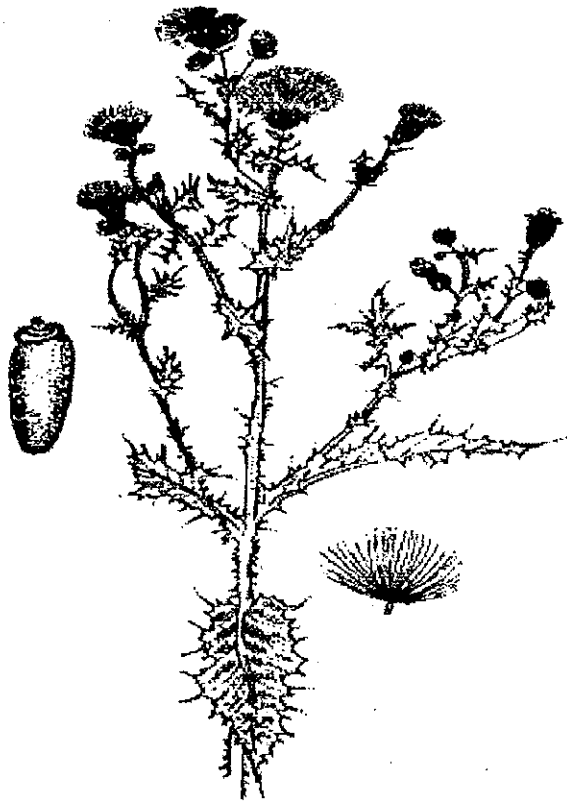


**DECISION NOTICE**  
**AND**  
**FINDING OF NO SIGNIFICANT IMPACT**  
**FOR**  
**NOXIOUS WEED MANAGEMENT PLAN**  
**ON THE**  
**ARAPAHO AND ROOSEVELT NATIONAL FORESTS**  
**AND**  
**PAWNEE NATIONAL GRASSLAND**



**Decision Notice  
and Finding of No Significant Impact (FONSI)  
Noxious Weed Management Plan for the Arapaho and  
Roosevelt National Forests and Pawnee National  
Grassland**

**USDA, Forest Service  
Larimer, Weld, Boulder, Clear Creek, Gilpin, Jefferson, and Grand  
Counties, Colorado**

**Introduction**

The need for this project arose from a continuing increase in number and size of noxious weed infestations on the Arapaho and Roosevelt National Forests and the Pawnee National Grassland (ARP). A proposal to analyze an ARP-wide weed management plan in an environmental assessment was listed in the Schedule of Proposed Actions in 1997. An "Environmental Assessment for the Noxious Weed Management Plan for the Arapaho and Roosevelt National Forests and Pawnee National Grassland" (EA) was released for public comment in 1999. Based on those comments the EA was revised and again released for public comment in 2001.

**Decision**

I have reviewed the 1999 and 2001 revised EA, public comments, and applicable laws and regulations. The analysis area consists of National Forest System lands within the boundaries of the ARP and encompasses approximately 1.5 million acres. The EA discloses the analysis of three alternatives to meet the purpose of developing and implementing an ARP-wide, integrated noxious weed management plan to address the need to maintain native plant communities and their diversity by reducing the spread of noxious weeds. I have decided to implement a modified Alternative B from the 2001, revised EA, which implements the Noxious Weed Management Plan (attached), to control noxious weeds on the ARP. These modifications do not materially change Alternative B as presented in the 2001-revised EA, but instead clarify the intent to facilitate understanding and implementation.

1. Several mitigation measures have been incorporated into the Noxious Weed Management Plan. These are "common to all alternatives" mitigation measures numbers 3, 4, 7, 12, 21, 25, 27, 28, 30, 32, 33, and 37-41; and Alternative B mitigation measures 1-4, 11-13, 15-23, 25-28, 30, 31, and 37-39.
2. Mitigations, or portions thereof, that simply restate existing policy and direction found in Forest Service manuals (FSM), handbooks, 1997 Revision of the Land and Resource Management Plan for the Arapaho and Roosevelt National Forests and Pawnee National Grassland (Forest Plan), and other direction have been eliminated as redundant. These are "common to all alternatives" mitigation

