

**DRAFT ENVIRONMENTAL
ASSESSMENT**

Gilbert-Baker Wildlife Management Area Property Exchange

Sioux County, Nebraska

Involving Lands Owned by
Nebraska Game and Parks Commission
&
William F. Grote Testamentary Trust

Decision Relating to
Federal Assistance Grant **W-3-L-5**

Prepared September 2015

Prepared by:



U.S. Fish & Wildlife Service
Wildlife and Sport Fish Restoration Program
Region 6
Denver, Colorado

and

Nebraska Game and Parks Commission
Lincoln, Nebraska

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Introduction

The Nebraska Game and Parks Commission proposes to exchange a 120-acre tract of the Gilbert-Baker Wildlife Management Area (WMA) owned by the Nebraska Game and Parks Commission (NGPC) for a 117.5 acre tract of private in-holding property owned by the William F. Grote Testamentary Trust. In addition, the Federal interest in the NGPC property proposed for exchange would be transferred to the acquired Grote property.

The WMA was acquired with Pittman-Robertson Wildlife Restoration Act (PR) grant funds administered by the U.S. Fish and Wildlife Service (FWS) Region 6 Wildlife and Sport Fish Restoration Program (WSFR). PR regulations require the FWS Regional Director's approval prior to exchange or disposal of real property acquired with PR funds. This prior approval constitutes a major Federal action pursuant to the National Environmental Policy Act of 1969 and thereby requires the preparation of an Environmental Assessment (EA) to determine the impacts of the action on the human environment. The Region WSFR Office has prepared this Draft EA to identify and assess the proposed land exchange in compliance with NEPA requirements.

Purpose and Need

The 2,537 acre Gilbert-Baker WMA, acquired by parcels in 1942, 1943 and 1955 with Pittman-Robertson Wildlife Restoration Act program funds, is managed by NGPC for wildlife habitat and public hunting opportunities. The Grote property is a private in-holding which shares a common boundary on two sides with the Gilbert-Baker WMA. The Grote property is contiguous with the Gilbert-Baker WMA property, and is accessible through the WMA and a well-traveled county road. A map of the proposed exchange properties is attached as Appendix A.

The need for this action is to assess a land use problem and gain habitat and recreational values on the area. A problem was created when a landowner established a private access road across Gilbert-Baker WMA without notifying NGPC; this led to the construction of a single family residence located on adjacent private land. A second home was recently built on the site without notification to NGPC, with both families using this access road as the only viable route from the residences to the county road. At the Grote Trust's recommendation, the Commission is proposing to trade a portion of the WMA for a portion of adjoining Grote Trust land that will result in a net gain in habitat value, allow the residence owners to own a corridor containing the access road and for the Commission to gain wildlife lands not intruded on by a private road and subsequent vehicle access.

The Commission will benefit from this trade in the following ways: 1) net increase of quality forested habitat; 2) acquisition of a perennial cold water stream and associated riparian habitat; 3) transition from a fragmented portion of the WMA to a larger block of land.

Although this trade will result in the net loss of 2.5 acres of land, the Commission will acquire an additional 50 acres of forested woodlands and 1/3 mile of cold water stream and riparian habitat. This will benefit this area which is primarily a big game hunting area. The forest land will provide excellent breeding, calving, and winter habitat both elk and deer. This trade will also provide hunting for deer, elk and turkey with an expected net gain of 25 hunter use days annually. It also

will also provide habitat for many migratory bird species. Non-consumptive uses such as wildlife viewing, hiking, horseback riding and nature studies will also be available on this area. These uses will be managed to ensure that they are compatible with the wildlife that might inhabit the site. A perennial tributary to Monroe Creek flows through the tract, providing a water source that is valuable to wildlife in this arid part of the state. Riparian habitats provide a great diversity of wildlife and vegetation, complementing this wildlife area.

The existing portion of the WMA that is being traded is a narrow, linear somewhat fragmented tract of land. Hunting is limited in such a narrow corridor. The tract to be acquired will result in a larger block of land being protected and managed as a wildlife area. This larger block will potentially result in higher quality habitat and a better hunting experience for area users.

Alternatives

Alternative A (Preferred Action)

Exchange and transfer Federal interest in NGPC property for Grote property.

The Preferred Action consists of exchanging the NGPC property for the Grote property and subsequently assigning the Federal interest in the exchanged NGPC property to the received Grote property. The Preferred Action would allow NGPC to address management and legal challenges associated with the Gilbert-Baker WMA in a single property exchange action.

The 2,537 acre Gilbert-Baker WMA was acquired in 1942, 1943 and 1955 with Pittman-Robertson Wildlife Restoration Act program funds providing 75% Federal share through Federal Assistance Grant W-3-L-1. The current appraised value of the Gilbert-Baker WMA tract is \$126,500.00 as determined through the preparation and subsequent review of a complete appraisal report according to recognized appraisal principles and practices (Uniform Standards of Professional Appraisal Practices) and Uniform Appraisal Standards for Federal Land Acquisitions. The current appraised value of the Grote property is \$126,500.00 as determined through the preparation and subsequent review of a complete appraisal report according to recognized appraisal principles and practices (Uniform Standards of Professional Appraisal Practices) and Uniform Appraisal Standards for Federal Land Acquisitions.

