

White River National Forest

Final Environmental Impact Statement

Record of Decision For Vacant Grazing Allotment Closures

WHITE RIVER NATIONAL FOREST

Lead Agency:	U.S. Department of Agriculture Forest Service Rocky Mountain Region
Responsible Official:	Martha Ketelle Forest Supervisor White River National Forest

Colorado counties include: Eagle, Garfield, Gunnison, Mesa,
Moffat, Pitkin, Rio Blanco, Routt, and Summit

This document presents the decision regarding the closure or partial closure of vacant allotments to domestic livestock grazing on the White River National Forest. It summarizes the rationale for closing 28 vacant allotments and partially closing 8 as recommended by choosing the Alternative K (as modified) of the Final Environmental Impact Statement (FEIS) for the White River 2002 Revised Land and Resource Management Plan (Revised Forest Plan). The long-term environmental consequences contained in the Final Environmental Impact Statement are the basis for this decision.

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Explanation of Acreages and Data Sources

The information in the tables, figures and maps in the following document was generated from a variety of sources, including several different Geographical Information System (GIS) software platforms, tabular databases, and data from a variety of models used in planning analysis. The acreage figures from the various sources do not match exactly in all cases. However, when added, acres of National Forest System lands (regardless of the source) are within acceptable margins of error.

Table of Contents

Summary of the Decision.....	1
The Planning Process and Public Involvement.....	3
Alternatives Considered.....	5
Alternatives Considered but Eliminated from Detailed Study.....	8
Comments Submitted by the Public.....	8
Reasons for the Selection of allotments for Closure.....	9
Identification of the Environmentally Preferred Alternative	13
Development of final EIS and Alternative K for Vacant Allotment Closures.....	14
Findings Required by Other Laws	14
Implementation	15
Appeal Review or Appeal Opportunities.....	16
Conclusion	16

SUMMARY OF THE DECISION

Background: The evaluation of vacant allotments was initiated in 1996, as part of the White River National Forest revision of the 1984 Land and Resource Management Plan. At that time 51 of the 163 allotments on the White River National Forest were vacant. Many of those allotments had been vacant since the 1970s and early 1980s. An analysis of those allotments was conducted in the Final Environmental Impact Statement (FEIS) for the 2002 Revised Land and Resource Management Plan (Revised Forest Plan). This analysis determined which allotments or portions of allotments have value from a livestock grazing standpoint and should be retained as vacant until further site-specific analysis can be conducted, and which allotments have little to no grazing value and could be closed to future domestic livestock production. This information is summarized in Table B-48 of the FEIS Appendix B-Description of the Analysis Process, errata issued on August 30, 2002 and in Vacant Allotment Analysis Narratives in the project files.

The Revised Forest Plan is programmatic and represents a broad management strategy for the White River National Forest. It does not include site-specific decisions. It provides overall systematic guidance and establishes management direction to govern future actions.

The decision to close or partially close specific vacant allotments is based on the attributes of the individual allotments. Therefore it is appropriate to make these site-specific decisions in a separate Record of Decision (ROD) of the analyses in the FEIS. Site-specific vacant allotment closure recommendations varied with the themes of the alternatives and were analyzed in the FEIS. The decision to close and partially close allotments contained in this Record of Decision does not in any way change or effect decisions contained in the June 7, 2002 Forest Plan Revision ROD.

Allotments retained in vacant status will be assessed at a future date in a site-specific National Environmental Policy Act (NEPA) analysis, tiered to the FEIS.

The Decision: This decision approves recommendations for the closure and partial closure of vacant allotments as identified under Alternative K in the FEIS for the Revised Forest Plan with minor modifications. The authority for the decision on vacant allotment closures is within that of the Forest Supervisor as identified within the implementation direction of the Record of Decision for the White River National Forest Land and Resource Management Plan --2002 Revision, page 43.

As the responsible official, I have decided to close the following vacant allotments to future domestic livestock production. Recreational riding and pack stock will continue to be allowed.

Aspen Ranger District

- Brush/E. Snowmass Sheep and Goat Allotment
- Conundrum Cattle and Horse Allotment
- Grizzly/Tabor Sheep and Goat Allotment
- Independence Sheep and Goat Allotment
- Richmond/Difficult Sheep and Goat Allotment

Blanco Ranger District

- Park Creek Sheep and Goat Allotment

Dillon Ranger District

Argentine Sheep and Goat Allotment *
Baldy Sheep and Goat Allotment
Boulder Creek Cattle and Horse Allotment
Buffalo Mountain Sheep and Goat Allotment
Copper Mountain Sheep and Goat Allotment
Maryland Creek Cattle and Horse Allotment
MC Cattle and Horse Allotment
Officer's Gulch Sheep and Goat Allotment
Pioneer Cattle and Horse Allotment
Ptarmigan Sheep and Goat Allotment *
Soda Creek Cattle and Horse Allotment
Tenderfoot Cattle and Horse Allotment
Willow Cr. Cattle and Horse Allotment

