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Comments:

Frye Issue 7

36 CFR § 254.3 Requirements--The land exchange is not in the public interest and the proposal should be immediately terminated.

The land exchange is not in the public interest. The United States Forest Service should immediately terminate and withdraw from the exchange proposal as the public interest is not served in this proposed land exchange giving away the public's water supply, Forest land, state geological landmark Arrowhead, and other public used recreational hiking trails and roads. The only interest served are a small wealthy tribe. The State Geological Landmark Arrowhead #977 has meaning to many people including the Mormons (Church of the Latter Day Saints), San Bernardino County and all area residents. Proposed US Forest Land involved in this exchange has trails/roads which people hike. The biggest issue is the water supply which will be given to the Tribe; it is this water supply that the San Bernardino National Forest was founded to protect and which a least a half-a-million people rely on in this arid drought stricken area. The Tribe has already publicly stated their unwillingness to cooperate with the State Water Board. Actions and their written word of the tribe demonstrate the lack of respect for any oversight. Anyone traveling on the 210 freeway can witness the Tribe's destruction of valuable habitat. The Tribe's letter to sent to the California State Water Board Administrative Hearing Office basically stated that they weren't going to be subject to the State Water Resource Control Board or any other authority (FR LX 30). Federal Code and Regulation make it very clear that an land exchange must benefit the public interest. 36 CFR § 254.3 state (a) Discretionary nature of exchanges. The Secretary is not required to exchange any Federal lands. Land exchanges are discretionary, voluntary real estate transactions between the Federal and non-Federal parties. Unless and until the parties enter into a binding exchange agreement, any party may withdraw from and terminate an exchange proposal at any time during the exchange process. (b) Determination of public interest. The authorized officer may complete an exchange only after a determination is made that the public interest will be well served. It is abundantly clear that the public interest will not be served nor benefit from the proposed land exchange. The United States Forest Service should immediately terminate the proposal.