Appendix 2: RESPONSE TO COMMENTS

SLS RAMP EA draft – March 2007

TRI LAZY W RANCH:

COMMENT: Under the alternatives to be considered I feel that the overall management plan would be best suited using alternative C: livestock grazing using adaptive management. The adaptive options as outlined are straight forward, logical, and offer the greatest benefit to protecting and enhancing the resource.

RESPONSE: Thank you for your comment and recommendation. The District Rangers will consider this in making their decisions.

ALBERT EGGLESTON:

COMMENT: Page 44, West Kaufman

- Pit 339 is in Badger Unit
- Groaning Spring is in West Kaufman Pasture - maybe pipe to Castle Rock?

Page 45, Dry Lakes

- Redevelop Pits 319 & 320. Need to develop spring-put in tank away from and continue towards Green Whiskers and put a tank. This will get cattle away from Key Area. They come here to water and stay after.

RESPONSE: Thank you for the corrections. We will include them in the final EA.

TIM CANTERBURY:

COMMENT 1: Expand the discussion of the Neoparrya exclosure. Include discussion of wildlife grazing both inside and out.

RESPONSE 1: We will include this in the final EA.

COMMENT 2: Change Page 35, Bear Creek, 3rd bullet to read "Manage livestock to help heal the damage to the cultural resource site caused by recreation use."

RESPONSE 2: We will include this in the final EA.

COMMENT 3: On the Bear Creek allotment map, there is no fence along the boundary on the southeast corner, and the Neoparrya exclosure is not included.

RESPONSE: We will make those adjustments to the map.

COLORADO WILD:

COMMENT 1: We are struck by the poor condition of the range in parts of several of the allotments, especially the stream/riparian areas therein, and the fact that no reduction in stocking or rest of any portions of the allotment would be required under the preferred alternative. We believe the Forest Service should consider at least temporarily requiring a reduction in stocking on some of the allotments to speed recovery of riparian areas and other portions of the ranges.

RESPONSE 1: Table 2-1, Adaptive Management Options in Alternative C allows us to adjust stocking rates, change grazing intensity and duration, and exclude areas that need rest while allowing grazing to continue in other parts of each pasture. Monitoring by resource specialists would provide the hard data used to determine what tool to apply to fit each specific situation.

COMMENT 2a: THE ASPEN RIDGE ALLOTMENT IS IN VERY POOR CONDITION AND NEEDS COMPLETE REST. We are most concerned about the Aspen Ridge allotment. Table 1.5b (p. 19) contains a long list of problems with this allotment, including 75 percent bare ground in the bench transition area; poor location of water sources, including too few sources in upland areas to ensure proper distribution of cattle; stock trailing in riparian areas, and pedestaling of soils in riparian areas.

RESPONSE 2a: There is a long list of problems for Aspen Ridge. However, most of those problems are site specific and cover very small areas, less than one acre typically. To say that the entire allotment is in "very poor condition" is an oversimplification and generalization of the overall condition. The problems we identified are those that need immediate management attention. In order to move toward our stated desired conditions, we expect to implement adaptive actions to achieve that goal, and as stated in the EA, we believe that those actions will have the desired results.

COMMENT 2b: The Chubb, Cameron, and Fourmile allotments appear to have similar (if less severe) riparian problems. See Table 1-3,

The only way to ensure recovery of badly damaged riparian areas is to require complete rest for as long as is necessary to achieve desired conditions.

RESPONSE 2b: By applying the adaptive management toolbox and more intensive monitoring, we feel we can make the resource changes needed to bring these riparian areas back to desired condition, while still permitting livestock grazing in each allotment. Complete rest would help the riparian areas recover faster, but would not support grazing as an authorized use. We are trying to achieve a balance that does both.

COMMENT 3: PROPOSED MEASURES FOR IMPROVING RANGE CONDITION WOULD LIKELY BE INSUFFICIENT.

The allotment-specific design criteria for Aspen Ridge (Table 2.3b, pp. 34-35) are general and weak, and would do little to remedy the problems currently existing on the allotment. Table 2-1, p. 31, "Potential Adaptive Management Options" contains some good measures.

It is questionable, though, whether these measures and other measures that might be employed under the proposed action would be effective, as they would depend on a high level of cooperation from the permittees.

It may be necessary to employ stronger measures, such as resting poor condition areas and areas in less than good condition with a downward trend from grazing for one or more seasons, or disallowing grazing altogether. (These measures appear in Table 2-1).