Eagle Ranger District

East Lake Creek Sheep and Goat Allotment
North W Mountain Sheep and Goat Allotment*
South W Mountain Sheep and Goat Allotment*
Squaw Creek Cattle and Horse Allotment

Holy Cross Ranger District

Beaver Creek Sheep and Goat Allotment
Homestake Sheep and Goat Allotment*
Lake Creek Cattle and Horse Allotment

Rifle Ranger District

Horsethief Cattle and Horse Allotment

Sopris Ranger District

Wheatley Cattle and Horse Allotment

I have also decided to close portions of the following vacant allotments to domestic livestock production.

Aspen Ranger District

No Name Sheep and Goat Allotment

Dillon Ranger District

Acorn Cattle and Horse Allotment
Black Creek Cattle and Horse Allotment
Corral Sheep and Goat Allotment
Searl Sheep and Goat Allotment

Eagle Ranger District

Sweetwater Cattle and Horse Allotment

Holy Cross Ranger District

Tennessee Pass Sheep and Goat Allotment*

Rifle Ranger District

Grizzly Creek Cattle and Horse Allotment

*See clarifications under Alternatives Section

My decision is site-specific and based on the analysis and evaluation described in the Revised Forest Plan Final Environmental Impact Statement and vacant allotment analysis project file.

THE PLANNING PROCESS AND PUBLIC INVOLVEMENT

Preliminary work on the revision of the 1984 Forest Plan began in 1994. In 1996, the Forest Supervisor published a Monitoring & Evaluation Five-Year Report that reviewed the status of National Forest System (NFS) lands administered by the White River National Forest. This report concluded that conditions and public demands had changed significantly since inception of the 1984 Forest Plan and that the need for a revision existed.

The Forest Supervisor then solicited public comments on what the plan revision process should consider. After a series of open houses and extensive media coverage, the White River National Forest received hundreds of comments, not only from local residents but also from people nationwide. Issues brought up by the public and by other agencies were examined by an interdisciplinary team of planners and resource specialists brought together by the Forest to organize the planning process.

An Identification of Purpose and Need document, issued in August 1996, summarized how public comments and monitoring and evaluation efforts were used to determine what areas of the existing plan were most in need of revision. After extensive review, the interdisciplinary team identified six areas, called *revision topics*, on which to focus the planning process: 1) biological diversity, 2) travel management, 3) recreation management, 4) roadless areas, 5) special areas, and 6) timber suitability and allowable sale quantity. These broad categories incorporate many different specific issues. Vacant allotments and grazing were addressed as a sub-section of biological diversity.

In July 1997, the Forest released the Analysis of the Management Situation (AMS), which assessed the ability of the Forest to supply goods and services in response to the public's demand and discussed the need to establish or change management direction in response. The AMS provided a foundation for developing a broad range of reasonable alternatives to the existing plan.

It was in this document that the status of allotments was identified. Fifty-one of the one hundred sixty-three allotments (31%) on the forest were vacant and that most of them had been vacant since the 1970's and 1980's.

The six revision topics were presented to the public, during the summer of 1997, in a series of 10 open houses held in Aspen, Avon, Carbondale, Denver, Eagle, Frisco, Glenwood Springs, Grand Junction, Meeker and Rifle. At the open houses, and through media disclosures, forest managers solicited comments from the public concerning the future status of vacant allotment.

Meetings were also held with the local grazing community and other interested individuals in Silverthorne, Eagle, Glenwood Springs, New Castle and Meeker to hear concerns regarding closing vacant allotments.

The Colorado Division of Wildlife (CDOW), Colorado Woolgrowers Association (CWGA) and potentially effected grazing permittees met and prepared a joint recommendation for the management of Bighorn sheep and domestic sheep. While full agreement was not reached between CDOW and CWGA site-specific agreements were reached between CDOW and affected grazing permittees on the endemic

bighorn sheep herds. As a result of those recommendations, the four endemic bighorn sheep herd habitats and the South Fork of the White River herd habitat were designated under as Big Horn Sheep Management Areas in the Revised Forest Plan. This designation influenced the future status of vacant allotments within those management areas.

Information was gathered on each allotment from existing files and discussions with some of the grazing permittees that grazed livestock on the vacant allotments in the past. This evaluation included such information as acres suitable of supporting livestock (both cattle and sheep), the kind and numbers of livestock that historically grazed the allotment, when it was last grazed, accessibility, adjacency to existing active allotments, value for future management flexibility, and whether any interest (demand) has been expressed for grazing that allotment since it became vacant. Other information gathered included present level of recreational use, general understanding of the adjacent communities, potential conflicts with adjacent landowners, special wildlife concerns (such as presence of bighorn sheep, Colorado River cutthroat trout, and threatened and endangered species), and whether the allotments are in existing wilderness or areas recommended for wilderness, research natural areas, wild and scenic river corridors, or special interest areas.

