



United States
Department of
Agriculture

Forest
Service

Southwestern
Region

July 2010



Decision Notice and Finding of No Significant Impact

Travel Management on the Mountainair Ranger District

Cibola National Forest

Valencia, Bernalillo, Torrance, and Lincoln
Counties, New Mexico



Decision Notice and Finding of No Significant Impact

Travel Management on the Mountainair Ranger District

USDA Forest Service
Mountainair Ranger District, Cibola National Forest
Valencia, Bernalillo, Tarrant and Lincoln Counties, New Mexico

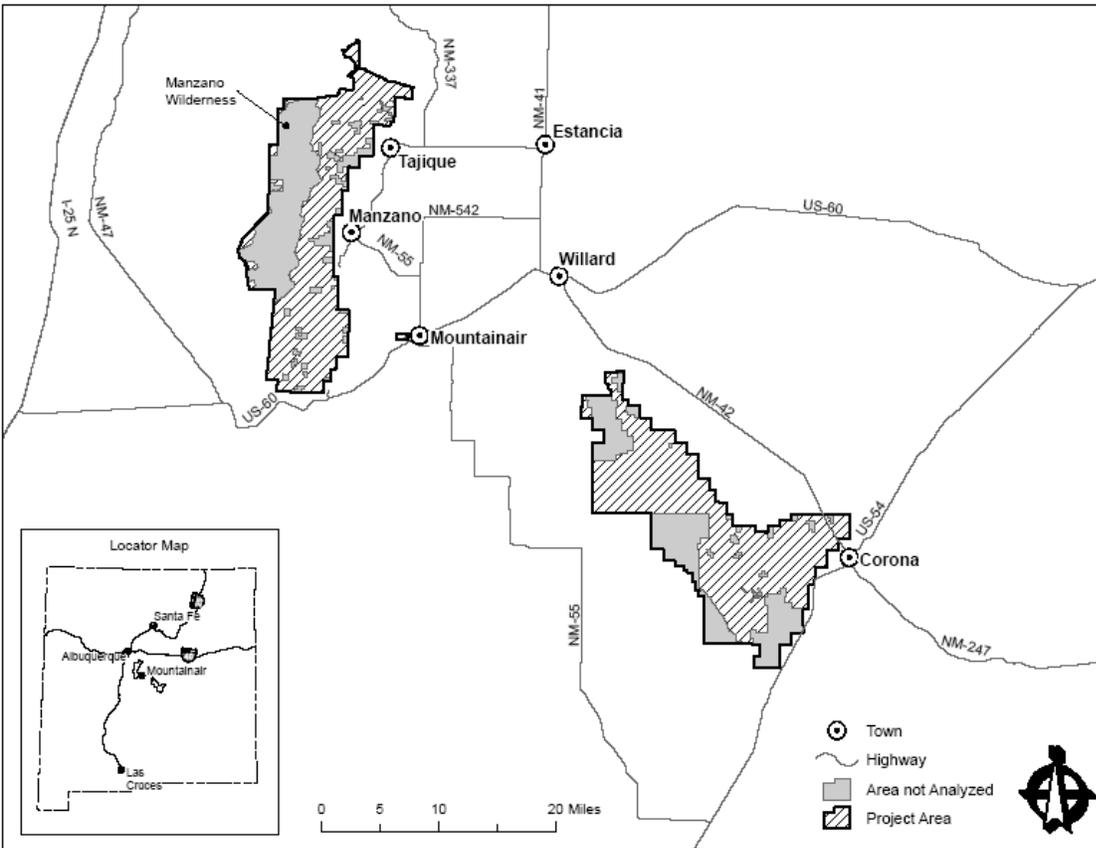
Decision and Rationale for the Decision

Background

On November 9, 2005, the Forest Service published the final regulations governing off-highway vehicles (OHVs) and other motor vehicle use on national forests and grasslands (Travel Management; Designated, Routes and Areas for Motor Vehicle Use, Federal Register / Vol. 70, No. 216/36 CFR Parts 212, 251, 261, and 295). This Travel Management Rule requires each national forest and grassland to designate those roads, trails, and areas open to motor vehicle use. Designation will include class of vehicle and, if appropriate, time of year for motor vehicle use. Designated routes and areas will be identified on a motor vehicle use map (MVUM). After routes have been designated and these designations have been identified on a MVUM, motor vehicle use will be prohibited off the designated system. There are exemptions to designations specified in the Travel Management Rule including: aircraft, watercraft, limited administrative use by the Forest Service, use of any fire, military, emergency, or law enforcement vehicle for emergency purposes, authorized use of any combat or combat support vehicle for national defense purposes and law enforcement response or emergency needs (36 CFR 212.51 (a)). Use can be authorized when specified in contracts or permits, and to accommodate valid existing rights such as traditional tribal cultural uses. Vehicles designed for “over the snow” use, such as snowmobiles, are not being considered as part of this project as directed in the Travel Management Rule § 212.81.