An Exchange Agreement between NGPC and Grote will be executed detailing specific provisions of the proposed property exchange. A draft copy of the exchange agreement is attached as Appendix B.

Alternative B (No Action)

If no action is taken, NGPC will cancel the exchange proposal and ownership of the Gilbert-Baker WMA and Grote property will remain as is. As such, management challenges and illegal access associated with a private in-holding and private access across lands acquired with Pittman-Robertson Wildlife Restoration Act program funds will continue to exist. NGPC could pursue disposal of the Gilbert-Baker WMA tract via outright sale or other exchange options. Further

NGPC could pursue acquiring the Grote property through fee title acquisition. However none of these approaches are desired or acceptable.

Other Alternatives Considered

Purchase the Grote property

Acquiring adjacent property to existing WMA's is a priority for NGPC. This is particularly true of in-holding situations such as the Grote property. But the NGPC has adopted a willing seller policy and at this time the Grote Trust is not willing to sell this land unless suitable replacement property is available for purchase or exchange. While purchasing the Grote property is an option, the property is not available for outright purchase and therefore this alternative is not viable for NGPC.

Dispose of the NGPC property

Disposing of WMA's that present significant management or access challenges is an option available to NGPC. However, the Gilbert-Baker WMA is a relatively large WMA complex for northwest Nebraska. As such, the Gilbert-Baker WMA offers a unique management opportunity to provide large contiguous blocks of high quality wildlife habitat and public hunting opportunities. It is undesirable for NGPC to dispose of any portion of the Gilbert-Baker WMA unless sufficient and adjoining replacement property is available. Therefore this alternative is not viable for NGPC.

Affected Environments

Physical Resources

Location and Management:

The 120 acre NGPC proposed exchange parcel is located approximately 4 miles north of Harrison, NE in Sioux County. It is described legally as the N1/2NE1/4 of Section 20, the N1/2NW1/4 of Section 21, Township 56 North, Range 56 West of the 6th P.M. A majority of the property is currently in grassland with the balance in timber.

The 117.5 acre Grote proposed exchange parcel is located approximately 4.5 miles north of Harrison, NE in Sioux County. It is described legally as the W1/2NE1/4, NW1/4SE1/4 of Section 17, Township 32 North, Range 56 West of the 6th P.M. A majority of the property is currently in timber with the balance in grassland.

Recreation:

The 120-acre NGPC property, while open to public hunting and other wildlife related recreation, provides limited opportunity for these activities due to placement of the private access road that traverses the area. By contrast, the Grote property is privately owned and open to hunting and related wildlife recreation by permission of the landowner. The majority of the habitat on this parcel is in ponderosa pine and ash/cottonwood/boxelder woodlands. The remainder of the habitat is in shortgrass prairie. This habitat type provides

opportunities for wildlife related recreation desired on wildlife management areas.

Wetland Resources:

The NGPC property does not contain wetland resources. The Grote property contains a perennial cold water tributary to Monroe Creek which flows through the tract, providing a water source that is valuable to wildlife in this arid part of the state. A map showing the location of this stream is attached as Appendix C. An email from the Commission's Wetland Program Manager indicates this project will not negatively impact wetlands. See Appendix D.

Prime and Unique Farmlands:

Neither the NGPC property nor the Grote property contains prime farmland or farmland of statewide importance. No conversion of non-agricultural lands to non-agricultural use is anticipated as a result of this proposed land exchange.

Historic and Cultural Resources:

The Nebraska Office of the State Historic Preservation Officer (SHPO) has determined that the potential is low for archaeological sites within the NGPC property. Therefore SHPO has made a determination of "no historic properties affected" for this property exchange. A letter of concurrence from the SHPO is attached as Appendix E.

Biological Resources

Vegetation Resources:

The NGPC property consists almost entirely of grassland, with good representation of shortgrass native plant communities including: big bluestem (*Andropogon gerardii*), blue grama (*Bouteloua gracilis*), sideoats grama (*Bouteloua curtipendula*), green needlegrass (*Stipa viridula*), western wheatgrass (*Pascopyrum smithii*), and several native forb species.

A small segment of the tract is in ponderosa pine woodland and forest. Species included in this woody cover plot are: Ponderosa pine (*Pinus ponderosa*), Rocky Mountain juniper (*Juniperus scopulorum*), chokecherry (*Prunus virginiana*), skunkbush sumac (*Rhus trilobata*), snowberry (*Symphoricarpos*) and wild plum (*Prunus americana*).

The Grote property, consists primarily of ponderosa pine in the uplands and ash/cottonwood/boxelder in riparian areas. Species include: Ponderosa Pine, green ash, cottonwood, boxelder (*Acer negundo*). The remainder of the tract consists of shortgrass prairie. Species include big bluestem (*Andropogon gerardii*), blue grama (*Bouteloua gracilis*), sideoats grama (*Bouteloua curtipendula*), green needlegrass (*Stipa viridula*), western wheatgrass (*Pascopyrum smithii*), and several native forb species.

Wildlife Resources:

Both the NGPC property and Grote property host a variety of resident and migratory wildlife, both game and non-game species. Specific species composition reflects the habitat composition, habitat conditions, and season of the year.