By July 1998, six alternative management themes had been developed. By design, each theme represented a potential viable alternative that met all legal and administrative requirements and that, if selected, could be implemented. Site-specific, vacant allotment closure recommendations varied with the themes of the alternatives analyzed in the FEIS.

The next step in the forest plan revision process was to evaluate the environmental consequences of the alternatives. For each forest resource, specialists described the existing condition and discussed how implementation of the various alternatives would affect the resource. The closure of vacant allotments primarily affects the area available for domestic livestock production in the future (i.e. suitable acres).

The Draft Environmental Impact Statement (DEIS) and the Proposed Revised Forest Plan were made available for public comment on August 6, 1999. Over 14,000 individual responses were received from the public; city, county, state and federal officials; public interest organizations and private businesses¹. Numerous comments were received concerning the future status of vacant allotment. Comments ranged from close all vacant allotments to keep them all available. Many comments were specific to the individual allotments.

Between the issuance of the DEIS and the completion of the FEIS, stakeholder meetings were held with six groups representing differing interests. These meetings were held to help validate the public comments drawn from the DEIS and to aid in identifying stakeholders values. Very few comments were received concerning vacant allotments.

After considering public comments on the Proposed Revised Forest Plan and DEIS, the interdisciplinary team made necessary changes as they developed the FEIS. The vacant allotment recommendations in Alternative K were crafted in response to public comments received on the Proposed Revised Forest Plan and DEIS. The seven alternatives (initial six plus K) are analyzed in detail in the FEIS. The Record of Decision for the FEIS was released on June 7, 2002. The decision was made by the Regional Forester to approve Alternative K in the FEIS for the 2002 Revised Land and Resource Management Plan.

¹ A summary of the public comments on the DEIS is available on the website: www.fs.fed.us/r2/whiteriver/planning.html.

ALTERNATIVES CONSIDERED

Three alternatives were considered for each vacant allotment; close the entire allotment, close a portion of the allotment or retain the entire allotment as vacant until a more intensive site-specific NEPA analysis can be completed.

Closure of a vacant allotment means the allotment would be closed to future domestic livestock grazing. The acres within these allotments would be removed from the land base suitable for grazing. Recreational riding and pack stock would continue to be allowed. The use of domestic livestock for the control of invasive species would be allowed on a case-by-case basis if determined to be an effective and feasible means of controlling the specific invasive species present.

Partial closure means a portion of the vacant allotment would be closed to future domestic livestock grazing and the remainder would be retained in vacant status until further analysis could be completed.

Based on the information gathered for each allotment, concerns raised by the public and the emphasis of the alternative being considered, recommendations as to the future status of the vacant allotments were developed for each of the seven alternatives analyzed in the FEIS.

SUMMARY COMPARISON OF ALTERNATIVES

The following tables display and compare the vacant allotment closure recommendations for each of the seven alternatives plus the modified Alternative K. For a complete description of the alternatives, and a summary comparison of the topics, see FEIS Chapter 2. For a complete discussion of all comparative information for the alternatives, see FEIS Chapter 3. Alternative B retains all vacant allotments until further site-specific analysis can be completed and represents the “No Action Alternative”. Alternative E closes the most allotments to future livestock grazing.

ROD Table 1 provides a summary of the number of allotments recommended for closure, partial closure and retention, by alternative (see the vacant allotment alternatives map in the map packet of the FEIS). Allotments identified as ‘retained’ indicate that these allotments will be retained in vacant status until such time as a more intensive site-specific NEPA analysis can be conducted. The acres that would be removed from the suitable land base by the closing or partial closing of vacant allotments are shown in **Table 2 and Table 3**.

ROD Table 1: Number of vacant allotments recommended for Closure, Partial Closure, and Retention

Recommended status	ALTERNATIVES							
	B	C	D	E	F	I	K	K*
Cattle								
<i>Allotments recommended for retention</i>	23	5	6	4	10	13	6	6
<i>Allotments recommended for partial closure</i>	0	3	4	0	2	3	4	4
<i>Allotments recommended for closure</i>	0	15	13	19	11	7	13	13
Sheep								
<i>Allotments recommended for retention</i>	28	8	6	4	18	4	9	9
<i>Allotments recommended for partial closure</i>	0	4	8	0	4	1	4	4
<i>Allotments recommended for closure</i>	0	16	14	24	6	23	15	15
Total vacant allotments	51	51	51	51	51	51	51	51