- measures numbers 1, 2, 13-20, 22-24, 26, 29, 31, 34, and 43; and Alternative B mitigation measures 5-7, 18, and 29.
3. Mitigation measures from Alternative B- 32, 33, 34, and 35 have been eliminated as these are covered in Forest Service safety handbooks and on herbicide labels.
  4. Alternative B mitigation measure 14 has been eliminated, as the process described is applicable to agricultural lands and would be of limited use on National Forest lands.
  5. Concerns were raised about Alternative B mitigation measure number 36. Some individuals raised a concern that the Forest Service would be transferring the costs of noxious weed treatment on large areas of the ARP to the public, and that the areas involved would require substantial volunteer commitments. Some share this concern, but offered to adopt small areas of the ARP on which they would work with the Forest Service to control noxious weeds. Still others were concerned about limiting use of one effective tool (herbicides) for the control of noxious weeds. I feel that these are valid concerns. Therefore, I have determined that the mitigation measure as written would not allow achievement of the purpose of this action. In place of mitigation measure 36 I am directing two actions.

First, the Forest Service has a long history of working with volunteers to accomplish important resource management activities. There is no reason that efforts to control noxious weeds should not, at least in part, be accomplished through volunteer efforts. Therefore, Forest Service personnel will work with parties interested in "adopting" small areas of the ARP for the purpose of controlling noxious weeds. In these partnerships the Forest Service will determine the appropriate treatment **objectives** for noxious weed infestations within "adopted" areas. However, with guidance of the Noxious Weed Management Plan, the volunteers and District Ranger will jointly select appropriate treatment **methods** to achieve the objectives.

Second, I have revised the communication plan. My revisions clarify when and how implementation of this plan will notify people on the State of Colorado Registry of Pesticide Sensitive Persons (Registry) of herbicide treatments on the ARP. For guidance on this issue I utilized the Colorado State Noxious Weed Act. This Act is not directly applicable to herbicide applications on federal lands; however, it does provide guidance relative to notification of those listed on the Registry. Herbicide applications on the ARP primarily fall into the rangeland, right-of-way, and forest categories. Notification of herbicide applications in these categories is not required under the Colorado State Noxious Weed Act. However, for the ARP, the communication plan now requires the same level of notification to those on the Registry as is required for turf and ornamental herbicide applications under that Act.

Several individuals and agencies also expressed the desire to be kept informed about noxious weed treatments on the ARP. The communication plan requires publishing an annual list of noxious weed treatments in the newspapers of record for each Ranger District and posting on the ARP web site.

6. The integrated, interdisciplinary annual review process is clarified that its purpose is to ensure: that treatments are within the scope of this Decision and within the effects disclosed in the EA; that treatment methods selected should be appropriate to conditions associated with individual infestations; and that effects on human health and welfare will be considered in determining the treatment methods used. The following paragraph has been inserted into the Noxious Weed Management Plan.

“Expansion of noxious weeds is a dynamic process. Existing infestations of weeds can continue to spread and new infestations can become established. Reducing the spread of noxious weeds requires a timely, adaptive, and integrated approach. Due to the dynamics of noxious weeds, treatment areas and approaches vary from year to year. To ensure that these variations are consistent with the purpose of this project an interdisciplinary team (IDT) will review planned treatments annually. The purpose of this review will be to ensure that treatments meet the purpose of this project, the Forest Plan, as well as laws and regulations. This process will (1) consider individual noxious weed populations and their effects on resources and economics, (2) review treatment methods for efficacy in controlling specific noxious weed populations, (3) review potential effects to the environment associated with specific treatment plans to ensure consistency with the EA, and (4) review potential effects on human health and welfare associated with treatment plans. For example, the IDT will review that any chemicals to be used in proposed treatments are the most effective for the intended purpose and that they are listed and analyzed in a USDA Risk Assessment. To aid in the annual review, a checklist of items to consider during the annual review provided in Chapter 3 of the Noxious Weed Management Plan. If this review determines that a treatment or effect is outside the scope of this plan, then appropriate National Environmental Policy Act (NEPA) analysis and documentation will be necessary.”