To improve range condition under the proposed action, a considerable investment in infrastructure would also be necessary.

The costs for some of this new infrastructure would be paid by the government, which probably does not, and will not have, the money to accomplish it.

RESPONSE 3: The Adaptive Management Toolbox, table 2-1, covers a wide range of possible adaptive actions we could use to correct problems and improve resource conditions. The recommendations of the Interdisciplinary Team for appropriate solutions will be evaluated by the District Ranger before making any decisions about which tool to use, and where. Cost analysis will be part of that decision process. The permittees will also participate in this process. This insures that the appropriate tool is used, that it is financially supported, and that both the Forest Service and the Permittee understand the design and outcome of the solution. The Monitoring (EA section 2.4) and Implementation (EA section 2.3) Plans give us the process that makes all of this a coordinated action, based on hard data.

COMMENT 4: LEAVE VACANT ALLOTMENTS VACANT. We recommend closing the two vacant allotments.

RESPONSE 4: The Arkansas Sheep and Goat (S&G), and Fooses Creek allotments are currently vacant. Under Alternatives A and C Fooses Creek would be administratively closed. Under Alternative B Fooses Creek would remain open but vacant. In all three alternatives Arkansas S&G will remain open and vacant. A new NEPA document would be needed before either allotment could be stocked in the future. Each allotment can be administratively closed without additional NEPA.

COMMENT 5: END ALPINE GRAZING IN THE UNION ALLOTMENT. The alpine areas in this allotment are in poor condition with a downward trend. Table 1.3, p. 14. Alpine areas, with their thin soils, erratic precipitation, and very short growing seasons,

cannot recover easily from overgrazing. There is no excuse, in the short term at least, for allowing grazing to continue here.

RESPONSE 5: Table 2.3-m on EA page 39 shows that we want to increase the density and diversity of native alpine species. Please review Table 2-4k, EA pages 53-54. Closing the upper pasture is an identified adaptive option if it is determined to be needed and appropriate. Adjusting pasture boundaries to exclude damaged areas is also considered and is an available tool. The decision on what tool to apply will be made by the Ranger based on the ID team's recommendation and after consulting with the Permittee.

WESTERN WATERSHEDS PROJECT:

COMMENT 1: The massive scope of the project covering a severely impacted 340,000 acres, with the proposal of miles of new fencing, a hard to determine but extensive expansion of water developments, impacts to ESA and FS Sensitive Species and the proven failure of past management clearly require an analysis in an EIS. Use of an EA for a project this massive, with the impacts described would be indefensible.

RESPONSE 1: The purpose of an Environmental Assessment is to:
1. Briefly provide sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact.
2. Aid an agency's compliance with the Act when no environmental impact statement is necessary.
3. Facilitate preparation of a statement when one is necessary.
(40 CFR 1508.9(a))

COMMENT 2: The current NEPA analysis fails to provide a reasonable range of alternatives as Alt B clearly does not meet the need of the analysis. Alt B and C are essentially the same with the same AUM's permitted over the same period of time, with only the addition of an inadequately defined "adaptive management" process.

RESPONSE 2: Based on the results of scoping and the determination of issues to be analyzed in detail, develop and consider all reasonable alternatives to the proposed action. As established in case law interpreting NEPA, the phrase "all reasonable alternatives" has not been interpreted to require that an infinite or unreasonable number of alternatives be analyzed, but does require a range of reasonable alternatives be analyzed. (FSH 1909.15.14.) Alternative A provides a true no action/no permitted livestock grazing and was fully evaluated as a viable alternative. Alternatives B and C are far from being identical. Alternative B focuses narrowly on continuing current management practices for Range Administration. Alternative C provides an array of management responses by using Adaptive Management. It was determined that Alternative C encompassed all of the management actions that might be attributed to any other focused alternative.

COMMENT 3: The design criteria listed in Appendix 1 of the BE were not made part of the analysis, thus vitiating the process.

RESPONSE 3: Following our standard practice, the entire BE was incorporated by reference, while only a small portion was included. In the final EA, the BE/BA Appendix 1 will be included as EA Appendix C.

COMMENT 4: The EA failed to analyze impacts to designated Wilderness areas, special management areas or WSA's.

RESPONSE 4: The EA did look at the effect of Wilderness impacts (EA pg 102). There are no special management areas or WSA's in the analysis area.