* - See clarifications below

ROD Table 2: Acres suitable for cattle grazing by alternative

	ALTERNATIVES							
	B	C	D	E	F	I	K	K*
<i>Acres presently suitable for cattle grazing</i>	960,841	960,841	960,841	960,841	960,841	960,841	960,841	960,841
<i>Management area prescriptions excluding grazing (RNA's)</i>	0	19,069	23,421	11,009	16,180	32,220	4,324	4,324
<i>Acres proposed for full or partial closure in this alternative</i>	0	150,484	134,279	195,144	80,730	160,664	152,034	151,900
Total suitable acres (cattle)	960,841	791,288	803,141	754,689	863,931	767,956	804,483	804,617

* - See clarifications below

ROD Table 3: Acres suitable for sheep grazing, by alternative

	ALTERNATIVE							
	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>	<i>F</i>	<i>I</i>	<i>K</i>	<i>K*</i>
<i>Acres presently suitable for sheep grazing</i>	1,167,261	1,167,261	1,167,261	1,167,261	1,167,261	1,167,261	1,167,261	1,167,261
<i>Management area prescriptions excluding grazing (RNA's)</i>	0	22,268	27,772	12,020	18,151	38,335	6,374	6,374
<i>Acres proposed full or partial closure in this alternative</i>	0	200,472	178,781	264,026	108,261	218,004	198,428	198,741
Total suitable acres (sheep)	1,167,261	944,521	960,708	891,215	1,040,849	910,922	962,459	962,146

* See clarifications below

Clarifications made to the implementation of Alternative K.

Ptarmigan S&G allotment - All of the Ptarmigan S&G allotment within the boundary of the White River National Forest (Dillon Ranger District) will be closed to future domestic livestock production. A portion of the Ptarmigan S&G allotment lies within the Sulfur Ranger District of the Arapahoe Roosevelt National Forest. Closure of that portion is not within my authority and will be addressed by the Arapahoe Roosevelt National Forest.

Argentine Sheep and Goat (S&G) allotment is approved for total closure. This modification is responsive to the concerns that numerous private land holdings and patented mining claims that exist within the area originally identified for retention. These numerous scattered landholdings within this allotment would make future management of this area for domestic livestock production extremely difficult and impractical.

Tennessee Pass S&G allotment is approved for partial closure. All of the allotment west of Highway 24 will be closed to future domestic livestock. The area east of highway will be retained as vacant until further site-specific environmental analysis can be completed. The easterly boundary of Tennessee Pass S&G allotment common with Sugarloaf Peak S&G allotment is presently a side slope line on a map, very difficult to distinguish on the ground. Highway 24 provides a much more distinguishing boundary on the ground.

Minor boundary changes on some allotments were identified to facilitate management. Allotment boundaries were modified to take advantage of natural barriers. Those allotments needing boundary changes included North W Mountain, South W Mountain and Homestake S&G allotments.

ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED STUDY

Federal agencies are required by the NEPA to rigorously explore and objectively evaluate all reasonable alternatives, and briefly discuss the reasons for eliminating any alternatives that were not developed in detail [40 CFR 1502.14].

Closure, partial closure and retention as vacant until further site-specific analysis could be completed were considered to be the full range of options. Evaluating vacant allotments for restocking are site specific decisions more appropriately addressed at the individual allotment analysis level, therefore it was not considered a viable alternative at the programmatic level. A summary of the alternatives not considered in detail can be found in Chapter 2 of the FEIS.

COMMENTS SUBMITTED BY THE PUBLIC

The DEIS and Proposed Revised Forest Plan generated an unprecedented volume of public comments. I recognize that this reflects the high importance that the public places on these lands and the opportunities they provide. It is important to recognize that the consideration of public comment is not a vote-counting process in which the outcome is determined by the majority opinion. The appropriateness, specificity and factual accuracy of comment content serves to provide the basis for modifications to planning documents and decisions. Further, those who respond do not constitute a random or representative public sample because they are self-selected, unlike scientifically designed surveys or polls. The Forest Service encourages all interested parties to submit comments throughout the planning process.

Public responses were tracked, documented and analyzed using a process called *content analysis*. Content analysis systematically compiles, categorizes and captures the full range of public viewpoints and concerns. It provides an analytical tool that identifies concerns and sorts by demographic and topic information. The interdisciplinary team used this tool in considering public comments² on the Proposed Revised Forest Plan and DEIS, and to make necessary changes as they developed the FEIS. Comments specific to individual allotments were incorporated into the individual allotment analysis narratives.

I believe the allotment closures and partial closures identified in Alternative K (as modified) reflect the integration of public involvement in the forest plan revision process. Alternative K incorporates ideas and management allocations from several alternatives presented in the DEIS. The modifications and clarifications identified in this decision are an outgrowth of on the ground field verifications and review of existing allotment files. This decision reflects more manageable boundaries that are more easily recognizable on the ground.