The Mountainair Ranger District of the Cibola National Forest is located in central New Mexico (Figure 1). The district is comprised of two divisions, the Manzanos and the Gallinas. There are approximately 255,000 acres within the district boundary of which 49,300 acres are private or other governmental inholdings. In addition, 37,000 acres are within the Manzano Mountain Wilderness. The project area that will be analyzed under the Travel Management Rule, excluding the inholdings and the wilderness area, is comprised of approximately 169,000 acres.

Figure 1. Project area location



The Mountainair Ranger District transportation system serves a variety of administrative and public purposes. Timber harvest, livestock grazing, fire management, law enforcement, facilities management, and recreation are all important administrative activities that rely on the forest transportation system to be successful. There are 471.4 miles of National Forest System roads on the Mountainair Ranger District that are open to public travel. Of these, 60.6 miles are managed for standard passenger vehicles such as family sedans. There are 410.8 miles of system roads that are managed for high-clearance vehicles, such as pickups or sport utility vehicles. Additional system roads (approximately 9 miles) are closed to the public and used for administrative purposes only (Cibola National Forest GIS).

Previous Decisions

The Travel Management Rule directs that “the responsible official may incorporate previous administrative decisions regarding travel management made under other authorities, including designations and prohibitions of motor vehicle use, in designating National Forest System roads, National Forest System trails, and areas on National Forest System lands for motor vehicle use” (36 CFR §212.50b). The previous decisions that will be incorporated into MVUM designations with no change are:

Motorized and mechanized use is prohibited in the Manzano Mountain Wilderness area through the legislation that designated it, the Endangered American Wilderness Act of 1978. This designation will not be revisited in this process because it complies with the Travel Management Rule.

Seasonal road closures may be used to prevent damage to resources and routes during sensitive times of the year, such as winter or monsoon season. Since these tend to be weather dependant they will not be

included on the MVUM. Closures will be posted in the field when they are in effect. The District currently closes some routes during winter months to prevent resource damage (Closure Order # 03-0315).

Decision

I have given careful consideration to the resources affected by the proposal and have read and considered the effects discussed in the Environmental Assessment and the Biological Evaluations. I have listened to and understood the public discourse that has resulted from this proposal including those responses received during the 30-day comment period. I also considered the existing Forest Plan, guidance provided by law, regulation and policy and consultations with District and Forest specialists and the USDI Fish & Wildlife Service. I have reviewed the project record, which shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk. I have considered the best available science in making this decision.

Based upon my review of all alternatives, their effects, comments received in response to the proposals, and the criteria specified for consideration in the Travel Management Rule, I have decided to implement Alternative 3 with modifications to address natural and cultural resource concerns (see EA pages 12-13, 135-136 for description of Alternative 3).

The modifications to the alternative are as follows (EA appendix B, pages 135-136):

- Cross country motorized big game retrieval will not be allowed beyond use of the designated system with this decision on the Mountainair Ranger District. Not designating motorized big game retrieval corridors was analyzed in Alternatives 1 and 4 of the EA.
- No motorized trails will be added to the system. Routes that were considered as trails in the alternative described in the environmental assessment will instead be designated as roads open to all vehicles. These routes are currently roads and many of them were analyzed as roads in Alternative 1.
- In order to protect natural and cultural resources the following routes will not be designated: unauthorized route U33 and NFS roads 358 and 358A.
- 0.9 miles of motorized dispersed camping corridor, located at the east end of NFS road 99 and along NFS road 55, will not be designated to protect natural and cultural resources.
- Traffic along NFS road 458 will be diverted to travel along NFS road 137A1 (analyzed in the proposed action) to protect natural and cultural resources. The segment that is not designated will be available for administrative use only. The designation of NFS road 137A1 as open to all motor vehicles was analyzed in Alternative 1.

This alternative as modified for this decision includes the following changes from the existing condition (see attached maps):

- Add 10.5 miles of decommissioned and unauthorized roads to the system and designate as open for use by all vehicles:
 - 8.5 miles are comprised of decommissioned roads that continue to be driven, and
 - 2.0 miles are unauthorized roads.
- Change 3.3 miles of closed roads to roads open for use by all motorized vehicles.

- Construct 2.7 miles of roads to reroute around private lands where the Forest Service does not have access through a right-of-way easement. These roads will be designated as open to all vehicles. The new roads will not appear on the MVUM until construction is complete.
- Reconstruct segments of NFS roads 422I, 422I1, 205A2 and 137A1 to provide motorized access. The roads will not appear on the MVUM until reconstruction is complete.
- Designate motorized dispersed camping corridors on 23.2 miles adjacent to system roads. Motorized dispersed camping corridors are 150 feet from each side of the road where designated on the Manzano Division and 300 feet from each side of the road where designated on the Gallinas Division, except where the corridor is designated along only one side of the road.
- Change the designation of 253.6 miles of NFS roads currently open to the public to restricted to administrative use only (these roads will not appear on the MVUM).

When combined with previous decisions, the designation of this alternative will result in a motorized system with 234.3 miles of roads open to all vehicles and 23.2 miles of motorized dispersed camping corridors.

