
Appendix D: Forest Plan Amendment

Agency Direction for Amending Forest Plans

Forest Service (USFS) direction requires that proposed activities be consistent with forest plans and that if proposed activities are in conflict with the Forest Plan they should be either denied, modified (so as to be consistent), or that the Forest Plan be amended. The regulations at Title 36, Code of Federal Regulations, Part 219.58 (36 CFR 219.58) provide direction to the USFS for conducting plan amendments and administrative changes in conjunction with project National Environmental Policy Act (NEPA) conducted under 36 CFR 218.

Proposed Amendments to the White River National Forest Plan

This section is organized by presenting the Forest Plan amendments needed to incorporate the Oil and Gas Leasing Environmental Impact Statement (EIS) and subsequent decision. Other corrections are presented where corrections are needed in the Forest Plan for clarification and consistency with other laws and regulations. Oil and gas leasing and locatable minerals fall under the Mineral Resources category, and as such, corrections are proposed for both. **Table D-1** lists proposed changes to Forest Plan text line by line and only where needed. It also provides a comparison to current Forest Plan direction. Bold text represents reworded or new language. Pages referenced are from the 2002 Revised Forest Plan *with Amendments* (www.fs.usda.gov/Internet/FSE_DOCUMENTS/fsbdev3_000999.pdf).

Table D-1. Forest Plan Amendment.

Chapter / Management Area	Page	Current Forest Plan Direction	Amended Forest Plan Direction
Chapter 2 Forestwide Standards and Guidelines	2-4	<p><u>Geology, Mineral, and Energy Resources</u></p> <p>Standards 1. Recommend consent to lease with appropriate lease terms or stipulations, as set forth in the <i>Oil and Gas Leasing Final Environmental Impact Statement for the White River National Forest (1993)</i>.</p> <p>3. Avoid development of capital investments in areas that will be jeopardized by moderate-to-high potential on non- federal mineral estate ownership.</p>	<p><u>Geology, Mineral, and Energy Resources</u></p> <p>Standards 1. Recommend consent to lease on available lands for oil and gas leasing with appropriate lease stipulations as set forth in the [insert date] Record of Decision on the White River National Forest Oil and Gas Leasing Final Environmental Impact Statement.</p> <p>3. <i>This standard is dropped because these situations are very limited on the White River National Forest. Furthermore, capital improvements may be beneficial in areas with varying levels of development and or circumstances and would best be evaluated on a case-by-case site-specific analysis basis.</i></p>
Chapter 3 Management Area Direction/ Category 1	3-4 Table 3-1	<p>Management area prescription: 1.2 Recommended Wilderness Activities Allowed: Locatable Minerals – no</p> <p>Management area prescription: 1.31 Backcountry recreation – non-motorized Activities Allowed: Locatable Minerals – no</p> <p>Management area prescription: 1.32 Backcountry recreation with limited winter motorized Activities Allowed: Locatable Minerals – no</p> <p>Management area prescription: 1.41 Core Areas Activities Allowed: Locatable Minerals – no</p> <p>Management area prescription: 1.5 Wild rivers – designated and eligible Activities Allowed: Locatable Minerals – decision by area</p>	<p>Management area prescription: 1.2 Recommended Wilderness Activities Allowed: Locatable Minerals – discouraged</p> <p>Management area prescription: 1.31 Backcountry recreation – non-motorized Activities Allowed: Locatable Minerals – discouraged</p> <p>Management area prescription: 1.32 Backcountry recreation with limited winter motorized Activities Allowed: Locatable Minerals – discouraged</p> <p>Management area prescription: 1.41 Core Areas Activities Allowed: Locatable Minerals – discouraged</p> <p>Management area prescription: 1.5 Wild rivers – designated and eligible Activities Allowed: Locatable Minerals – discouraged</p>