² A detailed review of public comment and agency responses are presented in Appendix A of the Revised Forest Plan FEIS.

REASONS FOR THE SELECTION OF ALLOTMENTS FOR CLOSURE

Allotments that were evaluated became vacant when grazing permit holders relinquished their permits back to the government without identifying a preferred applicant. In most instances, the return of the permits to the government was based on economic considerations. Difficulties and expenses associated with obtaining qualified help, managing livestock in remote and rugged terrain or in areas with high recreational use, market fluctuations and prices have all contributed to a reduction in demand. Many of these vacant allotments have remained vacant since the 1970s and 1980s because of this lack of demand. Since that time, costs of doing business in remote, rugged areas have continued to increase while market value has continued to decline.

One of the primary reasons for evaluating allotments for closure on the White River National Forest is the change in the communities adjacent to the Forest. In recent years, some of the highest growth rates in Colorado have been seen in parts of the Forest's primary five-county planning area. Most of this growth has occurred near the Forest's ski areas. In the 1990s, these ski areas evolved into four-season resorts that attract visitors throughout the year. This change greatly boosted employment in the tourism and commercial sectors of local economies. Communities such as Aspen, Avon, Basalt, Breckenridge, Dillon, Frisco, Minturn, Silverthorne and Vail have moved from rural and agricultural to primarily urban. This increasing urbanization and resulting expansion of recreation uses often results in increased complexity of managing livestock.

Many of the allotments that historically provided a logical addition to the adjacent ranches are no longer practical as those ranches have been sold and subdivided. In some cases access to the allotment is no longer available.

Overall, a moderate decline in the demand for livestock grazing can be expected over the life of this plan. As private land development, higher property values, and conflicts between livestock operations and recreation uses increase in the more urban areas surrounding the forest, some allotments will no longer support viable grazing operations.

This is not the case throughout the Forest however. Portions of Eagle, Garfield, Mesa, Routt and Rio Blanco counties continue to support agricultural interests. Many of the vacant allotments adjacent to these areas have considerable value and will aid management flexibility in the case of drought or other environmental factors and should be retained. The current level of demand is expected to continue in the more rural communities surrounding the forest.

I believe the allotments identified for closure, partial closure and retention under Alternative K with modifications, provide a balance between the need to provide management flexibility in case of drought, or other environmental constraints and the growing urbanization of certain areas surrounding the forest. Because ecosystems and communities are dynamic and conditions change, the flexibility and adaptability provided by retaining certain allotments as vacant until a more comprehensive site specific analysis can be completed is an important factor in my decision.

COMPONENTS & RATIONALE OF THE DECISION

Prior to deciding to close or partially close any of the vacant allotments a variety of factors were evaluated. A summary of these factors is available in FEIS Volume 3, Appendix B errata-August 2002—*Description of the Analysis Process* and Vacant allotment Analysis Narratives in the project file. The primary factors that contributed to the retention of a vacant allotment for future analysis included:

- Number of acres suitable for domestic livestock grazing
- How the allotment would aid future management flexibility
- Adjacency to active grazing allotments
- Demand for grazing on the specific allotment or in the general area
- Accessibility

Suitability for Livestock Grazing –

A suitability analysis for both sheep and cattle grazing was conducted for each vacant allotment as per Region 2 Rangeland Capability and Suitability Guide (2001). All other factors being equal, the more suitable acres within a vacant allotment, the more value it has from a grazing standpoint.

Aid to management flexibility –

As time goes on the need for management flexibility and options becomes critical. Maintaining management flexibility in case of fire, drought, and to resolve resource conflicts is important to our ability to respond to change. If a vacant allotment appears to provide management flexibility it should not be closed at the programmatic level but instead evaluated at the site-specific level.

Adjacency to existing active allotments -

Adjacency or proximity of a vacant allotment to an existing active allotment is an important consideration in determining it's value to provide management flexibility in case of drought, fire, the need to rest a portion of the adjacent allotment or other environmental factors.

Demand –

The demand for livestock grazing varies across the forest. The grazing community has expressed interest in some allotments, while others have remained vacant with no interest since the early 1970's and 1980's. Urbanization, increases in property values, and the complexities of managing livestock in areas with high recreation use have led to a decline in the desirability and feasibility of some allotments for livestock production.

Accessibility –

Many of the private ranches that held the grazing permits on these vacant allotments in the past have been sold and subdivided limiting access or making the allotment inaccessible. If a vacant allotment is not accessible it has little value from a grazing standpoint.

The primary factors that contributed to the closure or partial closure of a vacant allotment included a lack of one or more of the above factors or the presence of an Research Natural (RNA) that excludes grazing.