COMMENT 5: The EA failed to discuss the costs of implementing the hundreds of water developments, new fences, pipelines, etc. The implementation of these are being relied on for the impacts analysis, thus without knowing what the funding sources are it can only be seen as arbitrary. Even a rough estimate of the costs of the proposed projects would be close to $2 million. Further vitiating the process, the FS failed to analyze the impacts of these proposed "range improvements".

RESPONSE 5: The economic/financial analysis on EA pages 103-105 does address and incorporate the cost of improvements. The details of the analysis are included in the Quicksilver files of the project record. Every one of the listed projects may not be built. Whether a project is built or not depends on the permittee's ability to manage their livestock without that improvement, and the ability of the resource to improve with a lower level of assistance.

COMMENT 6: The EA failed to provide any review as to why the current AMP's failed, nor how the current proposal will correct these failures. The past/current management has all the same tools that are listed in the "toolbox" at its disposal, why were they not used previously, why were they not effective. These are critical elements necessary for a sound and defensible NEPA process.

RESPONSE 6: The EA's purpose is not to investigate past problems. See Response 1. The requirement is to define current conditions, desired conditions and alternatives to achieve the desired condition. Then describe the effects of implementing each alternative. With the personnel changes over the past two years, and the structure provided in the Implementation and Monitoring Plans in this EA, we are confident that our performance in protecting all the National Forest resources will improve.

COMMENT 7: The EA failed to implement a drought policy for these allotments even though drought combined with livestock grazing are the primary drivers in species community changes. Drought is a fact of life especially in these days of rapid global warming and management is incomplete without direction for how to address it.

RESPONSE 7: The EA does address drought thru monitoring and the Grazing Response Index. By using these tools, we continually evaluate how the individual allotments

respond to the moisture they receive. With the adaptive management toolbox in Alternative C, we have a range of appropriate responses to any change in forage production. We can increase or decrease our utilization to fit the current situation.

COMMENT 8: While the EA discussed repeatedly a monitoring plan, we did not find anything in the EA that could be considered a monitoring plan. The brief discussion of protocols is not nearly sufficient especially given the fact that this project relies on adaptive management.

RESPONSE 8: The Monitoring Plan on EA page 56 is a comprehensive plan showing both implementation and effectiveness monitoring. It displays the standards used for various types of monitoring. It discusses the purpose and the uses for monitoring, and how it is used in the adaptive management process. The plan does not need to be complex to be effective. In fact, the more simple and clear we can make it, the more likely it is to be used. Our goal was to show what monitoring is done and when. We will add some discussion to illuminate that point in the final EA.

COMMENT 9: The FS uses PFC as an objective to reach, yet this is wholly unsupported by the BLM's TR 1737-15. I would request that you review this manual and in particular page 16. PFC is not a state to strive for or strive to maintain but only the lowest minimal level on which all riparian, habitat and fisheries values are based. It is a totally inappropriate use of PFC to use it to define DFC's. Further, PFC does not in any way relate to "Robust Stream Health" required in WCPH.

RESPONSE 9: While we may value research and analysis done by other land management agencies, we are not bound by their regulations or obligated to use their guidelines. We use PCF as an interim desired condition. That is, it is not intended to be the final desired condition but is used more as a checkpoint during the recovery process to indicate that we are making progress and to continue to point out where additional management changes may be needed. The actual desired condition is based on recovering the riparian/stream area so that it not only meets proper functioning condition but also meets conditions for stream and riparian vegetation health.

COMMENT 10: The Existing Conditions section and elsewhere in the EA describe overall a severely degraded condition throughout most of the allotments yet the EA does not provide any clarity as to what actions will be taken now.

RESPONSE 10: The entire EA is setting the stage to implement a set of actions now that are believed to be capable of moving management toward meeting desired conditions. In addition, the EA sets in place an adaptive process (including monitoring) to assist the district ranger in deciding what adaptive actions will need to be taken in the future in response to monitoring findings indicating whether or not we are moving in the correct direction.

COMMENT 11: The EA does not relate the existing condition ratings of poor, fair and good to the Forest Plan's DC of range in "satisfactory or better…" for grass lands or

"Range condition is excellent" for mesic meadows. In fact the criteria in the EA need to reference these DC's specifically. For instance the DC for Bench areas are to reduce bare ground to less than 10% but no such direction is put into the 10 year objectives for this EA.

RESPONSE 11: Please reread EA page 16, Bench/transition areas, Desired Condition. It states "Reduce bare ground to less than 10 percent." The DC listed in the EA is a site or allotment specific adaptation of the DC in the Forest Plan.