This checklist addresses “common to all alternatives” mitigation measures 3, 5-11, 35, 36 and 42; and Alternative B mitigation measures 8-10, 24, and 40.

### **Summary of Noxious Weed Management Plan Attributes**

The Noxious Weed Management Plan is an integrated approach to weed management and includes five components: awareness, prevention, inventory, treatment, and monitoring. Integrated weed management will help ensure implementation of proper control methods for target plants. Various noxious weeds and undesirable plants respond differently to different control methods.

The focus of the awareness component is preventing the introduction and spread of noxious weeds. Improved awareness will be achieved by informing Forest Service employees, permittees, contractors, partners and the public of the adverse effects and threat of noxious weeds.

The focus of the prevention component is preventing the contamination of an area by noxious weeds. Prevention includes measures taken to forestall or hinder the introduction and spread of specific noxious weeds species in areas not currently infested.

The inventory component focuses on conducting surveys to identify new and expanding populations of noxious weeds. Areas with high priority for surveys are: road, trail or stream corridors and high use disturbed areas such as campgrounds, trailheads and quarry pits.

The treatment component focuses on treatment methods and treatment strategies. Treatment strategies will vary based on weed species, for example whether the species is an invader or priority species, and based on whether the infestation is new or established. Treatment methods depend upon the weed species and site conditions.

Noxious weeds will be treated with one or more of the following methods: 1) manual or mechanical treatment 2) biological control agents, or 3) herbicides applied from ground vehicles, backpacks, and livestock packs. The most effective method or combination of methods provided under this alternative will be used to treat each population of noxious weeds. See the attached Noxious Weed Management Plan for details.

The integrated approach will allow for selection of the method(s) of control best suited for achieving the specific control objectives for each weed species.

Implementation will begin in 2003 and proceed until new site-specific information warrants further analysis. Manual, mechanical and herbicide control methods will be used to eradicate new noxious weed infestations while they are still small. Manual, mechanical, herbicide, and biological control methods or combinations, will be used on large (usually >1 acre) infestations of noxious weeds to contain them and prevent their spread.

Manual treatments will include hand picking and/or grubbing with hand tools. Mechanical treatment methods include mowing, plowing, disking, and tilling.

Treatment with herbicides includes using ground vehicles, backpack or livestock mounted sprayers, and mechanical and manual methods of application. Application of herbicides from ground vehicles is accomplished either with hand-held spraying equipment (hoses with nozzles) or boom mounted spraying equipment. Boom mounted spraying equipment is generally less precise than hand held spraying equipment. The majority of herbicides application from ground vehicles will be by hand-held spraying equipment to direct treatment to target noxious weeds. Truck-mounted booms will be

used only in areas where a target infestation of noxious weeds is dense enough and the acreage is large enough to effectively use a boom with only minimal affects on non-target vegetation. My decision does **not** allow for aerial applications of herbicides.

Seeding of native desirable plant species may follow the actual control of undesirable plant species. Seeding is often required to establish a groundcover to prevent reestablishment of undesirable vegetation.

The monitoring component focuses on determining the effectiveness of the Noxious Weed Management Plan, including prevention, treatment methods and strategies in meeting Forest Plan objectives and goals. The monitoring component will also evaluate the effectiveness of treatment actions in adhering to federal policy related to noxious weeds.

### **Rationale for My Decision**

This decision involves balancing several conflicting considerations: the balancing of compelling resource concerns and competing public interests to promote ecosystem sustainability. I have reached my decision after careful consideration of the environmental analysis of the effects disclosed in the 1999 and revised 2001 EA for Noxious Weed Management Plan on the Arapaho and Roosevelt National Forests and Pawnee National Grassland and the associated planning record, including the public comments.

I selected Alternative B, as modified, because it best meets the purpose of developing and implementing an ARP-wide, integrated noxious weed management plan to address the need to maintain native plant communities and their diversity by reducing the spread of noxious weeds. Implementing the Noxious Weed Management Plan will promote ecosystem sustainability on the ARP and reduce the spread of noxious weeds onto adjacent lands by limiting the spread and reducing populations of noxious weeds. I balanced meeting the purpose and need and addressing important considerations for human health and safety, and effects on non-target species.