Chapter / Management Area	Page	Current Forest Plan Direction	Amended Forest Plan Direction
Chapter 3 Management Area Direction/ 1.2 Recommended for Wilderness	3-10	<p><u>Mineral and Energy Resources</u></p> <p>Standards 1. These areas are not available for oil and gas leasing. 2. These areas are withdrawn from locatable mineral entry.</p>	<p><u>Mineral and Energy Resources</u></p> <p>Standard 1. Lands are closed to new oil and gas leasing through management direction.</p> <p><i>Standard 2 (original) is dropped and replaced with Guideline 1</i></p> <p>Guideline 1. Initiate withdrawal request for locatable mineral entry with Department of Interior (DOI) when such action is deemed necessary to meet the objectives of the area.</p>
Chapter 3 Management Area Direction/ 1.31 Backcountry recreation – non-motorized	3-12		<p><i>This section is added.</i></p> <p><u>Mineral and Energy Resources</u></p> <p>Guideline 1. Initiate withdrawal request for locatable mineral entry with DOI when such action is deemed necessary to meet the objectives of the area.</p>
Chapter 3 Management Area Direction/ 1.32 Backcountry recreation with limited winter motorized	3-14		<p><i>This section is added.</i></p> <p><u>Mineral and Energy Resources</u></p> <p>Guideline1. Initiate withdrawal request for locatable mineral entry with DOI when such action is deemed necessary to meet the objectives of the area.</p>
Chapter 3 Management Area Direction/ 1.41 Core Areas		<p><u>Mineral and Energy Resources</u></p> <p>Standard 1. Pursue acquisition of existing mining claims and withdraw from mineral entry areas necessary to meet the objectives of the management area.</p>	<p><u>Mineral and Energy Resources</u></p> <p><i>Standard 1(original) is dropped and replaced with Guideline 1</i></p> <p>Guideline1. Initiate withdrawal request for locatable mineral entry with DOI when such action is deemed necessary to meet the objectives of the area.</p>

Chapter / Management Area	Page	Current Forest Plan Direction	Amended Forest Plan Direction
Chapter 3 Management Area Direction/ 1.5 Wild Rivers – Designated and Eligible	3-18	<u>Mineral and Energy Resources</u> Standards 1. These areas are not authorized for new oil and gas development. 2. These areas are withdrawn from locatable mineral entry.	<u>Mineral and Energy Resources</u> Standard 1. Lands are closed to new oil and gas leasing through management direction. <i>Standard 2 (original) is dropped and replaced with Guideline 1</i> Guideline 1. Initiate withdrawal request for locatable mineral entry with DOI when such action is deemed necessary to meet the objectives of the area.
Chapter 3 Management Area Direction/ Category 2	3-20 Table 3-2	Management area prescription: 2.1 Special Interest Areas-minimal use and interpretation Activities Allowed: Locatable Minerals – withdraw from mineral entry as needed	Management area prescription: 2.1 Special Interest Areas-minimal use and interpretation Activities Allowed: Locatable Minerals – discouraged Activities Allowed: Oil and Gas Leasing – no Management area prescription: 2.2 Research Natural Areas Activities Allowed: Locatable Minerals – discouraged Activities Allowed: Oil and Gas Leasing – yes with no surface occupancy (NSO) stipulations
Chapter 3 Management Area Direction/ 2.1 Special Interest Areas – minimal use and interpretation	3-22	<u>Mineral and Energy Resources</u> Standard 1. These areas are withdrawn from locatable mineral entry when such action is deemed necessary to meet the objectives for which the area was proposed or established	<u>Mineral and Energy Resources</u> <i>This standard is added as Standard 1</i> Standard 1. Lands are closed to oil and gas leasing through management direction <i>Standard 1(original) is dropped and replaced with Guideline 1.</i> Guideline 1. Initiate withdrawal request for locatable mineral entry with DOI when such action is deemed necessary to meet the objectives of the area.