COMMENT 12: To comply with NEPA there must be a thorough analysis of actions taken in the current AMP and why those actions failed. Without such an analysis, the proposal of more of the same actions in the proposed action can not be adequately analyzed.

The EA failed to describe past management of the area in enough detail to be adequate.

RESPONSE 12: Please see response 6.

COMMENT 13: The EA failed to consider the needs of T&E and FS Sensitive Species as a key issue. This clearly needs to be corrected.

RESPONSE 13: TES plants and animals do not automatically qualify as a key issue. It depends on the scope and context of concerns surrounding those species in context with applied management. In the case of this EA, TES simply was not raised as a key issue by either the public or the interdisciplinary team in the process. However, TES is always fully considered during the analysis process (including within the Biological Evaluations and/or Assessments), and is a strong influence on project design.

COMMENT 14: Clearly, if the situation in the project area was degraded enough for the FS to actually close the allotments, then it must have been severe indeed, but what precipitated these closures and the results since have not been made clear. This, of course violated NEPA.

RESPONSE 14: The only allotment proposed for closure is Fooses Creek. This allotment is currently vacant and no requests to stock or assign this allotment have been recieved. Current management under Alternative B would keep it open, but vacant. Under Alternatives A and C we would administratively close the allotment. Lack of interest and cost savings are the two reasons we would close Fooses Creek allotment. There was no livestock damage that led to the idea to close this allotment. It has been vacant for years, so the only grazing taking place is from wildlife or the infrequent recreational horse rider.

COMMENT 15: On Page 29 it states from FSH 2209.13 that "Current management will also be analyzed in detail … if current management will meet the stated purpose and need for action." Alt B certainly does not meet the purpose and need for action.

RESPONSE 15: Alternative B can generally meet the purpose and need as stated in EA page 17. As stated in the last sentence of the alternative description, "New improvements would require additional NEPA analysis." Some of the needed adaptive management tools are available for use in this alternative. They simply require more NEPA. However, Alternative B may not be the best at meeting the purpose and need. This is part of what is evaluated and determined by the NEPA process.

COMMENT 16: Whatever monitoring that is mentioned is woefully inadequate to meet the needs of a monitoring plan to implement adaptive management.

RESPONSE 16: Since most of what is presented for monitoring is taken from our regulations, directives, and guidelines, it is adequate for the task at hand. It serves as a reminder to us for the issues we need to watch, and as a reference to the standards we strive to achieve.

COMMENT 17: The Project Design Criteria starting on Page 32 are insufficient, unwieldy and unable to be implemented. Most of the "Design Criteria" are merely nice sounding fluff.

RESPONSE 17: The design criteria listed from page 32 thru 39 were developed by the ID Team to address both typical and specific problems. Experience has shown that they are very able to be implemented, and appropriate for the problems they are designed to solve.

COMMENT 18: The Hydrology section doesn't even contain an annual bank trample criteria.

RESPONSE 18: We will review the Caribou Guidelines you provided to see if they are appropriate to adopt for our conditions and situations.

COMMENT 19: The Sensitive Species section only deals with the needs of one species.

RESPONSE 19: The EA pages 126 to 151 are all about Forest Service Sensitive species. In those 25 pages, 38 plants, 2 invertebrates, and 23 animals are described and evaluated.

COMMENT 20: Most of the "Allotment Specific" criteria clearly apply to all allotments. Also there are no ties to implementation like "protect Sensitive Areas" or "keep livestock in proper pasture".

RESPONSE 20: While it is true that many design criteria are applicable from one allotment to another, including them in this manner is intentional and is due to similarity in resources and management needs. However, please take a closer look at the criteria. Many are tailored to each allotments specific need. The tie between the criteria and implementation occurs when an adaptive management tool is selected to address an issue.

COMMENT 21: Many allotments list "adjust permit AUM based on forage production" but no process or timeline is laid out to achieve this.

RESPONSE 21: Please review the Monitoring Plan. Determination of forage production is a product of monitoring. If monitoring indicates that applied management is not working as expected, adjustments in authorized or permitted AUM's can be implemented based on the monitoring findings. The monitoring plan identifies what is done, and when.

COMMENT 22: Table 2-4 lists about $2 million worth of "range improvements" but fails to describe where the money for these will be coming from, why all the current "range improvements" failed to achieve the purported goals, why the current array has not been properly maintained, nor why the FS has never taken action against permittees for failing to meet their contract obligations (permit terms and conditions), nor how the FS will be more diligent in correcting its behavior that has lead to the current situation.