Common game species located on and around the area include mule deer (*Odocoileus hemionus*), white-tailed deer *Odocoileus virginianus*), Rocky Mountain elk (*Cervus*

canadensis), turkey (*Meleagris gallopavo*), Eastern cottontail (*Sylvilagus floridanus*), and sharp-tailed grouse (*Tympanuchus phasianellus*).

Non-game species commonly located on or in the vicinity of the area include thirteen-lined ground squirrel (*Spermophilus tridecemlineatus*), plains pocket gopher (*Geomys bursarius*), deer mouse (*Peromyscus maniculatus*), prairie vole (*Microtus ochrogaster*), coyote (*Canis latrans*), raccoon (*Procyon lotor*), American badger (*Taxidea taxus*), common gartersnake (*Thamnophis sirtalis*), prairie rattlesnake (*Crotalus viridis*), northern harrier (*Circus cyaneus*), red-tailed hawk (*Buteo jamaicensis*), prairie falcon (*Falco mexicanus*), upland sandpiper (*Bartramia longicauda*), great horned owl (*Bubo virginianus*), western kingbird (*Tyrannus verticalis*), eastern kingbird (*Tyrannus tyrannus*), horned lark (*Eremophila alpestris*), Sprague's pipit (*Anthus spragueii*), vesper sparrow (*Pooecetes gramineus*), lark sparrow (*Chondestes grammacus*), lark bunting (*Calamospiza melanocorys*), savannah sparrow (*Passerculus sandwichensis*), grasshopper sparrow (*Ammodramus savannarum*), bobolink (*Dolichonyx oryzivorus*), and western meadowlark (*Sturnella neglecta*).

Fish and Other Aquatic Species:

Neither the NGPC property nor the Grote property support fish habitat or fish species. The stream tributary located on the NGPC property likely provides seasonal habitat for several aquatic dependent species [e.g. tiger salamander (*Ambystoma tigrinum*), Northern leopard frog (*Lithobates pipiens*)], and the perennial nature of this stream likely sustains viable populations of these species.

Special Status Species:

The land being acquired is within the range of the federally and state-listed northern long-eared bat (*Myotis septentrionalis*) and the state listed endangered swift fox (*Vulpes velox*). There are records of swift fox within the vicinity of the property acquired in the exchange, and the habitat for this species exists near the area. The proposed exchange will have “no adverse effect” on state-listed endangered or threatened species and conversely has the potential to benefit listed species, as stated in the attached letter (Appendix F) from the Nebraska Natural Heritage Program.

Environmental Consequences

Alternative A (Preferred Action)

After the exchange, NGPC will no longer own a tract of the Gilbert-Baker WMA compromised by a private road. NGPC will be left with a more contiguous wildlife management area, facilitating more efficient and effective habitat management and public recreation opportunities.

Alternative B (No Action)

If the No Action alternative occurs, NGPC will retain ownership and management of the Gilbert-Baker WMA as it currently exists. NGPC would continue to face challenges in managing this parcel and dealing with the private road located on NGPC property. Further, as the Grote Trust is

willing to assist NGPC with this exchange endeavor, it is critical to take advantage of this opportunity. If the exchange is not completed and the Grote property is acquired by another private party, future opportunities to acquire this tract will be lessened and chances to address management challenges may be lost.

In summary, when assessing the impacts of NGPC’s decision for proposing the exchange, it appears that the Preferred Action would cause the least adverse overall impacts to wildlife, wildlife habitat and public use of the Gilbert-Baker WMA. A summary of potential impacts topics is provided below for both alternatives in Table 1.

Table 1. Summary of Potential Impacts to Identified Impact Topics

IMPACT TOPIC	IMPACTS BY ALTERNATIVE	
	Preferred Action	No Action
RECREATION	Given current land use and habitat conditions on each property, a significant increase in public hunting and related wildlife recreation would result from the exchange.	Without the trade, there would be a no effect on current hunting and related wildlife recreation on the NGPC property.
WETLAND RESOURCES	No wetland resources exist on the NGPC property. The cold water perennial stream on the Grote property would be ensured of protection by NGPC ownership and management	The perennial cold water stream would remain in private ownership and subject to private management.

<p align="center">PRIME AND UNIQUE FARMLAND</p>	<p>No prime or unique farmland acres exist on either property. See Appendix D for confirmation. No conversion of any agricultural lands to non-agricultural use is anticipated and therefore no negative affect will occur.</p>	<p>No prime or unique farmland acres exist on either property. See Appendix D for confirmation. No conversion of any agricultural lands to non-agricultural use is anticipated and therefore no negative affect will occur.</p>
<p align="center">HISTORIC AND CULTURAL RESOURCES</p>	<p>The Nebraska SHPO concurred with the determination of No Historic Properties Affected by the proposed undertaking. See Appendix E for copy of the letter of concurrence from the SHPO.</p>	<p>The NGPC property contains no known historic and cultural resources, and therefore No Historic Properties Affected by this alternative.</p>
<p align="center">VEGETATION RESOURCES</p>	<p>The proposed exchange will not affect the integrity or value of the existing vegetation present on either property. Vegetation on the Grote property will remain in place and managed for wildlife habitat benefits.</p>	<p>Without the trade, vegetation resources on the Grote parcel will remain in private ownership and management will continue as it has been.</p>