Design Features Associated with this Decision

- All motorized vehicle use will be restricted to routes designated and displayed on the motor vehicle use map (MVUM.) Motor vehicle operators are responsible for acquiring the MVUM prior to motorized travel on the Mountainair Ranger District.
- Motor vehicle use of routes not designated on the MVUM will be prohibited after the map is released, unless provided for under special authorization or legal rights of way.
- This decision does not make any changes to the use authorization of trails by foot, bicycle, snowmobile and horse travel. This decision does not designate or prohibit non-motorized uses.
- The following vehicles and uses are exempted from these designations: 1) aircraft, 2) watercraft, 3) oversnow vehicles, 4) limited administrative use by the Forest Service, 5) use of any fire, military, emergency, or law enforcement vehicle for emergency purposes, 6) authorized use of any combat or combat support vehicle for national defense purposes, 7) law enforcement response to violations of law, and 8) motor vehicle use that is specifically authorized under a written authorization issued under Federal law or regulation [36 CFR 212.51 (a)].
- Forest Service personnel will be allowed limited administrative motorized use of any route for the protection or management of resources.
- As time, money, and Agency discretion allows, unauthorized roads and trails may be mechanically closed following additional NEPA analysis. Examples of closure methods include, but are not limited to: gating, ripping and seeding, re-contouring, and placement of felled trees and/or rocks. Mechanical closures would be implemented over time, where resource damage is occurring and/or sensitive wildlife habitats are being affected.
- Access for permitted activities (e.g. firewood gathering, forest product gathering, mineral exploration and development, maintaining water developments, and recreation events) on NFS lands is independent of general public access. Individuals or groups with written authorization will be allowed to conduct their business according to their authorization; however, the Forest Service reserves the right to control when and how access is achieved, such as through the

approval in the permits or through annual operating plans. It is the responsibility of all permittees to follow the terms of their permits.

- Emergency fire suppression activities will continue to be exempt from seasonal restrictions and restrictions on use, except in wilderness and other congressionally designated special areas that restrict off-road motorized use. Any Federal, State, tribal, or local office, in the performance of an official duty, could receive permission to use motorized vehicles on unauthorized routes not designated as part of the transportation system.
- The Forest Supervisor can implement special orders to restrict public use of roads and trails where substantial resource damage is occurring, where a public safety hazard exists, or where implementation of other management activities is deemed necessary. This may include seasonal restrictions on an annual basis (e.g., for calving areas or active raptor nests) as well as temporary restrictions for short-term conditions (e.g., mudslides and wet conditions, timber sale activities, fire risk, etc.), as authorized in the Code of Federal Regulation 36 CFR Part 261.
- Any previously unauthorized roads that are designated will be given a system number and will become part of the forest transportation system. These roads would be surveyed for heritage resources prior to being added to the system. Any heritage resources located along the road would be mitigated through avoidance, testing for subsurface deposits, data recovery, plating over resources in the road or road reroutes. These routes would not appear on the MVUM until mitigation is complete.
- Management objectives will be developed for each new or previously unauthorized route designated for use on the MVUM.
- On-the-ground signing will be used to clearly identify the road system number that corresponds with the MVUM.
- Motorized dispersed camping corridors do not include private land nor are they designated within 300 yards of any man-made water structure used for livestock or wildlife (State of New Mexico Chapter 72, Article 1-8).
- The district will identify portals, gateways or trailheads where motorized vehicle use information can be displayed including using TREAD LIGHTLY! and LEAVE NO TRACE programs to educate motorized users. A variety of methods could be used, including posters or brochures. Safety and outdoor ethics training will be provided for responsible motorized recreation use to Forest Service personnel that work in public contact positions in administrative offices and field patrols so that they have the training necessary to share information.
- User education and information will be emphasized as management tools to inform the motorized recreationists of appropriate uses, ethics, and interactions with other users. Information will be distributed through active user groups and clubs to achieve compliance.
- Partnerships and volunteer opportunities for proposing, constructing, and maintaining motorized road and trail routes, user education, and monitoring will be emphasized.
- Cooperation with county law enforcement officers will explore opportunities to improve compliance with county and State transportation laws on county and State roads that access motorized recreation areas.

Mitigation Measures and Monitoring

The tables below briefly summarize the mitigation measures and monitoring requirements for this decision. A detailed monitoring plan is available in Appendix E. These are in addition to best management practices and the standards and guidelines from the Forest Plan.

Mitigations

Mitigation	Description
User Education	Motor vehicle use information will be displayed at portals, gateways, or trailheads where multiple use may occur. User education and information would inform recreationists of appropriate uses, ethics and interactions with other users. Information would also be distributed to user groups and clubs to encourage compliance.