RESPONSE 22: See responses 5 and 6.

COMMENT 23: The EA fails to analyze the impacts of all these "range improvements".

RESPONSE 23: Please review the Implementation Plan. Not all of these improvements will be needed. They will be built only if other actions, like riding or salting, do not meet our goals. They are listed should the ID Team decide that they are the next best way to address an issue. The end result of implementing any adaptive management options is achieving the desired condition. That is what our effects analysis considers, along with the impacts of applying the adaptive option.

COMMENT 24: The so-called "Monitoring Plan" fails to determine how often each parameter will be monitoring, when and where nor what the thresholds are, nor what actions will be taken if thresholds are exceeded. It fails to monitor the species-specific needs of T&E and Sensitive Species. It fails to structure a statistically valid plan for trend.

RESPONSE 24: Please review the Monitoring Plan. It identifies annual monitoring and effectiveness monitoring. It lists the standards for the annual monitoring, indicating what will be done, by whom and where. The plan identifies effectiveness monitoring and indicates that effectiveness monitoring will be done periodically on a five to ten year interval. The purpose of effectiveness monitoring is to determine if the applied management is moving resource conditions toward the desired conditions in an acceptable timeframe. Both implementation and effectiveness monitoring are key tools in the application of adaptive management. Please review the Implementation Plan. That sets the forum for the Team to review monitoring data and make recommendations for future actions. That is the process for determining actions taken.

COMMENT 25: The EA fails to discuss the fact that cattle weights have increase dramatically since the AUM was defined in the 1940's, nor the implications of permitting

a static number of livestock when forage consumption has increase by ~50% in the last 30 years.

RESPONSE 25: We are not analyzing these allotments based on permitted AUMs from the past, but from the current and proposed allotment management. AUMs are a function of forage production, as well as consumption. As portrayed in this EA, AUM's are a variable outcome of applied management. The better the management is at meeting the design criteria and desired conditions, the more likely it is that AUM's can be authorized at a higher level. If management is not effective, and cannot reasonably be made so, AUM's will decline to match the intensity and effectiveness of the management being applied. This is one part of the adaptive management process and is a tool available to the District Ranger.

COMMENT 26: The EA fails to analyze why stubble height, pasture moves and other criteria in the current AMP were not implemented and why they were not effective, yet proposes many of the same actions as the current AMP's and expect a rational person to expect different results.

RESPONSE 26: See responses 6 and 25.

COMMENT 27: The Cumulative Effects analysis does not meet the requirements of NEPA nor case law.

RESPONSE 27: Thank you for your opinion. We believe it does based on our review of case law and a significant number of other project examples.

COMMENT 28: The EA violated NEPA for its failure to use appropriate scientific research. An example of this is the use of Knapp and Seastedt in its analysis of the no grazing alternative. Either the writers of this EA cut and pasted these sections from another document without vetting the citations or purposely used this reference to mislead the public and decision maker. In either case such actions violate professional integrity as well as NEPA.

RESPONSE 28: Please review the specialist reports you received along with the Draft EA. You will find significant appropriate scientific research used to arrive at the conclusions that are displayed in the document. We are unclear as to the specific concern regarding the use of Knapp and Seastedt.

COMMENT 29: P 83-4 describes FS failures to implement and enforce the current AMP yet provide no rationale as to why anyone should trust them in implementing the proposed actions, given their clear record of failure. This alone vitiates the entire impact analysis of Alt C.

RESPONSE 29: Past management has not always been satisfactory. However, on a landscape basis, resource conditions are much better than occurred in the past. Most resource concerns are small and localized at this point. We believe that by changing our

management to an adaptive approach, we will be better able to implement management that can respond to the existing concerns, adjust management to better deal with uncertainty or changed conditions, and can work better with the permit holders to apply sound management practices over time. We expect to be able to implement the actions described in the EA and expect to be held accountable for doing so.

COMMENT 30: WCPH has been in use on the Forest for at least a decade, why has it not been effective in bringing these allotments into compliance with the FP and why would anyone expect them to start to be effective now? The analysis is arbitrary and unsupported.

RESPONSE 30: As indicted, past management has not always been effective in fully implementing management practices, including the WCPH. We believe that our current approach will allow us to be much more effective.

COMMENT 31: The EA failed to discuss other soil properties such as compaction ratings or revegetation limitations.