Chapter / Management Area	Page	Current Forest Plan Direction	Amended Forest Plan Direction
Chapter 3 Management Area Direction/ 2.2 Research Natural Areas	3-25	<p><u>Mineral and Energy Resources</u></p> <p>Standard 1. These areas are withdrawn from locatable mineral entry.</p> <p>Guideline 1. When these areas occur outside of areas designated as unavailable in the Oil and Gas Leasing EIS, they are available with a no surface occupancy stipulation, as long as exploration does not affect underground resources for which the area was established.</p>	<p><u>Mineral and Energy Resources</u></p> <p><i>Guideline 1 (original) is dropped and replaced with Standard 1</i></p> <p>Standard 1. Lands are available for oil and gas leasing with a no surface occupancy stipulation.</p> <p><i>Standard 1(original) is dropped and replaced with Guideline 1</i></p> <p>Guideline 1. Initiate withdrawal request for locatable mineral entry with DOI when such action is deemed necessary to meet the objectives of the area.</p>
Chapter 3 Management Area Direction/ Category 3	3-28 Table 3-3	<p>Management area prescription: 3.1 Special interest areas – emphasis on use and interpretation</p> <p>Activities Allowed: Locatable Minerals – decision by area</p> <p>Management area prescription: 3.21 Limited Use</p> <p>Activities Allowed: Locatable Minerals – decision by area</p> <p>Management area prescription: 3.55 Corridors connecting core areas</p> <p>Activities Allowed: Locatable Minerals – decision by area</p>	<p>Management area prescription: 3.1 Special interest areas – emphasis on use and interpretation</p> <p>Activities Allowed: Locatable Minerals – discouraged</p> <p>Management area prescription: 3.21 Limited Use</p> <p>Activities Allowed: Locatable Minerals – discouraged</p> <p>Management area prescription: 3.55 Corridors connecting core areas</p> <p>Activities Allowed: Locatable Minerals – discouraged</p>
Chapter 3 Management Area Direction/ 3.1 Special Interest Areas – Emphasis on Use and Interpretation	3-30	<p><u>Mineral and Energy Resources</u></p> <p>Standard 1. These areas will be withdrawn from locatable mineral entry when such action is deemed necessary to meet the objectives of the area.</p>	<p><u>Mineral and Energy Resources</u></p> <p><i>Standard 1(original) is dropped and replaced with Guideline 1</i></p> <p>Guideline 1. Initiate withdrawal request for locatable mineral entry with DOI when such action is deemed necessary to meet the objectives of the area.</p>
Chapter 3 Management Area Direction/ 3.21 Limited Use Areas	3-32	<p><u>Mineral and Energy Resources</u></p> <p>Standard 1. These areas will be withdrawn from locatable mineral entry when such action is deemed necessary to meet the objectives of the area.</p>	<p><u>Mineral and Energy Resources</u></p> <p><i>Standard 1(original) is dropped and replaced with Guideline 1</i></p> <p>Guideline 1. Initiate withdrawal request for locatable mineral entry with DOI when such action is deemed necessary to meet the objectives of the area.</p>

Chapter / Management Area	Page	Current Forest Plan Direction	Amended Forest Plan Direction
Chapter 3 Management Area Direction/ 3.4 Scenic Rivers – Designated and Eligible	3-36	<p><u>Mineral and Energy Resources</u></p> <p>Standards 1. These areas are not authorized for new oil and gas leasing. 2. These areas are withdrawn from locatable mineral entry.</p>	<p><u>Mineral and Energy Resources</u></p> <p>Standard 1. Lands are closed to oil and gas leasing through management direction <i>Standard 2(original) is dropped and replaced with Guideline 1</i></p> <p>Guideline 1. Initiate withdrawal request for locatable mineral entry with DOI when such action is deemed necessary to meet the objectives of the area.</p>
Chapter 3 Management Area Direction/ 3.5 Corridors Connecting Core Areas	3-38	<p><u>Mineral and Energy Resources</u></p> <p>Standard 1. These areas will be withdrawn from locatable mineral entry when such action is deemed necessary to meet the objectives of the area.</p>	<p><u>Mineral and Energy Resources</u></p> <p><i>Standard 1(original) is dropped and replaced with Guideline 1</i></p> <p>Guideline 1. Initiate withdrawal request for locatable mineral entry with DOI when such action is deemed necessary to meet the objectives of the area.</p>
Chapter 3 Management Area Direction/ Category 4	3-39 Table 3-4	<p>Management area prescription: 4.2 Scenery</p> <p>Activities Allowed: Locatable Minerals – decision by area</p> <p>Management area prescription: 4.23 Scenic byways, scenic areas, vistas, or travel corridors</p> <p>Activities Allowed: Locatable Minerals – decision by area</p> <p>Management area prescription: 4.32 Dispersed recreation – high use</p> <p>Activities Allowed: Locatable Minerals – decision by area</p>	<p>Management area prescription: 4.2 Scenery</p> <p>Activities Allowed: Locatable Minerals – discouraged</p> <p>Management area prescription: 4.23 Scenic byways, scenic areas, vistas, or travel corridors</p> <p>Activities Allowed: Locatable Minerals – discouraged</p> <p>Management area prescription: 4.32 Dispersed recreation – high use</p> <p>Activities Allowed: Locatable Minerals – discouraged</p>
Chapter 3 Management Area Direction/ 4.2 Scenery	3-41	<p><u>Mineral and Energy Resources</u></p> <p>Standard 1. These areas will be withdrawn from locatable mineral entry when such action is deemed necessary to meet the objectives of the area.</p>	<p><u>Mineral and Energy Resources</u></p> <p><i>Standard 1(original) is dropped and replaced with Guideline 1</i></p> <p>Guideline 1. Initiate withdrawal request for locatable mineral entry with DOI when such action is deemed necessary to meet the objectives of the area.</p>