Monitoring

Monitoring Objective	Description	Methodology
Required Monitoring		
Enforcement and Education	Determine if motorized vehicle users are complying with road designations on the MVUM.	Train and coordinate with district employees to prepare and submit incident reports to law enforcement when people are observed or reported to be in violation with vehicle designation or new unauthorized routes are created.
Heritage Resources	Inspect 35% of cultural resources within designated motorized dispersed camping corridors each year.	Cultural resource specialists will inspect sites annually as the opportunity presents itself or while inspecting other priority heritage assets.
Optional Monitoring		
Wildlife	Ensure that wildlife habitat is not impacted by motorized use occurring outside of the designated system or the creation of new unauthorized routes	Forest Service personnel will use field visits to determine if new unauthorized routes are being created or identify areas where people are driving cross country by locating vehicle tracks.
Recreation	Determine if the designation of roads through Travel Management has a negative impact on recreation activities and experiences on the District.	The Forest will work with the National Visitor Use Monitoring survey team to add additional survey days and times to gather data about the impacts of travel management on visitors.

Cibola Forest Plan Amendment

The Forest Plan was amended in 2008 with the Sandia Ranger District Travel Management decision, prohibiting cross country travel except as designated on the MVUM. This amendment takes effect on the Mountainair Ranger District once a decision has been signed for this project and MVUM has been released.

To provide for consistency between the plan and the Travel Management Rule, this decision will amend the forest plan to retain the current forest wide road density direction (1.90 miles per sq. mile average) and eliminate road density guidance for each management area and its associated analysis areas. We will continue to allow for the temporary increase in road density (2 to 3 miles per sq. mile) in active vegetation management areas in all management areas.

This amendment will also eliminate obsolete timeframes related to road maintenance, reconstruction or obliteration (page 126). Finally, we will delete or change the standards/guidelines listed on pages 127-129, which refer to OHV area closures and restrictions, obliteration, and maintenance, signing of closed areas (no longer appropriate), or specific acreages of OHV closed areas. These are no longer necessary as all areas outside the designated system will be closed.

I have determined that this is a not a significant plan amendment. I have considered several factors including:

- This amendment is late in the life of the current Forest Plan, which is scheduled to be revised within the next few years.
- This amendment does not affect the goals, objectives, and outputs described in the plan.
- It does not change management prescriptions but does make the plan consistent with the direction in the Travel Management Rule.
- This amendment only applies to the Mountainair Ranger District.

Rationale for the Decision

This decision was not easy or simple, and not without effects. The action involves considering many social as well as resource issues. The comments received during the process reflect the diverse interests in and concerns about the use of the Mountainair Ranger District. The analysis of comments is not a voting process. I have carefully and objectively assessed public comments and the information available in the EA, including the purpose and need, issues, and alternatives and their effects, in reaching my decision. Through my discussions with attendees of public meetings, and the comments received throughout this process I am aware of the passionate feelings individuals have for the resource values of the Mountainair Ranger District and the value of motorized and non-motorized recreation for participants in a variety of activities.

I have selected Alternative 3 with the modifications I incorporated over the other alternatives because this alternative provides reasonable access for motorized recreation on the Mountainair Ranger District while balancing resource concerns. My decision prohibits unrestricted cross country travel in those areas where this has been allowed in the past to comply with the Travel Management Rule direction.

This decision focuses on providing motorized access for all types of vehicles throughout the district. Based on the analysis presented in the EA and the comments received, it is evident that the Mountainair Ranger District is valued for multiple forms of recreation, many of which are facilitated by motorized access to areas on the district. Alternative 3 best meets the needs of the public because it incorporates more miles of road than the other action alternatives and protects natural and cultural resources. The designated motorized system will provide access to areas of the district valued for activities such as camping, hiking, picnicking, hunting, forest product gathering and wildlife viewing.

Although motorized trails were considered under this alternative, the comments received indicated a preference for these routes remaining open to all motor vehicles. Therefore, all routes being designated with this decision will be roads open to all classes of vehicles. The designated system will provide a

variety of motorized recreation opportunities by including routes that vary in difficulty. This will provide four-wheel drivers with a diversity of terrain and challenges.

I am not approving motorized big game retrieval beyond the use of the designated system with this decision. The New Mexico Department of Game and Fish has encouraged the Forest Service to consider hunting related OHV activities similar to any other form of motorized recreation and to apply restrictions equally as part of the Travel Management process (see project file, May 29, 2007). Also, additional miles of road provided in this alternative will result in a road density that will facilitate big game retrieval without driving cross country. Excluding motorized big game retrieval will help prevent motorized trespass into the Manzano Mountain Wilderness and private lands and will help protect natural resources.

A small motorized dispersed camping corridor on NFS road 99 and one unauthorized road (U33) were excluded from this alternative due to cultural resource concerns that would have been difficult to mitigate if the camping area and road were designated. NFS roads 358 and 358A are not being designated due to wildlife habitat concerns.

Issues developed were the basis for alternatives. These issues were derived from the comments from the public, other agencies, and tribes. The interdisciplinary team identified several issues regarding the effects of the proposed action (see EA page 7). I selected Alternative 3 with modifications because it best meets the Purpose and Need described in the EA on page 4 and provides a balanced response to the issues identified in the EA.

1. Designation of unauthorized (user-created), closed, decommissioned, or new roads and motorized dispersed camping corridors.