#### *Ecosystem sustainability (related to Issue 2 in the 2001 EA)*

The expansion of noxious weeds continues to substantially alter the ecological processes on the ARP by reducing native plant communities and their diversity (EA Chapter 4, pages 12-13). Failure to efficiently and effectively prevent the further spread of noxious weeds and reduce existing infestations will have an adverse effect on the ARP as well as those who utilize the ARP for water, recreation and products (EA Chapter 4, pages 1-32). Analysis presented in the Environmental Assessment clearly indicates that an integrated approach to noxious weed management is effective and efficient (EA Chapter 4, page 29). Both Alternatives B and C in the revised 2001 Environmental Assessment utilize an integrated approach. The difference between these alternatives is the use of chemical herbicides in ground-based applications. Analysis in the EA indicates that eliminating the use of herbicides as in Alternative C will

reduce the effectiveness of an integrated noxious weed treatment program due to the resistance of some noxious weed species to specific control methods (Appendix A, pages 26, 29-31, 35 and 36). Noxious weed infestations will still occur with Alternative B; however, use of all available tools will allow for the most effective combination of methods to manage and control noxious weeds. Establishment of new infestations will be limited. Spread of existing infestations will be slowed and the infestations controlled or eradicated where possible. Alternative B, as modified, will allow native plant communities to better compete for available soil, water, and solar resources. It will, therefore, increase the quality and quantity of forage, decrease soil erosion, increase soil productivity, and improve degraded riparian condition, thereby improving water and fishery resources.

*Effects on human health and safety (related to Issue 1 in the 2001 EA)*

The EA discloses that there will be little to no impact on public health and safety. For the general public, herbicide application poses a low risk if label instructions are followed. Doses above "no observed effect" category levels are unlikely to occur. Moderate risks exist for herbicide applicators. (EA, Chapter 4, pages 19-23 and 30-31) These, however, can be minimized through strict adherence to provisions of herbicide labels, Forest Service policy, and direction within the Noxious Weed Management Plan. Implementation of the communication plan will further reduce the potential for adverse effects by providing public notification of herbicide treatments.

The use of herbicides on NFS lands will represent an extremely small percentage of chemical use within and surrounding the ARP, but is important to controlling noxious weeds. Due to the dynamic nature of noxious weed infestations and variations in funding, precise acreage to be treated will vary from year to year. However, given the estimated extent of noxious weed populations and historic and projected weed treatment funding, it is estimated that noxious weed treatments on the ARP will occur on less than one-third of one percent of the forests and grassland in any one year. Due to the character of many NFS lands treatment areas will often occur away from areas of human habitation. Further, herbicides are only one potential treatment technique, and so will not be utilized on all treatment areas. The Environmental Assessments and associated documents have indicated that without the ability to utilize herbicides, efforts at controlling noxious weeds will be less effective and efficient. (EA page 2-16, Chapter 4, and Appendix A, pages 26-37)

Scoping indicated a concern about herbicide use especially from people that are sensitive to chemicals and who live near the ARP. Use of chemical substances is pervasive in our society including such things as fuels for transportation and chemicals for cleaning. I understand that some people have moved to the forests and mountains to reduce their exposure to chemicals. I have considered the potential for herbicide treatments on NFS lands to affect these people. I have weighed that potential against the substantial damage continued expansion of noxious weeds would cause to ecosystem sustainability and society in general. I have determined Alternative B, as modified, providing a full range of noxious weed control tools and a communication plan to provide notification of treatment plans, is the best alternative to balance societal

needs to prevent the spread of noxious weeds and the needs of chemically sensitive people.

*Effects on non-target species (related to Issue 3 in the 2001 EA)*

The EA discloses that short-term, localized, effects on soil, water, proposed, threatened, endangered, and sensitive species, non-target vegetation, wildlife, and recreation may occur. There is the potential for herbicides to adversely affect these resources. Strict adherence to herbicide label directions will minimize effects to the resources described. Mechanical and biological treatment methods can also adversely affect non-target species. However, noxious weeds adversely affect ecological sustainability. Over the long-term, adverse affects of noxious weeds on ecological sustainability without control actions will be substantially greater than the short-term, localized effects of treatments. Alternative B, as modified, which provides an integrated program with a wide range of available tools, will be most effective in reducing long-term adverse effects.