<p style="text-align: center;">WILDLIFE RESOURCES</p>	<p>The exchange will not negatively affect the local wildlife species composition, population levels or value of either property to wildlife species. Any additional harvest of game species from the property will not affect local populations, as hunting seasons and limits provide for only sustainable harvest levels. Under NGPC ownership and management, wildlife habitat conditions on the Grote property will improve.</p>	<p>Without additional habitat development on the NGPC property, there would be a no effect on current wildlife resources.</p>
<p style="text-align: center;">FISH AND OTHER AQUATIC SPECIES</p>	<p>The proposed exchange will not negatively affect aquatic wildlife species, and it is anticipated that the stream on the Grote property will remain intact under public ownership and continue to provide seasonal habitat for aquatic species.</p>	<p>Without the trade, the stream remains in private ownership without active management.</p>
<p style="text-align: center;">SPECIAL STATUS SPECIES</p>	<p>The proposed exchange will not affect or impact endangered, threatened, or candidate species or critical habitat in the area for these species as these species and their habitats are not present on either property.</p>	<p>Because the NGPC property contains no endangered, threatened, or candidate species or critical habitat in the area for these species, there is no affect for this alternative.</p>

Cumulative Impacts

NGPC purchased the Gilbert-Baker WMA in 1942, 1943 and 1955 for wildlife habitat and public hunting purposes. In the decades since, NGPC has developed and managed wildlife habitat on the property and has provided significant opportunity for wildlife related recreation opportunities consistent with the purpose for which the Gilbert-Baker WMA was acquired. NGPC desires to reduce management challenges associated with a private access road that has compromised the management and recreational value and use of the tract. Only recently has a legitimate opportunity to accomplish this become available.

The exchange of NGPC property for Grote property would help NGPC attain its objective to more efficiently and effectively manage this property, but also reduce un-authorized access problem resulting from the private access road. Any loss of wildlife habitat and wildlife related

recreational opportunities by disposal of the NGPC property will be replaced in full and surpassed by the habitat and recreation opportunities present on the Grote property.

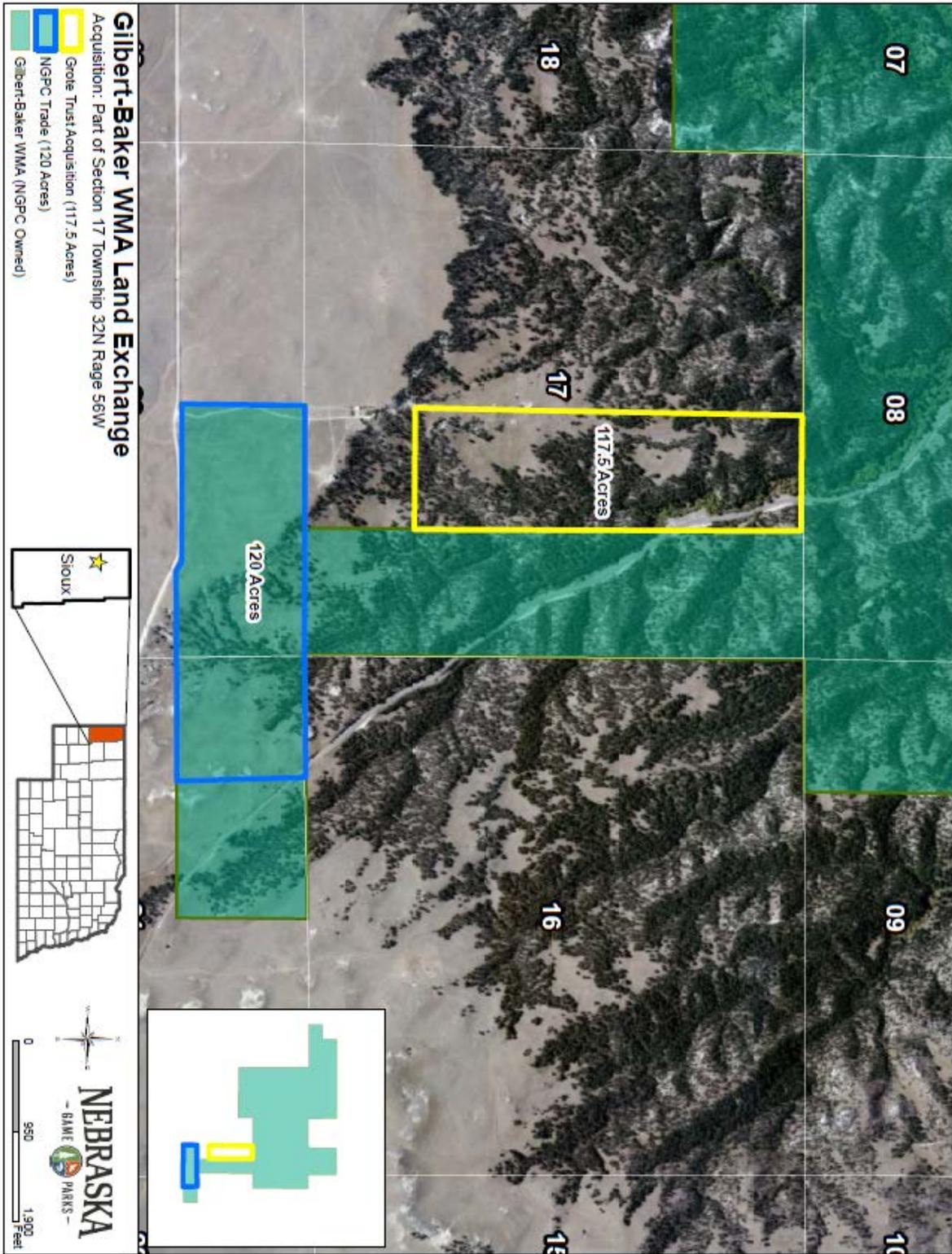
Public Review

The U.S. Fish and Wildlife Service (Service) will release this draft environmental assessment for public comment. Comments will be accepted through an adequate time frame to allow sufficient time for comments to be received.