Comments received expressed concern that designating unauthorized, closed, decommissioned, or new roads could have effects to natural or heritage resources. There is also a concern that designation of motorized dispersed camping corridors will lead to conditions that mimic cross-country travel inside and adjacent to the corridors.

This decision will designate 16.5 miles of unauthorized, closed, decommissioned, and new roads. The specialist analyses indicated that these roads do not impact natural or cultural resources. Segments of roads that could damage resources were excluded from the decision. Unauthorized, closed, and decommissioned roads will be reconstructed and/ or maintained to Forest Service standards set for level 2 roads. This will improve the drainage of the roads and reduce erosion.

There is a long history of motorized dispersed camping on the District. The majority of motorized dispersed camping corridors included in this decision are located in areas that have been historically used by the public. While there is some compaction and disturbance at commonly used sites, there are seldom new sites created and existing sites are reasonably stable. These sites were analyzed for resources concerns and selected with resource considerations.

2. Loss or reduction of motorized recreation opportunities.

Some of the comments received expressed a concern that quality opportunities for motorized recreation, particularly opportunities for wider vehicles including full-size 4x4s, were not fully considered in the proposed action. These concerns included: requests for motorized trail opportunities for users desiring more challenge; requests for additional designations for full-size vehicles and UTV and ATV opportunities; and requests for additional designations of motorized dispersed camping corridors across the district.

This alternative was selected to address this concern while balancing impacts to natural and cultural resources. This decision will designate 234.3 miles of road as open for public use. These roads will be open to all vehicles. Additionally, they will provide users with a variety of terrain

for motorized recreation activities as well as access to parts of the forest identified during public involvement as important for recreation activities. This alternative also provides the most corridors for motorized dispersed camping (23.9 miles). Comments received during the comment period indicated that most motorized recreationalists wanted roads open to all vehicles and not a trail system for specific classes of vehicles.

3. Lack of availability of motorized big game retrieval.

There were concerns that not providing designated motorized big game retrieval from designated system roads would impede some hunters' abilities to retrieve big game on the national forest. I selected Alternative 3 because it provides additional miles of road, and therefore a higher road density, which will facilitate the collection of downed game without necessitating motorized cross country travel. This follows recommendations provided by the New Mexico Department of Game and Fish and resource analyses available in the EA.

4. Environmental impacts

Comments were received that expressed concern that motorized use designations could cause environmental impacts including: fragmentation and wildlife disturbance; impacts to drainage channels, soils, vegetation, and heritage resources.

Although Alternative 3 has more anticipated effects to environmental concerns compared to Alternatives 1 and 4, the anticipated effects are less than the existing conditions or Alternative 2 (no action). By prohibiting cross country travel, confining motorized dispersed camping to corridors, and designating the roads open to the public there will be a substantial reduction in environmental effects compared to the existing conditions. There is a reduction of 253.6 miles of NFS roads open to the public, which will benefit the environment.

Other Alternatives Considered

In addition to the selected alternative, three other alternatives were considered in detail. A complete description and comparison of these alternatives can be found in the EA on pages 11-25. Four additional alternatives were considered and eliminated from detailed study, as discussed on page 16 in the EA.

Alternative 1 – Proposed Action

This is the proposed action that was presented in the “Scoping Report for Mountainair Ranger District Travel Management Proposed Action” dated March 23, 2009, with minor changes as a result of additional field review. Alternative 1 would have resulted in a motorized system with 178.5 miles of NFS roads open for public motor vehicle use. Of these routes, 8.3 miles would be unauthorized, decommissioned, or closed roads and 2.7 miles would be new construction of reroutes around private lands. Motorized dispersed camping corridors would have been designated on 14.7 miles adjacent to system roads.

Alternative 1 - Rationale for Non-Selection:

Alternative 1 provided fewer roads and motorized dispersed camping areas than Alternative 3. During public involvement, local residents who are frequent, long time users of the District requested specific routes and dispersed camping corridors in response to the proposed action. In my decision, I feel that many of these additional routes should be included in the designated system. Alternative 3 better provides for motorized recreation and hunting access that was requested during public involvement. In many cases these were traditional routes, regularly traveled for a variety of recreational uses. Even though Alternative 3 provides additional roads compared to Alternative 1, I feel that the balance between resource concerns and access needs can be better achieved with Alternative 3.

Alternative 2 - No Action

Motorized cross-country travel is currently permitted on approximately 167,000 acres, which represents 66 percent of the Mountainair Ranger District (255,000 acres), and would remain open to cross-country travel under this alternative. Since cross-country travel has been permitted, there has been a proliferation of unauthorized roads. All of these routes would continue to be open to motorized use, unless prohibited by a separate closure order or legislative action. Motorized dispersed camping would be unrestricted in the areas open to motorized cross-country travel. There are 471.4 miles of National Forest System roads on the Mountainair Ranger District open to general motorized use. Of these, 60.6 miles are maintained and managed for passenger vehicles. There are 410.8 miles of system roads managed for high-clearance vehicles, such as pickups or sport utility vehicles

Alternative 2 - Rationale for Non-Selection:

This alternative could have been selected with the modification of prohibiting motorized cross country travel. However, the analysis conducted in the Travel Analysis Process (TAP) identified system roads that were high risk to natural and cultural resources while providing low benefit to the transportation system. In addition, there are many roads on the district that are redundant and access the same area or are short spurs developed for management activity access and do not benefit recreational motorized use. Therefore, I am not selecting to designate the existing system.