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Chapter 3 Management Area Direction/ 4.23 Scenic byways, scenic areas, vistas, or travel corridors	3-43	<p><u>Mineral and Energy Resources</u></p> <p>Standard 1. These areas will be withdrawn from locatable mineral entry when such action is deemed necessary to meet the objectives of the area.</p>	<p><u>Mineral and Energy Resources</u></p> <p><i>Standard 1(original) is dropped and replaced with Guideline 1</i></p> <p>Guideline 1. Initiate withdrawal request for locatable mineral entry with DOI when such action is deemed necessary to meet the objectives of the area.</p>
Chapter 3 Management Area Direction/ 4.32 Dispersed recreation – high use	3-46	<p><u>Mineral and Energy Resources</u></p> <p>Standard 1. These areas will be withdrawn from locatable mineral entry when such action is deemed necessary to meet the objectives of the area.</p>	<p><u>Mineral and Energy Resources</u></p> <p><i>Standard 1(original) is dropped and replaced with Guideline 1</i></p> <p>Guideline 1. Initiate withdrawal request for locatable mineral entry with DOI when such action is deemed necessary to meet the objectives of the area.</p>
Chapter 3 Management Area Direction/ 4.4 Recreation Rivers – Designated and Eligible	3-48	<p><u>Mineral and Energy Resources</u></p> <p>Standards 1. These areas are withdrawn from locatable mineral entry.</p> <p>Guideline 1. These areas are not authorized for new oil and gas development.</p>	<p><u>Mineral and Energy Resources</u></p> <p><i>Guideline 1 (original) is dropped and replaced with Standard 1</i></p> <p>Standards 1. Lands are closed to new oil and gas leasing through management direction.</p> <p><i>Standard 1 (original) is dropped and replaced with Guideline 1</i></p> <p>Guideline 1. Initiate withdrawal request for locatable mineral entry with DOI when such action is deemed necessary to meet the objectives of the area.</p>
Chapter 3 Management Area Direction/ Category 8	3-77 Table 3-8	<p>Management area prescription: 8.21 Developed recreation complexes</p> <p>Activities Allowed: Locatable Minerals – decision by area</p>	<p>Management area prescription: 8.21 Developed recreation complexes</p> <p>Activities Allowed: Locatable Minerals – discourage</p> <p><i>Add to notes</i></p> <p>4. Subject to valid existing rights, all lands located within the boundaries of ski area permit are automatically withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral and geothermal leasing (16 U.S.C. 497c(j)).</p> <p><i>Non- ski areas column: The Non-ski areas column is deleted from Table 3-8 because all these lands are included under other management area prescriptions.</i></p>

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Chapter 3 Management Area Direction/ 8.21 Developed recreation complexes	3-79	<p><u>Mineral and Energy Resources</u></p> <p>Standard 1. These areas will be withdrawn from locatable mineral entry when such action is deemed necessary to meet the objectives of the area.</p>	<p><u>Mineral and Energy Resources</u></p> <p><i>Standard 1(original) is dropped and replaced with Guideline 1</i></p> <p>Guideline 1. Initiate withdrawal request for locatable mineral entry with DOI when such action is deemed necessary to meet the objectives of the area.</p>
Chapter 3 Management Area Direction/ 8.25 Ski areas – Existing and Potential	3-82	<p><u>Mineral and Energy Resources</u></p> <p>Standard 1. These areas are withdrawn from mineral entry.</p>	<p><u>Mineral and Energy Resources</u></p> <p>Standard 1. <i>This standard is deleted since all lands located within the boundaries of ski area permit are automatically withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral and geothermal leasing (16 U.S.C. 497c(j)) subject to valid and existing rights.</i></p>
Appendix CC Relevant Federal and state statutes and other regulations	CC-1	[list of statutes]	<p><i>Add to list of statutes</i></p> <ul style="list-style-type: none"> ▪ Energy Policy Act of January 4, 2005 ▪ 36 CFR Part 294, Special Areas; Roadless Area Conservation; Applicability to the National Forests in Colorado; Final Rule, July 3, 2012 ▪ 36 CFR Part 219, National Forest System Land Management Planning, April 9, 2012