List of Preparers

Jeff Hoffman, Assistant Division Administrator, NGPC, Lincoln, NE
Greg Schenbeck, Fish and Wildlife Biologist II, NGPC, Crawford, NE
Michelle Koch, Environmental Analyst Supervisor, NGPC, Lincoln, NE
Carey Grell, Environmental Analyst, NGPC, Lincoln, NE
Ted LaGrange, Wetland Program Manager, NGPC, Lincoln, NE
Mike Fritz, Natural Heritage Specialist, NGPC, Lincoln, NE
Tammy Snyder, Administrator, NGPC, Lincoln, NE
Charla Rasmussen, Realtor, NGPC, Lincoln, NE
Trisha Schlake, GIS Applications Developer, NGPC, Lincoln, NE
Michael Cotter, Fishery Biologist, USFWS – WSFR, Lakewood, CO

APPENDIX A
Map of Exchange Properties



APPENDIX B
Exchange Agreement

AGREEMENT FOR EXCHANGE OF REAL ESTATE

This agreement made and entered into this 5th day of April, 2015, by and between Sandra J. Geiser, Trustee of the William F. Grote Testamentary Trust, hereinafter referred to as Trustee, the Nebraska Game and Parks Commission hereinafter referred to as The Commission.

RECITALS

WHEREAS **Trustee** is the owner of the following described real estate to-wit:

The West Half of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter all in Section 17, Township 32 North Range 56 West of the 6th P.M. Sioux County, Nebraska, which real estate composes approximately 113.3 acres;

WHEREAS **Trustee** is also the owner of the following described real estate to-wit:

The north 141 feet of the SW1/4 SE1/4 of Section 17, Township 32 Range 56 West of the 6th P.M. Sioux County, Nebraska, which real estate composes approximately 4.273 acres of land which real estate **Trustee** obtained through a Warranty Deed from John H. Skavdahl and Patricia E. Skavdahl, Husband and Wife, as Joint Tenants with Right of Survivorship hereinafter referred to as **Skavdahl** and Joe W. Stecher and Sally R. Stecher, Husband and Wife, as Joint Tenants with Right of Survivorship, hereinafter referred to as **Stecher**

WHEREAS **The Commission** is the owner of the following described real estate, to-wit:

The North Half of the Northeast Quarter of Section 20 and the North Half of the Northwest Quarter lying West of the west right-of-way line of Monroe Canyon Road in Section 21 all in Township 32 North, Range 56 West of the 6th P.M. Sioux County, Nebraska

WHEREAS, the **Trustee**, in consideration of the agreement set forth desires to transfer, convey and trade to **The Commission** approximately 117.5 acres of land owned by the Trustee and acquired through a land exchange with **Skavdahl** and **Stecher** in Section 17 with approximately 120 acres of land owned by **The Commission** in Sections 20 and 21 all in Township 32 North Range 56 West of the 6th P.M. in Sioux County Nebraska; and

WHEREAS both parties intend and shall have the right to acquire the interest in the real property described above as part of an exchange for like-kind property. Both parties are willing to cooperate with the other party to effectuate any possible tax deferred

exchange transaction under the Internal Revenue Code.

NOW THEREFORE in consideration of the above recitals which by reference are made a part hereof, the covenants, promises and consideration hereinafter stated, it is agreed by and between the parties hereto as follows:

1. **COVENANTS OF THE COMMISSION:** The Commission covenants and agrees to execute and deliver to Trustee a Quitclaim Deed for a tract of land composing of approximately 120 acres of land found within the North Half of the Northeast Quarter of Section 20 and the North Half of the Northwest Quarter lying West of the west right-of-way line of Monroe Canyon Road in Section 21 all in Township 32 North, Range 56 West of the 6th P.M. Sioux County Nebraska reserving unto themselves an easement for ingress and egress to a water catchment located on said tract, which tract of land will be more fully described in a survey to be completed on or before March 25, 2015 and attached to this agreement as Exhibit A.

2. **COVENANTS OF TRUSTEE:** Trustee covenants and agrees to execute and deliver to **The Commission** a Trustee's Deed to the West Half of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter and the North 141' of the Southwest Quarter of the Southeast Quarter all in Section 17, Township 32 North Range 56 West of the 6th P.M. Sioux County, Nebraska.