Management Area Restrictions on Grazing–

Some management area prescriptions such as Research Natural Areas (RNAs) prohibit livestock grazing. Five individual areas were selected for designation as RNAs in Alternative K (ROD Table - 9, FEIS, Appendix G). These are areas managed to protect or enhance exemplary ecosystems designated for non-manipulative research, education, and maintenance of biodiversity. They are representative of a range of vegetation types and topographic features that have not been heavily influenced by humans.

I believe these RNAs combined with other RNAs in the Rocky Mountain Region will ensure the availability of research and education opportunities into the future. Additionally, valuable high elevation ecosystems are represented without a high level of redundancy. Alternative K, like all other alternatives, recognizes Hoosier Ridge, the one existing RNA on the White River. The following allotments were affected by these designations:

Horsethief C&H	East Lake Creek S&G	Beaver Creek S&G
Richmond/Difficult S&G	Upper Crystal S&G	

Portion of these allotments that occur with the RNAs will be closed to future livestock grazing.

Other Factors:

While the following factors do not automatically exclude domestic grazing and are not a sole reason for allotment closures, they did provide me with an understanding of the complexities of the decision and aided me in the evaluation of those allotments that had marginal value to livestock grazing.

Special Interest Areas (SIAs) The special values of these areas will be protected through management of use. The areas were designated for their botanical, geological, historical, paleontological, scenic, or zoological and Threatened, Endangered and Sensitive (TES) species values. Other values recognized included their emotional significance, scenic values, or public popularity³. Within these special interest areas, vegetation, terrestrial and aquatic habitat, soil productivity, and water quality will usually, but not always, appear natural (e.g., relatively pristine or pre-settlement). Vegetative management may be used to maintain or restore natural conditions, to protect TES species, or to protect other values for which the SIA was proposed or designated. Management implementation guidelines ensure protection of the values for which the area was proposed or designated.

The rare or outstanding values of the areas will be the primary consideration in their management. Other resource values and uses are secondary to the protection, maintenance, and restoration of an area's special values for public education, enjoyment, and study. Grazing is permitted as long as it does not conflict with the purpose for which the area was designated. The individual allotment narratives identify which allotments include SIA's.

Bighorn Sheep Management Areas Management emphasis for this prescription provides adequate amounts of quality forage, cover, escape terrain, and solitude for bighorn sheep and other species, while allowing vegetative manipulation that provides for other multiple-use resources. Alternative K provides protection for all four of the priority herds identified by the Colorado Division of Wildlife (CDOW), plus the South Fork of the White River herd. These areas will provide habitat for established bighorn sheep herds on the Forest and ensure bighorn sheep viability. Maintenance and improvement of habitat upon which bighorn sheep depend will be emphasized. Domestic sheep grazing is prohibited within

³ Special Interest Areas are described in the FEIS Appendix H, including the values for which the area was identified.

areas designated as Bighorn Sheep Habitat (M.A. 5.42) unless spatial or temporal separation can be demonstrated. ROD Table 4 Summarizes the Vacant allotment decisions within the Bighorn Sheep Management areas.

ROD Table 4: Bighorn Sheep Management Areas and future status of affected vacant sheep allotments

Bighorn sheep herd	Vacant allotments	Future Status
Avalanche Creek	Upper Crystal	Retain for access
Snowmass/Maroon Creek	Brush/East Snowmass,	Close
	Conundrum	Close
Gore Range	Willow Creek	Close
	Buffalo Mountain	Close
	Officer's Gulch	Close
	Corral	Partial Closure
South Fork	Park Creek	Close

Recreational Use – While recreational use and use of an area by domestic livestock is not mutually exclusive, the presence of heavy recreational use can interfere with the proper management and distribution of livestock on an allotment. This increases the complexity of managing livestock and reduces the desirability of an area for grazing.

Potential for conflict with adjacent landowners –This factor was used as an indicator of urbanization, and the complexity of managing livestock in or near an urban setting. Many of the vacant allotments have subdivisions adjacent to or within the allotment boundaries.

Presence of Threatened, Endangered, and Sensitive Species- See the Biological Assessment as to the effects of allotment closures on the species present on the White River National Forest. The presence of Threatened or Endangered species on a vacant allotment does not necessarily exclude that allotment from future use by domestic livestock but is merely an indication that potential coordination may be necessary at the time of the site-specific environmental analysis.

Wilderness or Proposed Wilderness- The 1964 Wilderness Act provides for the grazing of domestic livestock, and the activities and facilities to support a livestock-grazing program in wilderness. Grazing in wilderness areas is controlled under the general regulations governing grazing in National Forests. Wilderness designation does not prevent the maintenance of existing improvements or the construction of new improvements needed to protect the range. Wilderness designation does not affect the suitable land base. Management of areas recommended for wilderness is the same as management of existing wilderness. This factor is also an indicator of the complexity of analysis that will be required at the time the site-specific environmental analysis is completed.