Alternative 4

Alternative 4 would have resulted in a motorized system of 127.4 miles of NFS roads open for public motorized vehicle use. No unauthorized, decommissioned, closed or new roads would have been considered under this alternative. Motorized dispersed camping corridors would have been designated on 10.4 miles adjacent to system roads.

Alternative 4 - Rationale for Non-Selection:

This alternative provided fewer roads and motorized dispersed camping corridors than the other two action alternatives. Although this alternative addressed the concern about designating unauthorized, decommissioned, closed roads and the construction of reroutes, the exclusion of these would have resulted in a designated system that did not provide access to areas of the district that are important for recreation, both motorized and non-motorized. Additionally, alternative 4 did not provide many of the routes identified during public involvement as important for motorized recreation and hunting access. Therefore, I am not selecting this alternative.

Public Involvement

The Mountainair Ranger District travel management interdisciplinary team (ID team) initiated a collaborative process to inform the public about the travel management planning process in January 2008. Early in the process, the Cibola National Forest entered into an agreement with the U.S. Institute for Environmental Conflict Resolution (U.S. IECR) to secure assistance in collaborative process design and implementation.

The Mountainair Ranger District Travel Management Collaborative Process

The assessment conducted by U.S. IECR resulted in the development of an intergovernmental working group (IGG) established in April 2008 which consisted of 19 representatives of local, State and Federal government agencies and entities. The role of these representatives was to bring their perspectives on the potential outcomes of the Travel Management Rule to the table and to develop recommendations for involving the wider public in motorized designations on the Mountainair Ranger District.

The district hosted public involvement meetings and activities during development of the proposed action. These included three community meetings in Mountainair, Corona, and Belen, and meetings with tribes and Land Grant communities. An additional meeting was held at the Sandia Ranger Station in Tijeras, with Forest Service invited representatives of special interest groups that included wilderness organizations, hikers, mountain bikers, and recreationists from the East Mountain area who the ID team believed had not been represented during the three community meetings. The District Ranger and project leader scheduled and attended public meetings and made presentations to the governing bodies of the affected counties and the town of Mountainair. During the community meetings, the public was asked to clearly identify routes and areas that they use and are important for their enjoyment of the district.

Tribal Consultation: The Cibola National Forest consults with six American Indian tribes that may have used or may continue to use Mountainair Ranger District lands for traditional cultural or religious activities. These include the Pueblos of Isleta, Acoma, Zuni, and Ysleta del Sur, the Navajo Nation, and the Mescalero Apache. These tribes were initially informed about travel management in August 2008 when the process was highlighted in the forest's annual tribal consultation letter. Since then follow up consultation meetings were held with interested tribes, invitations to public workshops were sent, and tribes participated in the IGG and NEPA scoping process.

Scoping: The scoping letter describing the proposed action and a scoping report were sent to 196 persons and organizations on March 23, 2009. The scoping letter, report, and maps were posted on the Cibola National Forest's Travel Management Web page. Press releases were sent to local area media outlets to announce the release of the scoping letter and report. Approximately 241 comments were received. (EA pages 7-8).

Using the comments from the public, other agencies, and tribes, the interdisciplinary team (ID team) identified issues regarding the effects of the proposed action (see EA pages 7-8). The alternative described above were created, analyzed, and considered by the ID team.

As required by the agency's notice, comment and appeal procedures, the Cibola NF offered a 30-day comment period on the proposal. The legal notice for the comment period was published in the Albuquerque Journal on March 4, 2010. Copies of the EA were mailed to those who had requested a copy in advance of publication, and letters announcing the availability of the EA were sent to those on the Mountainair District mailing list and those who had attended public meetings or otherwise expressed interest in the EA. During the comment period the Forest Service held three open houses for the public to provide comments on the environmental assessment. The meetings were held in Mountainair, Corona, and Torreon. We received a total of 22,387 responses during the comment period; 111 were received through mail, fax, or hand-delivery or received and recorded from phone calls or personal visits; 3,789 were form letters generated by an online request from the Center for Biological Diversity; and 18,487 were form letters from the Wilderness Society request for comments.

Finding of No Significant Impact

The significance of environmental impacts must be considered in terms of context and intensity. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human and national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. In the case of a site-specific action, significance usually depends upon the effects in the locale rather than in the world as a whole. Intensity refers to the severity or degree of impact (40 CFR 1508.27).

The following is a summary of how Alternative 3, as amended on pages 3-4 of this document, addresses the 10 significant factors identified in 40 CFR 1508.27(b). The best available science was used in all

aspects of determining these findings including methods of data collection, analysis, cause and effects analysis and means to mitigate adverse effects.