3. **MISCELLANEOUS PROVISIONS:** It is understood and agreed by and between the parties hereto as follows:

- A. All real estate acres located in Section 17 and subject to this agreement for purposes of the exchange have a value of **\$1,050.31** per acre and all real estate acres located in Sections 20 and 21 shall have a value of **\$1,018.75** per acre.
- B. **The Commission** shall at its expense, survey and construct a boundary fence on the common boundary between **The Commission** owned property and property which was owned by **Skavdahl** and **Stecher** after the exchanges and closing have been completed.
- C. Closing of this transaction shall occur after the closing of the exchange between **Trustee** and **Skavdahl** and **Stecher** at the law offices of Skavdahl, Edmund & Stecher at a time and date mutually agreeable to the parties. The closing of this agreement shall be within thirty (30) days after approval of this land exchange by the Nebraska Game and Parks Commission and the Office of Federal Aid.
- D. Each party shall pay the cost of preparing the deed to be executed and delivered pursuant to this agreement and pay all documentary stamp tax due on the deed received at time of

recording based upon the value state in subparagraph A. above.

- E. Each party will provide owner's title insurance on the land being exchanged in this agreement.
- F. This agreement shall be binding upon the successors, heirs, and assigns of the parties hereto
- G. Each party shall be entitled to possession of all of the property being transferred under this agreement, upon closing.
- H. This agreement represents the total and entire agreement between the parties and the same may not be modified, altered or amended unless said modification, alteration, or amendment is reduced to writing and signed by the parties or is required by law.
- I. This agreement, and closing of this agreement, is contingent on approval by Federal Aid and acceptance of the Nebraska Game and Parks Commission.

WILLIAM F. GROTE TESTAMENTARY TRUST

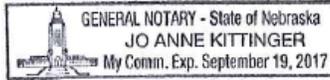
BY: 
Sandra J. Geiser, Trustee

NEBRASKA GAME AND PARKS COMMISSION

By: 
Name: Timothy McCoy
Title: Deputy Director

STATE OF NEBRASKA)
) ss.
COUNTY OF SIOUX)

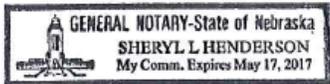
The foregoing instrument was acknowledged before me on this 16th day of April, 2015, by Sandra J. Geiser, Trustee of the William F. Grote Testamentary Trust, on behalf of the Trust.



Jo Anne Kittinger
Notary Public

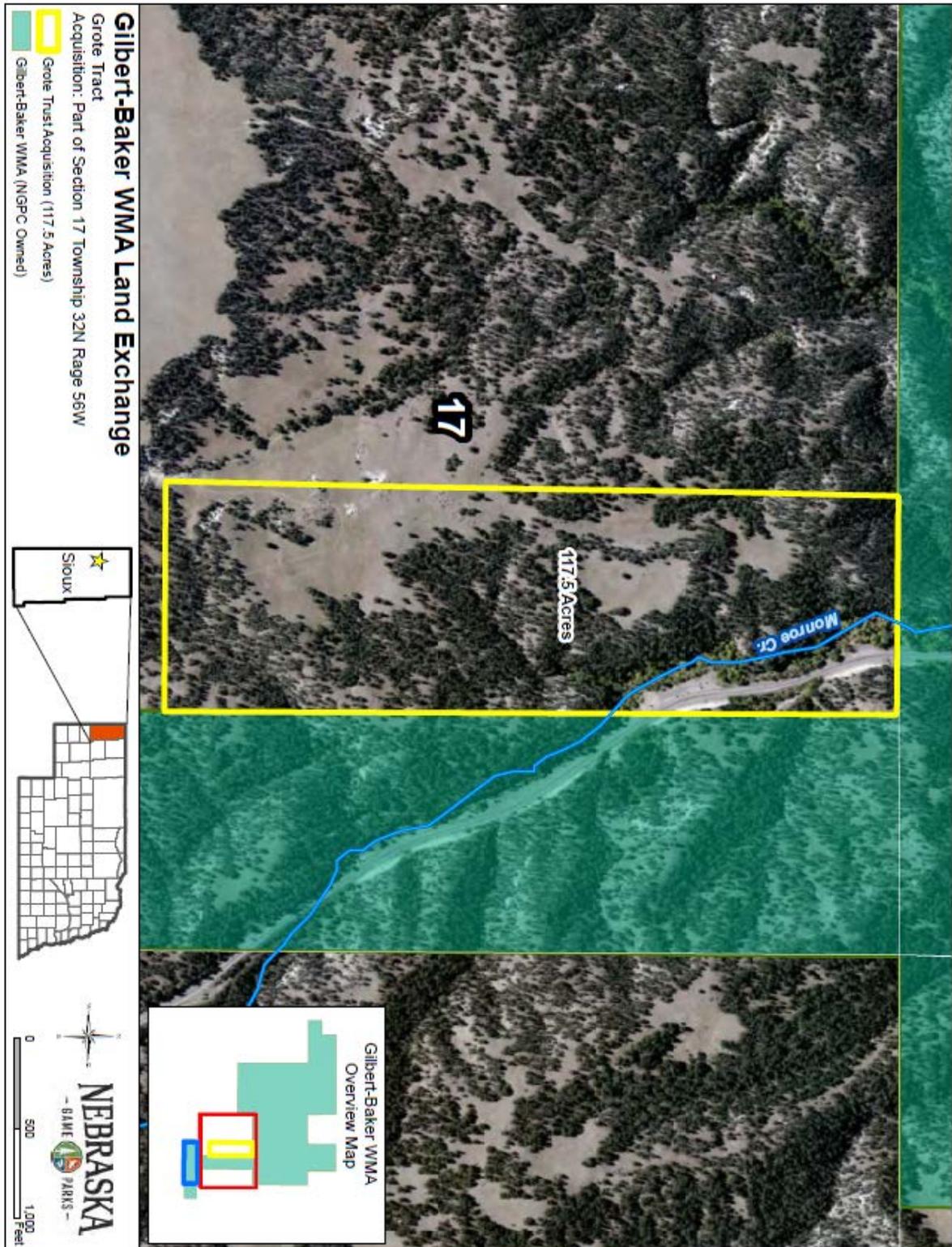
STATE OF NEBRASKA)
) ss.
COUNTY OF Lancaster)