IDENTIFICATION OF THE ENVIRONMENTALLY PREFERRED ALTERNATIVE

National Environmental Policy Act (NEPA) regulations require agencies to specify the alternative or alternatives which were considered to be environmentally preferable [40 CFR 1505.2(b)]. Forest Service policy (FSH 1909.15, Section 05) defines environmentally preferable as:

“An alternative that best meets the goals of Section 101 of NEPA.... Ordinarily this is the alternative that causes the least damage to the biological and physical environment and best protects, preserves, and enhances historical, cultural, and natural resources.”

Although the Act itself does not define the environmentally preferred alternative, it does suggest national environmental policy (42 USC, Section 4331, Sec. 101 (b)). That policy calls for the continuing responsibility of federal government to use all practicable means to improve and coordinate plans, functions, programs, and resources so that the nation may:

“Fulfill the responsibilities of each generation as trustees of the environment for succeeding generations,

Assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings.

Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences.

Preserve important historic, cultural, and natural aspects of our natural heritage and maintain, wherever possible, an environment, which supports diversity and variety of individual choice.

Achieve a balance between population and resource use, which will permit high standards of living, and a wide sharing of life’s amenities.

Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.”

Given these criteria, Alternative K was identified as the environmentally preferred alternative. This ROD has discussed the decision process and the comparisons of the alternatives through a deliberative process.

Alternative K meets the goals and the substantive requirements of Section 101 of NEPA. Alternative K ensures the future health of the land by providing appropriate opportunities for active management to work in concert with natural ecological processes. The maintenance of forest health and the physical resources is attained while securing the viability of plant and animal species into the future.

Closing of vacant allotments does not reduce the current level of permitted grazing. The analysis indicates that allotments being retained in vacant status will provide management flexibility to resolve future conflicts between livestock grazing and other resources. These retained allotments will also provide forage during drought years and meet anticipated future demands for grazing.

I believe that this decision achieves a balance between sustainable resource use and ecological sustainability that will best satisfy a variety of public needs and uses.

DEVELOPMENT OF FINAL EIS AND ALTERNATIVE K FOR VACANT ALLOTMENT CLOSURES

Extensive public comment, shifts in regional and agency priorities, and new direction all contributed to the need for changes between the DEIS and FEIS. These changes are summarized below.

Public Input. Over 14,000 individual pieces of public input were received on the DEIS and Proposed Revised Forest Plan. Many offered recommendations or requests for changes or improvements in the environmental analysis; identified changes, improvements, or suggested new alternatives; or suggested modifications to the goals, objectives, standards and guidelines. Public input received on the DEIS and accompanying Proposed Revised Forest Plan also identified the need for several minor improvements to analysis and presentation of materials in the FEIS and Revised Forest Plan. As a result, editorial or other inconsistencies in the presentation of information in the DEIS were corrected for the FEIS.

Numerous comments were received on the proposed vacant allotment closures identified in the DEIS. Comments ranged from close all vacant allotments to retain all vacant allotments. Many comments addressed seeking a balance between closing and retaining allotments and addressed the attributes of specific allotments.

Formulation of Alternative K. Alternative K was developed in response to public comments received on the DEIS and the Proposed Revised Forest Plan that accompanied it, and to incorporate new Forest Service policies and direction. Many of the public's concerns focused on the need for an alternative that better emphasized various combinations of uses across the Forest.

FINDINGS REQUIRED BY OTHER LAWS

I have considered the statutes governing management of the White River National Forest, and I believe that this decision represents the best possible approach to both harmonizing and reconciling the current statutory duties of the Forest Service.

Clean Air Standards

As discussed in the FEIS, Chapter 3: Part 1, Section 3 – Air Resources, all lands managed by the Forest are currently in attainment with National Ambient Air Quality Standards. Compliance with air quality statutes is directed in the Revised Forest Plan, Chapter 2: Section 1 – Physical, Air Resources.

Closure or partial closure of presently vacant allotments will not affect air quality.

Clean Water Act

The Revised Forest Plan contains direction to ensure all projects comply with the requirements of the Clean Water Act. This direction is found in the Revised Forest Plan, Chapter 2: Section 1, Water and Riparian Resources. A water assessment was completed to show the current condition of streams and watersheds on the Forest. This information is found in the FEIS Appendix J – Watershed Assessment.

The Rocky Mountain Region Watershed Conservation Practices Handbook, released on December 26, 1996 (amended on December 18, 2001, R2 amendment number 2509.25-2001-1), provides direction for protection of soil, aquatic and riparian systems. Implementation of the Revised Forest Plan is expected to contribute to protecting or restoring the physical, chemical and biological integrity of waters of the United States in accordance with the Act.