RESPONSE 31: Compaction is discussed throughout the soils discussion, EA pages 90-96. Soils properties that were not influenced by management actions were not discussed to keep the report brief and to the point.

COMMENT 32: The EA's "Financial Analysis" has no basis in reality. It contains none of the costs of all the "range improvements" or the costs of administration. Just one Range Con with half of his/her time used for these 14 allotments would be ~$350,000 for this 10 year period. (at $70,000 total annual cost including salary, benefits etc).

RESPONSE 32: The Forest Service standard for financial analysis, Quicksilver, was the tool used to process the data and generate the results. The data included costs for personnel, equipment, and materials. It carried the implementation out over one decade. Administrative and implementation costs were fully evaluated.

COMMENT 33: The calls in the BE for Alt C are unsupportable given what's laid out in the EA in terms of permittee compliance, FS enforcement and the failure of past plans.

RESPONSE 33: See previous responses to similar comments.

COMMENT 34: In the Greenback Trout section I see that the FS failed to consider direct impacts to redds from trampling. The literature has found this impact to be quite significant.

RESPONSE 34: Greenback cutthroat trout are not known and very likely absent from the project area. The FS, Colorado Division of Wildlife and other stakeholders conduct intensive stream surveys annually within the Analysis Area and have not documented any pure strain greenback populations. This point coupled with the fact that greenbacks cannot live in sympatry with brook or brown trout, which dominate most streams within

the Analysis Area, virtually eliminates the possibility of a pure strain greenback population existing within the Analysis Area. Therefore, monitoring of redds was not considered to be necessary.

COMMENT 35: The EA failed to determine site-specific capability and suitability as required by NFMA. It also failed to determine as required to determine in the forest planning process the suitability and potential capability of forest lands for producing forage for livestock grazing **and** for providing MIS habitat. *36 C.F.R. § 219.20.* To accomplish this, the agency must estimate the capability of lands to produce suitable food and cover for selected wildlife species, and plan appropriate actions to restore those lands in less than satisfactory condition. *Id., § 219.20(a).*

RESPONSE 35: Your references are directed at Forest level planning, not project level planning. Suitability determinations are required only at the Forest Plan level (under either the 1982 planning rule or the recently overturned 2005 planning rule). Information from those determinations may be used at the project level at the discretion of the District Ranger to the extent that they provide useful information. However, they are not required to be used at the project level (FSH 2209.13).

COMMENT 36: The EA fails to lay out an "adaptive management" plan that meets the definition of the term in the literature. Since the entire analysis and species calls are based on this ill defined "adaptive management", the process is rendered vitiated. Nor can the FS implement adaptive management without a Forest Plan amendment that incorporates its use into the Forest Planning structure.

RESPONSE 36: 36 CFR 219.16 Definitions. "Adaptive Management: *An approach to natural resource management where actions are designed and executed and effects are monitored for the purpose of learning and adjusting future management actions, which improves the efficiency and responsiveness of management." Alternative C is entirely based on this concept and the plans contained within the EA support this management strategy. A Forest Plan amendment is not required.*

COMMENT 37: The EA and BE fail to provide any indication whether T&E and FS Sensitive Species are even now at levels that would be considered viable. In fact the only discussion of viability was for the Boreal Toad which cited a study that said that there was only 1 viable population in the whole state.

RESPONSE 37: Viability is primarily a regional or state issue. Project level analysis looks at effects on local populations. For species other than Boreal Toad, viability of the species was not a concern raised in this analysis.

COMMENT 38: The EA failed to provide any analysis as to the projects compliance with Forest Plan Standards and Guidelines or MA direction. Without a detailed analysis of this, neither the decision-maker nor the public can determine compliance. Broad statements are insufficient.

RESPONSE 38: The Forest Plan was our guide throughout the process. We complied with its direction in all respects. The EA references the Forest Plan many times, citing management requirements or emphasis for many of areas analyzed.

COMMENT 39: The EA failed to specifically state that the resultant AMP will be incorporated as a term in the grazing permits.

RESPONSE 39: Please review EA page 1, paragraph 3, and page 3, paragraph 2. Both speak to the time period and the AMPs that will result from this process.

COMMENT 40: The DC for Streams is to "meet water quality standards" but the EA proposes no water quality monitoring of the key water quality impacts of livestock grazing in the literature such as fecal coliform/e. coli, temperature, turbidity, DO and nutrients. Without monitoring these key parameters, the FS will have no method to determine meeting or moving towards this DC.