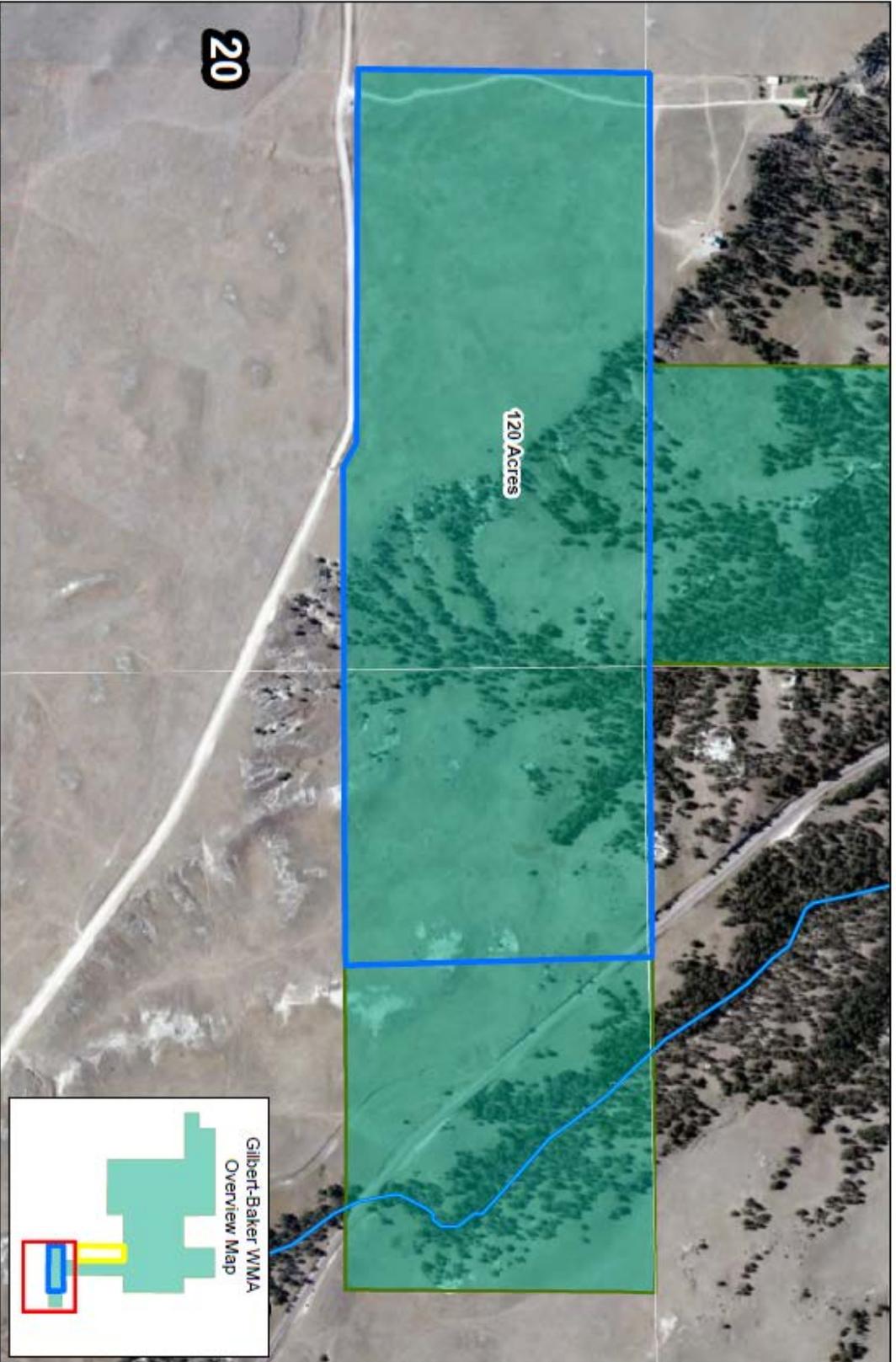
The foregoing instrument was acknowledged before me on this 21st day of May, 2015, by Timothy McCoy, Deputy Director of the Nebraska Game and Parks Commission, on behalf of the commission.



Sheryl L Henderson
Notary Public

APPENDIX C
Property Maps of Stream Location



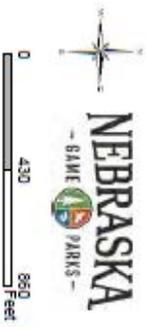


20

120 Acres

Gilbert-Baker WMA Land Exchange

NGPC Trade
 Trade: Part of Section 20 Township 32N Range 56W
 NGPC Trade (120 Acres)
 Gilbert-Baker WMA (NGPC Owned)



APPENDIX D
Wetland Impact Determination

Carey,

I have completed a federal aid wetland review of the project to exchange land at Gilbert Baker WMA with the Grote Trust. Based on the information provided, it is my opinion that this project will not negatively impact wetlands. If you need additional input or review, please let me know. Thanks!