Context

The Mountainair Ranger District is located within four counties in New Mexico. The Manzano Division is located in Torrance, Valencia, and Bernalillo Counties; the Gallinas Division is located in Torrance and Lincoln Counties. The total area affected by this Travel Management Rule decision is approximately 255,000 acres within the district boundary, of which 49,300 acres are private or other governmental in-holdings. The approximately 37,000 acres within the Manzano Mountain Wilderness would not be affected directly by this decision. The project area analyzed under the Travel Management Rule, excluding the in-holdings and the wilderness area, is comprised of approximately 169,000 acres.

Towns bordering the Mountainair Ranger District include four historic Spanish Land Grant communities on the east side of the Manzano Division (Manzano, Torreon, Tajiue, and Chilili). The Isleta Pueblo borders the Mountainair District on its northwest side. Nearby towns include towns of Mountainair (Manzano Division) and Corona (Gallinas Division). Outlying towns affected by management on the Mountainair Ranger District include Belen, Willard, and Estancia. The city of Albuquerque is approximately one to one-and-one-half hours' drive from the Manzano Mountains, as is Kirtland Air Force Base.

The effects from the proposed actions will directly affect those persons living and recreating within the project boundary. Effects may be either beneficial or adverse, depending on the points of view of the persons affected.

Intensity

Intensity refers to the severity of the impacts. It is evaluated using the ten factors listed here.

(1) Impacts may be both beneficial and adverse.

Both beneficial and adverse impacts have been disclosed in the EA (Chapter 3 Environmental Consequences) along with mitigation measures. None of these effects, either alone or after mitigation measures have been applied, will have a significant impact.

This action reduces the environmental impacts of motorized recreation by prohibiting cross country travel and implementing mitigation and design criteria that reduce impacts of the designated system. No significant effects on local regional or national resources were identified in the EA. None of the direct, indirect, or cumulative effects were identified as being significant.

(2) Degree to which the actions affect public health or safety.

After considering the analysis and mitigations in the EA, I conclude that implementing the chosen alternative would not significantly affect public health and safety because of the limited scope of the actions. The process of designating routes has been successfully implemented on numerous National Forests across the nation, and some of those systems have been in place for decades. Managing motorized vehicle use on public lands will increase the safety of persons using said vehicles as well as those who encounter them on the Mountainair District. There is no evidence that motorized vehicle use will increase or decrease because of this decision, only that it would be regulated to specified areas. Please see the sections on public safety and law enforcement in the EA (pages 78, 89-90 and 107-110).

Areas with abandoned mines will be less accessible by motorized vehicle and will be less likely to be discovered, thereby decreasing the likelihood of mine-related accidents in these areas.

(3) Unique characteristics of the geographic area.

I have concluded that the selected alternative will not have a significant effect on any unique characteristics and ecologically critical areas on the Mountainair Ranger District. Measures have been

incorporated to protect cultural resources that exist near roads. No other unique characteristics or ecologically critical areas as described in 40 CFR 1508.27(3) - park lands, prime farmlands, wetlands, wild and scenic rivers - exist in the area. (see EA pages 27-116). There are no changes or additions to the Forest Service system motorized routes near the Manzano Mountain Wilderness. There are no Inventoried Roadless Areas on the Mountainair Ranger District.

The Red Cloud Mining District is located in the Gallinas Division in Lincoln County. There would be no effect on this area except for the elimination of public off-road motorized access. Miners with valid claims in the area would retain their legal access to their mines (EA page 15). Motorized access would be authorized under plans of operation.

This decision greatly reduces the acres allowed for off-road motorized vehicle use (dispersed camping and big game retrieval) and miles of road allowed for motorized vehicle use on soils rated as having “severe erosion potential” and “severe mass wasting potential”, compared to the existing condition (EA page 71).

(4) Degree to which the effects on the human environment are likely to be highly controversial.

I recognize that elements of a designated motorized system have generated controversy. Many people have expressed a desire for additional designations. Others have indicated concern for the degree of motorized designations, and requested fewer designated routes than those designated with this decision. However, there is no substantiated scientific controversy over the effects as described. The opposing opinions related to the motorized recreation experience and protection of wildlife and other natural resources were addressed during alternative development and are discussed in Chapter 3 of the EA (pages 27-116).

(5) Degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The Forest Service has considerable experience with the activities to be implemented. The effects of management of motorized vehicle on public lands are discussed in the effects analysis in Chapter 3 of the EA (pages 27-116). They are not highly uncertain; nor do the effects involve unique or unknown risks. Therefore, they are not significant.

(6) Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

Implementation of the Travel Management Rule decision on the Mountainair Ranger District will not set a precedent: it is a nationwide initiative required to be implemented by every National Forest (EA pages 1-2). The designation of routes for public motorized use does not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. Procedures are in place to periodically revise the MVUM to accommodate changes as a result of future management decisions. Any future proposals that alter the designated system will be evaluated through the National Environmental Policy Act process, consistent with current laws and regulations.

