronic appeal must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), and Word (.doc) to appeals-chief@fs.fed.us. In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

Appeals, including attachments, must be filed within 45 days from the publication date of the notice in the White Mountain Independent, the newspaper of record. The publication date in said newspaper of record is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

Individuals or organizations who submitted substantive comments during the comment period specified in 36 CFR 215.6 may appeal this Decision. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

Implementation of Decision: If no appeals are filed within the 45-day appeal period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

The U.S. Department of Agriculture (USDA) is an equal opportunity provider and employer.