*Noxious weed spread to neighboring public and private lands (related to Issue 4 in the 2001 EA)*

A major concern of State and local governments and individuals is the spread of noxious weeds from the ARP onto adjacent lands. There is an expectation that the Forest Service should take reasonable and proactive action to limit the spread of weeds on the forests and grassland reducing threats to adjacent lands. A unit-wide integrated noxious weed management plan will provide for coordination with state, local, and other federal agencies while providing for the systematic control of noxious weed infestations on the ARP. As previously discussed, Alternative B, as modified, will be most effective in limiting the spread of noxious weeds; thereby, decreasing the rate of spread to other public and private lands.

### **Other Alternatives Considered**

In addition to Alternative B (the selected alternative), I considered two other alternatives including a no action alternative.

*Alternative A- No Action*

Under the No Action alternative, current management plans would continue to guide management of noxious weeds. Individual Ranger Districts would continue to inventory, control, and monitor noxious weeds. No coordinated ARP-wide noxious weed treatment program would be implemented. The decision to treat noxious weeds along with selection of the control method would not necessarily be integrated or coordinated. No ARP-wide review of the effectiveness of the treatment method would be accomplished. Current treatment methods and native plant reseeding in disturbed areas would continue to occur.

This is the "no action" alternative and served as a basis for comparing the action alternatives in determining which would most effectively achieve the purpose and need



of this project, Forest Plan goals and objectives, while complying with applicable laws, regulations, and policy.

*Alternative C Implement a Coordinated Noxious Weed Management Plan without Herbicides*

This alternative would implement an ARP-wide Noxious Weed Management Plan and associated mitigation measures similar to Alternative B. Under this alternative no treatment with herbicides would occur. Noxious weeds would be treated with one or more of the following methods: 1) manual or mechanical treatments, or 2) biological control agents.

**Laws, Regulations, and Policies**

My decision is consistent with Federal laws and requirements imposed for the protection of the environment, human health and safety and treatment of noxious weeds. The following laws, regulations, and policy emphasize the need to control noxious weeds. The Noxious Weed Management Plan executed by my decision to select Alternative B, as modified implements this direction.

The Federal Noxious Weed Act of 1974 (the Act), as amended (7 USC 2801 et seq.) requires cooperation with state, local, and other federal agencies in the application and enforcement of all laws and regulations relating to management and control of noxious weeds. The Act directs the Secretary of Agriculture to develop and coordinate a management program for control of undesirable plants, complete and implement cooperative agreements regarding management of noxious weeds on lands under the Agency's jurisdiction, and establish Integrated Weed Management to control or contain species identified and targeted under cooperative agreements. Forest Service regulations at 36 Code of Federal Regulations (CFR) 222.8 acknowledges the Agency's obligation to work cooperatively in identifying noxious weed problems and developing control programs in areas where National Forest System lands are located. Department Regulation 9500-10 specifically establishes Integrated Pest Management (FSM 2080.5) as the preferred approach to noxious weed prevention, control, and eradication. Forest Supervisors are delegated the authority to develop and implement a noxious weed management program which is consistent with the goals and objectives identified in the Forest Land and Resource Management Plans (FSM 1910, 1920, 1930, and 2080.43).

The following also provide authority and direction for control of noxious plants on National Forest System Lands: The Granger-Thye Act of 1950, Section 12 (4) (Public Law (PL) 81-478); Carlson-Foley Act (PL 95-583) of 1968; Forest and Rangeland Renewable Resources Planning Act of 1974 (PL 93-378); Federal Land Policy and Management Act of 1976 (PL 94-579); National Forest Management Act of 1976; Rangeland Improvement Act of 1978 (PL 95-514); Executive Order 13112 and the National Invasive Species Management Plan (2001); Stemming the Invasive Tide: Forest Service Strategy for Noxious and Nonnative Invasive Plant Management" (1998);

and USFS Rocky Mountain Region Certified Noxious Weed-Free Hay and Straw Requirement, Order No. 02-97-01.