(7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The decision was evaluated in the context of other past, present, and reasonably foreseeable actions. This action does not individually, nor when considering other activities within the area affected, cumulatively, result in significant effects. This determination is based on the discussion of cumulative effects in Chapter 3 of the EA (see EA pages 65-67, 72-73, 87-88, 94, 101, 103, 106-107, 109-110, 113, 115, 116 and Appendix D.). This is primarily based on the predicted effects from the modest level of overall change that would occur as a result of the route designation process. I have also considered travel management planning underway on other national forests in the region, and on Bureau of Land Management lands, and other OHV management by State of New Mexico, county and local governments on nearby lands.

(8) Degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, or may cause loss or destruction of significant scientific, cultural, or historic resources.

There would be no significant adverse effects to these resources when mitigation measures are applied (EA pages 94 – 101). The designation of a system of roads and restriction of cross country travel will reduce the potential impact to all known and unknown cultural resources. The project was in compliance with the protocol specified in the programmatic agreement with the New Mexico State Historic Preservation Office (SHPO). The first archaeological clearance report for travel management has been completed and the SHPO concurred with a finding of “No Adverse Effect” on cultural resources. Tribal consultation revealed no concerns that this decision would affect areas of importance to culturally-affiliated tribes (EA pages 101-103).

(9) Degree to which the action may adversely affect an Endangered or Threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

The action will not adversely affect any endangered or threatened species or its habitat. The Biological Assessment and Evaluation (BAE) prepared for the project determined that the project “may affect but not likely to adversely affect” the Mexican spotted owl or its habitat (EA pages 51-52). The U.S. Fish & Wildlife Service concurred with the determinations of effect on August 20, 2010.

Southwestern willow flycatcher: This species is not known to occupy potential habitat on the Mountainair Ranger District. None of the proposed routes or off-road travel designations would occur in this species’ potential habitat; therefore there would be no effect (EA page 52).

(10) Whether the action threatens a violation of Federal, State, or local law or other requirements imposed for protection of the environment.

The action will not violate Federal, State, and local laws or requirements for the protection of the environment. The action is consistent with the Cibola National Forest Land and Resource Management Plan, as amended with this decision.

Conclusion

Based on the context and intensity of the environmental consequences documented in the *Environmental Assessment for Travel Management on the Mountainair Ranger District* and its project record with respect to the 10 significance factors addressed here, I find that Alternative 3, as amended on pages 3-4 of this document, when implemented in conjunction with the mitigation measures (Appendix E) will not significantly affect the human environment. Therefore, I find that implementation of Alternative 3, as amended with mitigation measures, is not a major Federal action requiring the preparation of an Environmental Impact Statement.

Findings Required by Other Laws and Regulations

This decision for travel management on the Mountainair Ranger District is consistent with the intent of the long term goals and objectives listed on pages 33-34 of the *1985 Cibola National Forest Land and Resource Management Plan (as amended)*(Forest Plan). The project was designed in conformance with Forest Plan standards and incorporates appropriate Forest Plan guidelines for Management Areas 11(Forest Plan pages 141-148); 12 (ibid pages 149-157); 13 (ibid pages 158-162); and 15 (ibid pages 174-181). The project was developed in consideration of the best available science.

The decision is consistent with other applicable laws and regulations including the National Historic Preservation Act and the Endangered Species Act. The measures included in the proposal to protect soil, water and air resources ensure compliance with the Clean Water Act and Clean Air Act.

Implementation Date

If no appeals are filed within the 45-day time 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.

Administrative Review or Appeal Opportunities

This decision is subject to appeal pursuant to regulations at 36 CFR 215. Those who provided comments during the comment period are eligible to appeal the decision under the regulations. The appeal must be filed in writing (regular mail, fax, email, hand-delivery, express delivery, or messenger service) with the appropriate Appeal Deciding Officer.

Submit appeals to:

Corbin L. Newman Jr.
Regional Forester/Appeal Deciding Officer
USDA Forest Service
Southwestern Region
333 Broadway SE
Albuquerque, NM 87102

or fax to (505)842-3173

If hand delivered, the appeal must be received at the above address during business hours (Monday - Friday 8:00 am to 4:30 pm), excluding Federal holidays.

Electronic appeals may be submitted to: appeals-southwestern-regional-office@fs.fed.us (.doc, .rtf, or .txt formats only). The appeal must have an identifiable name attached or verification of identity will be required. A scanned signature may serve as verification on electronic appeals.

Appeals, including attachments, must be in writing, fully consistent with 36 CFR 215.14, and filed (postmarked) within 45 days following the date notice of this decision is published in the *Albuquerque Journal*. This publication date is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframes provided by any other source.

Contact

For additional information concerning this decision or the Forest Service appeal process, contact Keith Baker, Cibola National Forest, 2113 Osuna Road NE, 87113, or phone at (505) 346-3820.

Nancy Rose

NANCY ROSE
Forest Supervisor
Cibola National Forest

Sept. 7, 2010

Date

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.