Ted LaGrange
Wetland Program Manager
Nebraska Game and Parks Commission
P.O. Box 30370
Lincoln, NE 68503
Phone: (402) 471-5436
ted.lagrange@nebraska.gov

Visit us on the web at www.NebraskaWetlands.com

From: Grell, Carey
Sent: Tuesday, June 23, 2015 2:25 PM
To: LaGrange, Ted
Subject: Wetland review request-Gilbert Baker WMA land exchange

Ted,

Please see the attached documents (map and public notice) for information on a tract of land that is being proposed for exchange. The land is located adjacent to our Gilbert Baker WMA. As part of an enhanced environmental review process prior to property acquisitions, and on behalf of our realty coordinator, I would like to request a wetland review of the property. I would appreciate receiving your response within 30 days, if possible.

Thanks, and if you have any questions, or need more information, please let me know.

Thanks,
Carey

Carey Grell | Environmental Analyst Supervisor
Planning & Programming Division
Nebraska Game and Parks Commission
Lincoln, NE | 402-471-5423

APPENDIX E
Nebraska SHPO Letter



26 January 2015

Carey Grell
Environmental Analyst Supervisor
Planning & Programming Division
Nebraska Game and Parks
2200 N 33rd St. PO Box 30370
Lincoln, NE 68503-3070

RE: HP# 1506-216-01; ~120 acre property exchange, Gilbert Baker Wildlife Management Area,
Sioux County

Dear Mr. Grell:

Thank you for submitting the information and maps regarding the above referenced proposed property exchange for SHPO review and comment according to 54 U.S.C. 306108 (formerly Section 106 of the National Historic Preservation Act of 1966, as amended) and implementing regulations at 36 CFR Part 800.

It would be useful to know if any significant cultural resources might be lost by the exchange, but this would require a survey of the 120 acres currently within the GBWMA. Even then, there is no guarantee since such sites could be buried. Based on a review of NSHS records, I think that the potential is low for archaeological sites within these 120 acres. This specific area and the surrounding terrain seems poorly suited to past settlement based on previous surveys along the terrain break of Pine Ridge, therefore the chances of placing an historic property into private hands seems remote. I believe that a determination of *no historic properties affected* is appropriate for the property exchange.

Please be advised that this opinion does not necessarily reflect that of any Native American Tribes that might have an interest in the area, nor does it pertain to Traditional Cultural Properties, if they exist in the area.

Should you have any questions, please do not hesitate to call this office at 402-471-2609.

Sincerely,

A handwritten signature in blue ink, appearing to read "Phil R. Geib", is written over a blue circular stamp.

Phil R. Geib
Preservation Archaeologist

1500 R Street
PO Box 82554
Lincoln, NE 68501-2554
p: (800) 833-6747
(402) 471-3270
f: (402) 471-3100
www.nebraskahistory.org

APPENDIX F
Nebraska Natural Heritage Program Letter



Nebraska Game and Parks Commission

2200 N. 33rd St. • P.O. Box 30370 • Lincoln, NE 68503-0370 • Phone: 402-471-0641 • Fax: 402-471-5528

July 9, 2015

Carey Grell
Nebraska Game and Parks Commission
2200 N. 33rd St.
Lincoln, NE 68509

Re: Gilbert Baker WMA land exchange, Sioux County, Nebraska

Dear Ms. Grell:

Please make reference to your email dated June 23, 2015. This letter is in response to your request for a review of this project's potential impacts to endangered and threatened species in Sioux County, Nebraska. As we understand it, the project involves a land exchange for approximately 117.5 acres of property adjacent to Gilbert Baker Wildlife Management Area. We have completed our review of the proposed project under Neb. Rev. Stat. § 37-807 (3) of the Nongame and Endangered Species Conservation Act and we offer the following comments.

The land being acquired is within the range of the federally and state-listed northern long-eared bat (*Myotis septentrionalis*) and the state-listed endangered swift fox (*Vulpes velox*). There are records of swift fox within the vicinity of the property to be purchased, and habitat for this species exists near the area.

Acquiring this land and placing it under appropriate management could potentially benefit swift fox, and will protect the property from future development or practices (i.e. conversion to cropland or overgrazing) that may be detrimental to listed species. Future development projects on this site will be submitted for further review during their planning phase to ensure there will not be adverse impacts on listed species.

Therefore, we have determined acquiring this land will have "no adverse effect" on state-listed endangered or threatened species, and instead has potential to benefit listed species. We made this determination based on a review of the material you sent, aerial photographs, topographic maps, and our Nebraska Natural Heritage Database. Based on the submitted information, we have no objection to the proposal as currently planned. If the proposed project is changed or new information regarding endangered or threatened species becomes available, then this determination is no longer valid and further consultation will be necessary.

Thank you for the opportunity to comment. If you have any questions or need additional information, please feel free to contact me at (402) 471-5554 or ryan.joe@nebraska.gov.

Sincerely,

A handwritten signature in black ink that reads "Ryan Joe". The signature is written in a cursive, flowing style.

Ryan Joe
Environmental Analyst
Planning and Programming Division

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