### **Forest Plan Consistency**

My decision implements and is consistent with the Forest Plan. One goal of the Forest Plan is to manage undesirable vegetation, including noxious weeds, using an integrated pest management approach (Goal #128, Forest Plan pg 33). The Forest Plan provides direction related to treatment of noxious weeds. The direction applicable to my decision is to:

- Control undesirable nonnative and noxious plants throughout the Forests, with priority given to new species (new to Colorado or the ARP), and to wilderness areas (Standard #129, Forest Plan pg 33).
- Use only certified "noxious weed free" hay or straw for feed or revegetation projects anywhere on the ARP (Standard # 130, Forest Plan pg 33).
- For all proposed projects or activities, determine the risk of noxious weed introduction or spread, and implement appropriate mitigation measures (Standard # 131, Forest Plan pg 33).
- Develop a noxious weed and pest management program, which addresses awareness, prevention, inventory, planning, treatment, monitoring, and reporting and management objectives. Priorities for controlling noxious weeds are: a. new invaders, b. new areas, c. spreading or expanding infestations, and d. existing infestations (Guideline #132, Forest Plan pg 33).

The Noxious Weed Management Plan executed by my decision to select Alternative B, as modified, implements this direction.

### **Public Involvement**

The proposal was provided to the public and other agencies for comment during scoping in January 1998. In addition, as part of the public involvement process, the agency held a public meeting in Nederland Colorado. Additional meetings have been held with representatives of Coloradoans for Alternatives to Toxics and Rocky Mountain Environmental Health Association. Copies of the scoping letters and a mailing list of interested parties and comment letters are on file in the project record. All comments received were considered in preparation of the EA.

Using the comments from the public, other agencies, and others such as Native American tribes, the interdisciplinary team identified several issues regarding the effects of the proposed action. Four issues were identified (see Rationale for My Decision).

An EA was issued in 1999 and close to 200 comments were received. These comments were used to revise the EA. The revised EA was issued in May of 2001 and 14 comments were received. These comments focused on need to move forward with treating noxious weeds (8 comments) and concerns about the use of herbicides to treat noxious weeds (6 comments).

## **Finding of No Significant Impact**

Sufficient information was available to make a reasoned choice among alternatives based on analysis information in the EA and from past actions of similar context and intensity in this area. After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

### *Context*

The actions proposed are not significant at the scale of the ARP. Only a small portion of the forests and grassland will be treated within any year. In addition, the treatment methods that may be used are not unique or unusual. State, county and municipal government personnel and private individuals commonly use similar treatments for noxious weed control on adjacent lands.

### *Intensity*

1. I have considered both the negative effects and benefits of the action. While the benefits outweigh the negative effects, the negative effects as documented in the EA are not significant (EA Chapter 4).
2. There will be no significant effects on public health and safety. All treatment methods pose a risk to public health and safety; however, as documented in the EA, those risks are minimal. The use of herbicides was of particular concern. To minimize risk, herbicides used to implement this decision will have been certified by the EPA as safe and will be used in accordance to the label directions. (EA Chapter 4 pages 19-23 and 30). Notification of people on the State of Colorado Pesticide Sensitive Persons Registry will exceed the requirements of applicable state laws.
3. There will be no significant effects on unique characteristics of the area. Implementation of the decision should protect the ecological integrity on unique areas by limiting the spread of noxious weeds. (EA, Chapter 4).
4. Based on consultation with others and public involvement, I find that the effects on the quality of the environment that result from this action will not be highly

controversial. The noxious weed treatment methods to be utilized with my decision are commonly used for noxious weed control by State and local governments and individuals in the area of the ARP. General acceptance of the treatment methods is anticipated. However, some people, especially those with chemical sensitivity, will continue to be concerned about the use of herbicides. (EA, Appendix N and review of comments on 2001 EA) A communication plan will be utilized to keep interested persons informed of treatments.