Closure or partial closure of presently vacant allotments will not adversely affect water quality.

National Historic Preservation Act

In accordance with Memorandum of Understanding with the Advisory Council on Historic Preservation, Forest Plans are not undertakings under the National Historic Preservation Act. Consultation pursuant to Section 106 of the Act is not required at the Forest Plan level. As discussed in the Heritage Resource section of Chapter 3 of the FEIS, activities in the Revised Forest Plan will be in compliance with the Act. Conformance with the Act is directed in the Revised Forest Plan in Chapter 2: Section 4 – Social, Heritage Resources. Additional direction is provided in FSM 2360 as referenced in FEIS Chapter 3, Topic 5, and Part 1 – Heritage Resources.

Since this decision is to close presently vacant allotments, no earth disturbing activities are being proposed. Allotments being retained in vacant status are not being evaluated for restocking at this time. Compliance with the National Historic Preservation Act of those allotments being retained will be addressed when site-specific analysis occurs.

Endangered Species Act

A Biological Assessment was prepared to evaluate the potential effects of the proposed vacant allotment closures on federally listed species and their habitat. The Biological Assessment concluded that closure and partial closure of vacant allotments identified under Alternative K for the Forest Plan Revision would have “No Effect” on the Penland alpine fen mustard, Southwestern willow flycatcher, Mexican spotted owl, Colorado pikeminnow, humpback chub, bonytail, and razorback sucker or the Uncompahgre fritillary butterfly; and “May Effect, but not likely to adversely affect” the Bald eagle and the Canada lynx. The Biological Assessment was transmitted to the U.S. Fish and Wildlife Service on September 19, 2001, with a request to initiate formal consultation.

In the March 19, 2002 Biological Opinion, the U.S. Fish and Wildlife Service concurred with the above determinations of “No effect” and “Not likely to adversely affect”. Modifications to Alternative K identified in this decision were reviewed by the White River National Forest’s Wildlife Biologist/ Ecologist and were found not to alter the conclusions identified in the original Biological Assessment.

IMPLEMENTATION

Implementation of this ROD will occur 30 calendar days after the legal notice of this decision is published in the Glenwood Post Independent. Notice of Availability of the FEIS was published in the Federal Register [36 CFR 219.10 c(1)] on June 7, 2002.

APPEAL REVIEW OR APPEAL OPPORTUNITIES

This vacant allotment closure decision is subject to administrative review pursuant to 36 CFR 217. Any appeal of this decision must be fully consistent with 36 CFR 217.9, and be filed in duplicate with the Regional Forester within 90 days of the published legal notice in the Glenwood Post/ Independent newspaper of record. Appeals should be sent to the following address:

**Regional Forester
P.O. Box 25127
Lakewood, Colorado 80225-0127**

Any notice of appeal must include at a minimum:

- A statement identifying the document as a Notice of Appeal filed pursuant to 36 CFR Part 217.
- The name, address and telephone number of the appellant.
- Identification of the document in which the decision is contained, by title and subject, date of the decision, and name and title of the Deciding Officer.
- Identification of the specific portion of the decision to which the appeal is being made.
- The reason(s) for appeal, including issues of fact, law, regulation, or policy.
- Identification of the specific change(s) in the decision that the appellant seeks.

For questions concerning the appeal process, contact:

**Dan Hormaechea, Planning Staff
White River National Forest
900 Grand Avenue
PO Box 948
Glenwood Springs, CO 81602-0948**

For technical questions concerning vacant allotments, contact:

**Wayne E. Nelson, Forest Rangeland Management Specialist
White River National Forest
900 Grand Avenue
PO Box 948
Glenwood Springs, CO 81602-0948**

CONCLUSION

The allotments identified for closure, partial closure and retention, represent a balance between changing land use patterns and the need to provide for management flexibility and forage in the future. Increased urbanization, escalating land values and increasing recreational pressures have contributed to the increasing complexity and associated costs of managing livestock in some areas of the forest. Many of the allotments identified for closure have remained vacant since the 1970's and 1980's due to a lack of demand. Many of the adjacent ranches have been sold and subdivided. This trend in the more urbanized areas is expected to continue.

Closure or partial closure of vacant allotments in these increasingly urbanized areas and in some of the remote areas will not adversely affect the continuing livestock operators on the Forest. Retention of

some allotments in vacant status will provide a future opportunity for an in depth evaluation of their contribution to increasing management flexibility. These allotments have the potential to provide forage in case of drought, or other environmental considerations. I believe this decision provides for the changes that are occurring in many of the communities surrounding the Forest, while also providing for present and future needs of the ranching community.



7/21/2003

MARTHA KETELLE
Forest Supervisor
White River National Forest