*RESPONSE 40: Please see EA page 56, Monitoring Plan paragraph 4. "Examples of riparian or hydrological attributes that may be monitored include PFC, width to depth ratio, bank stability, channel cross section, greenline, lateral stability, **water quality**, erosion, sediment yield, desired condition, and sediment load."*

COMMENT 41: Aspen DC provides a limit of total aspen utilization at a maximum of 40% (this is assuming there is any aspen regen to browse, which points to the need to add clear aspen regen criteria in the plan) but the EA fails to provide this direction on all allotments.

RESPONSE 41: Table 1-4 describes the desired future conditions for each general community ecosystem found within the SLS. The DC applies to all allotments.

UPPER ARKANSAS AND SOUTH PLATTE PROJECT:

COMMENT 1: UASPP is most concerned by the EA's analysis showing poor range condition in the stream/riparian areas of several allotments. Yet despite the downward trend in conditions and admitted lack of compliance with some permit conditions, the preferred alternative does not reduce stocking, and does not appear to require much change in grazing methods. UASPP understands that simply reducing stocking will not guarantee recovery of riparian areas and other poor portions of the ranges, but we believe that the EA itself argues against simply continuing forward without changes in either stocking, methods, or both.

RESPONSE 1: Table 2-1, Adaptive Management Options in Alternative C allows us to adjust stocking rates, change grazing intensity and duration, and exclude areas that need rest while allowing grazing to continue in other parts of each pasture. Monitoring by resource specialists would provide the hard data used to determine what tool to apply.

COMMENT 2: The EA notes many areas poor existing conditions, downward trends in conditions, and deterioration of infrastructure.

The EA itself concludes that poor stock distribution is the cause of numerous problems on these allotments. Allotment-specific design criteria could alleviate these problems while still permitting grazing, but the criteria proposed in the EA are general and weak and would do little to remedy the existing poor conditions. The section on "Potential Adaptive Management Options" contains good measures, such as "implement[ing] or increase[ing] riding to help distribute livestock" (page 86), fencing to exclude sensitive areas such as damaged riparian areas, changing season and/or intensity of use, and adjusting animal unit months based on inventories. UASPP supports these measures, but it may be necessary for the Forest Service to also employ stronger measures, such as resting poor condition areas and areas with a downward trend in conditions from grazing for one or more seasons, or disallowing grazing altogether, as noted in Table 2-1. Also, if the Forest Services bases stocking levels on the use of such methods, the Forest Service must determine tat it has the resources necessary to ensure that the permit conditions are met.

UASPP also is concerned that the EA admits significant infrastructure deterioration.

RESPONSE 2: The Adaptive Management Toolbox, table 2-1, covers a wide range of possible actions we could use to correct problems and improve resource conditions. The recommendations of the Interdisciplinary Team for appropriate solutions will be evaluated by the District Ranger before making any decisions about which tool to use, and where. Cost analysis will be part of that decision process. The permittees will also participate in this process. This insures that the correct tool is used, that it is financially supported, and that both the Forest Service and the Permittee understand the design and outcome of the solution. The Monitoring (EA section 2.4) and Implementation (EA section 2.3) Plans give us the process that makes all of this a coordinated action, based on hard data.

COMMENT 3: Changes should be required to help the range improve toward desired conditions. UASPP suggests the following steps to help the range in these allotments, especially the riparian areas, recover toward desired conditions:

1. Impose permit requirements that will lead to improved range conditions, and enforce those requirements. At a minimum, all suggestions to achieve better stock distribution and adjust animal unit months based on inventory and season should be incorporated.

2. Either require (and enforce) that infrastructure be maintained and improved to accommodate the current stocking, or reduce stocking. Continuing current levels while infrastructure either doesn't exist or is

allowed to deteriorate will only lead to even poorer range conditions, and likely ultimately the need to close the allotments altogether.

3. Close the currently vacant Arkansas Sheep & Goat and Fooses Creek Allotments. Neither has been grazed in almost a decade (since 1998), so no active economic interest will be harmed by closing them.

4. End alpine grazing in the Union Allotment. The alpine areas in the Union Allotment are in poor condition with a downward trend (Table 1.3, p. 14). Alpine areas provide minimal grazing benefit, so closing these areas until they recover will cause little loss.

The Forest Service must restore degraded allotments to desired conditions, especially in riparian areas, to protect other multiple uses of the Forest such as wildlife and watershed protection.