5. We have considerable experience with the types of activities to be implemented. Review of the analysis documented in the EA indicates that effects are not uncertain, and do not involve unique or unknown risk. (EA, Chapter 4).
6. The action will not establish a precedent for future actions with significant effects. The action will occur only on a small portion the ARP and is limited to the methods specified. These methods are commonly used without significant effects. (EA, Chapter 4)
7. Review of cumulative impacts documented in the EA (EA, Chapter 4, page 27-31) indicates that there are no known significant cumulative effects between this project and other projects currently being implemented or planned on the ARP. All known connected actions associated with the selected activity which are likely to occur in the foreseeable future have been considered, including the direct, indirect, and cumulative effects. (EA, Chapter 4) The relationship of individually insignificant actions that have cumulatively significant impacts (1508.27 [b] [7]) was part of the analysis for the Final Environmental Impact Statement (FEIS) for the Forest Plan.
8. The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or destruction of significant scientific, cultural, or historical resources, because any ground disturbing activities will require a field inventory to locate and identify sites and resources (EA, Chapter 4, page 24 and 31).
9. A Biological Evaluation was completed for this project and a determination was made that this project "may affect-not likely to adversely affect" Canada lynx, Preble's meadow jumping mouse, and proposed Preble's meadow jumping mouse critical habitat. As a species proposed for listing, the project "may affect-not likely to jeopardize the continued existence" of mountain plover; if listed the project "may affect-not likely to adversely affect" the mountain plover. No other threatened or endangered species will be affected by this action. The U.S. Fish and Wildlife Service has concurred with these findings.
10. I find that the actions do not violate federal, state, or local laws and other legal requirements imposed for the protection of the environment. The analysis documented in the EA indicates that noxious weed control actions are consistent with laws, regulations and agreements applicable to the management of National Forest System lands and resources.

## **FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS**

### **Executive Order 11988 – Floodplains**

No permanent structures will be constructed within floodplains as a result of this decision, and the control of noxious weeds will aid in maintenance of the ecological processes within floodplains.

### **Executive Order 11990- Wetlands**

No reduction in wetlands will occurred due to this decision, and the control of noxious weeds will aid in maintenance of the ecological processes of wetlands.

### **Executive Order 12898- Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations**

There will be no effect to minority or low-income populations, because noxious weed control actions will be driven by where infestations occur. There is no known connection between minority or low-income populations and noxious weed infestations.

## **Implementation Date**

Implementation of this decision may occur five business days following the close of the appeal-filing period. The appeal filing period ends 45 days after a legal notice of this decision is posted in The Denver Post, published daily in Denver, Denver County, Colorado. Implementation is scheduled to begin in 2003.

## **Request for Administrative Review (Appeal)**

This decision is subject to administrative review (appeal) pursuant to 36 CFR 215.7. A written Notice of Appeal must be filed with the Appeal Deciding Officer Rocky Mountain Region, 740 Simms Street, Golden, CO. 80401, or P.O. Box 25127, Lakewood, CO 80225.

The written Notice of Appeal must be filed within 45 days of the publication of the Decision in the Denver Post, Denver, Colorado.

An appeal pursuant to 36 CFR 215.11 may be filed by any person or group that has provided comment or otherwise expressed interest in the proposed action by the close of the comment period specified in 36 CFR 215.6.

In accordance with 36 CFR 215.14, it is the appellant's responsibility to provide the Appeal Deciding Officer sufficient evidence and rationale to show why the Responsible Official's decision should be remanded or reversed. The Notice of Appeal must include:

1. A statement that the document is an appeal filed pursuant to 36 CFR 215.

2. The name and address of the appellant and, if possible, the telephone number of the appellant.
3. Identification of the decision document being appealed, including the title and subject of the document, the date of the decision, and the name and title of the Responsible Official.
4. The specific changes to the decision that the appellant seeks or portion of the decision to which the appellant objects.
5. Why the Responsible Official's decision fails to consider comments previously provided, either before or during the comment period, and how the appellant believes the decision violates law, regulation or policy.

Notices of Appeal that do not meet the requirements of 36 CFR 215.14 will be dismissed. For further information contact: Hal Gibbs, Ecosystem Group Leader, 970-498-1023, USDA Forest Service, 240 West Prospect Road, Fort Collins, CO. 80526

/s/ James S. Bedwell

4/7/03

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James S. Bedwell  
Forest Supervisor

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Date