Chapter / Management Area	Page	Current Forest Plan Direction	Amended Forest Plan Direction
Appendix CC Relevant Federal and state statutes and other regulations	CC-6	<p><i>Memorandum of Understanding</i></p> <p>White River National Forest and Bureau of Land Management</p> <ul style="list-style-type: none"> • Provides guidance for coordinating the joint issuance and administration of Christmas tree permits 	<p><i>Add to Memorandum of Understanding (MOU)</i></p> <p>White River National Forest and Bureau of Land Management</p> <p>National MOUs:</p> <ul style="list-style-type: none"> • MOU between USDI, BLM and USDA, USFS concerning Implementation of Section 365 of the Energy Policy Act of 2005 Pilot Project to Improve Federal Permit Coordination. 10/24/2005. • MOU between USDI (BLM) and USDA (FS) Concerning Oil and Gas Leasing and Operations to implement Section 363 of the Energy Policy Act of 2005, 4/14/2006. • MOU between USDA, USDI, and Environmental Protection Agency on Air Quality Analyses and Mitigation for Federal Oil and Gas Decisions through the NEPA Process, 6/23/2011 <p>State Government MOUs:</p> <ul style="list-style-type: none"> ▪ MOU Among BLM, Colorado State Office, USFS Rocky Mountain Region, and Colorado Oil and Gas Conservation Commission (COGCC) Concerning Oil and Gas Permitting on BLM and NFS Lands in Colorado. 7/10/2009 <p>Local (White River National Forest) MOUs:</p> <ul style="list-style-type: none"> • Provides guidance for coordinating the joint issuance and administration of Christmas tree permits • MOU between USDI (BLM) Colorado River Valley Field Office and USDA (FS) White River National Forest concerning FS/BLM Energy Office interactions. 9/12/2008, Updated 9/19/2011. (see TAB 6 – Local level MOU between the WRNF and the Colorado River Valley Field Office CRVF)

Chapter / Management Area	Page	Current Forest Plan Direction	Amended Forest Plan Direction
Appendix HH Glossary	HH-	[Glossary]	<p><i>Add to the Glossary</i></p> <p>mineral All minerals and mineral fuels including some non-solid substances such as petroleum and natural gas (30 U.S.C. 21a)</p> <p>leasable Minerals whose extraction from federal land requires a lease and the payment of royalties. Leasable minerals include coal, oil and gas, oil shale and tar sands, potash, phosphate, sodium, and geothermal steam.</p> <p>locatable Mineral deposits that are subject to acquisition by the location and maintenance of mining claims. Locatable minerals include both metallic, nonmetallic, and certain uncommon variety minerals.</p> <p>mineral material A collective term used to describe petrified wood and common varieties of sand, gravel, stone, pumice, cinders, clay, and other similar materials. Extraction and use requires a permit or sales contract. Common varieties do not include deposits of materials that are considered valuable because of some property giving them distinct and special value (36 CFR 228.42). Also referred to as saleable or common-variety mineral.</p> <p>split estate An area of land where the surface is non-federally owned and the subsurface mineral resources are federally owned, or vice versa.</p> <p>withdrawn lands Public domain held back for the use or benefit of an agency by reservation, withdrawal, or other restrictions for a special government purpose. There are four major categories of formal withdrawals: Administrative, Presidential Proclamations, Congressional, and Federal Power Act or Federal Energy Regulatory Commission withdrawals. Withdrawals must accomplish one or more of the following: Transfer total or partial jurisdiction of federal land between federal agencies; Close (segregate) federal land to operation of all or some of the public land laws and mineral laws; Dedicate federal land to a specific public purpose.</p>

Chapter / Management Area	Page	Current Forest Plan Direction	Amended Forest Plan Direction
Appendix HH Glossary	HH-	[Glossary]	<p>Lands Administratively Available for Leasing The lands Administratively Available for Oil and Gas Leasing are the NFS lands, after the Record of Decision is signed, that will be available through administrative processes for oil and gas leasing. The BLM will make an independent decision, after permission to lease from the USFS is granted, offer the NFS lands at a competitive lease sale.</p> <p>Lands Closed for Leasing Through Management Direction The lands Closed for Oil and Gas Leasing through Management Direction are NFS lands the Deciding Official will make a discretionary decision on to close to oil and gas leasing for a temporary period of time with his/her Record of Decision on this analysis.</p> <p>Lands Legally Closed for Leasing The lands Legally Closed for Oil and Gas Leasing are those withdrawn for oil and gas leasing by an existing act, order, statute, or executive communication.</p>