RESPONSE 3: Alternative C, using adaptive management, provides the tools for us to achieve the desired conditions. These include improving stock distribution, adjusting AUMs, and season of use. Please see EA page 31, table 2-1, for the complete list.

The Arkansas Sheep and Goat (S&G), and Fooses Creek allotments are currently vacant. Under Alternatives A and C Fooses Creek would be administratively closed. Under Alternative B Fooses Creek would remain open but vacant. In all three alternatives Arkansas S&G may remain open and vacant. A new NEPA document would be needed before either allotment could be stocked in the future. Each allotment can be administratively closed without additional NEPA.

Table 2.3-m on EA page 39 shows that our design criteria for the alpine zone in Union allotment is to manage for our desired condition. We want to increase the density and diversity of native alpine species. Please review Table 2-4k, EA pages 53-54. Closing the upper pasture is an identified adaptive option. Adjusting pasture boundaries to exclude damaged areas is also considered. The decision on what tool to apply will be made by the Ranger based on the ID team's recommendation and after consulting with the Permittee.

ROBBIE BAIRD LEVALLEY:

COMMENT 1: I support your decision to continue livestock grazing (Alternative C) on all 12 active and 2 vacant allotments within the planning area.

RESPONSE 1: Thank you, but the final decision on the chosen alternative will be in the Decision Notices signed by the Rangers. The EA is just the supporting analysis.

COMMENT 2: Table 2-4 is well thought out and provides a plan for development and adaptive management. There are several options to reach the end goal, which will

increase flexibility and improve management. Specifically, update table 2-4 to accurately reflect what action items have been completed. Each allotment should include monitoring as a methodology for adaptive options.

RESPONSE 2: Thank you. Table 2-4 will be incorporated into the AMP for each allotment. Action items will be updated in the AMP. Please review the Monitoring Plan on EA page 56. This will be used on each allotment.

COMMENT 3: The accurate use of the Grazing Response Index (GRI) is an excellent tool. Combine long-term trend data with the GRI to make adaptive management decisions.

RESPONSE 3: We agree that it is an excellent tool, one of several we will use to evaluate resource conditions and work toward desired conditions.

COMMENT 4: Include electric fence as a tool on page 87 for allotment fences. This increases flexibility and allows for experimentation with pasture boundaries before permanent fences are constructed.

RESPONSE 4: Please see EA page 31, Adaptive Management Toolbox, line 15. It specifically identifies electric fence as an option. This could be used where "fencing" is discussed on page 87.

COMMENT 5: In the economic data section, utilizing the University of Wyoming data is critical to documenting the larger picture of federal lands grazing and associated impacts. The contribution to the local economy could be strengthened by utilizing data from the Colorado Agriculture Statistics. Specifically, sales data of cattle grazed on public lands, which are circulated in the local economy, has been included in other EAs.

RESPONSE 5: Some of the values for projects were taken from the Wyoming NRCS published price list. Some of the values were taken from the NASS published "Colorado Agricultural Statistics". On EA page 103, the second paragraph under Economics/Finance starts out by saying, "Using National Agricultural Statistics Service (NASS) data for 2006, we find…"

COMMENT 6: Page 125. The lack of grazing does not improve regeneration of snags and logs.

RESPONSE 6: Good catch. That is a poorly worded sentence. We will rewrite it.

COMMENT 7: Dr. Clayton Marlow (Montana State University) has extensive research on riparian areas and grazing management. His data indicates that exclusion of grazing can also lead to increase in invasive species and decrease in desirable species. This data should also be included in this EA. Proper management of riparian areas needs to be planned for and occur, however exclusion will not cure all symptoms and can lead to negative consequences.

RESPONSE 7: We would be interested in seeing Dr. Marlow's research. We will look for it. It may be late for us to include it in this analysis, but it can be considered during our monitoring and adaptive option selection process under the Implementation Plan.

COMMENT 8: All manure, no matter which species, breaks down over time in the environment. The continued references to cattle feces smothering plants does not acknowledge natural breakdown of fecal matter or nitrogen input value to the ecosystem. The smothering is not long term and is certainly not permanent.

RESPONSE 8: Our Botanist felt that this is one of several ways that cattle can affect sensitive plants, especially in the Alpine zone. While this would certainly not affect an entire population, it could negatively affect individuals. The percentage of an area thus affected would be very small, certainly less than one percent.

COMMENT 9: The role and cumulative impacts of wildlife herbivory should be acknowledged throughout this document. Livestock grazing is one form of herbivory on the landscape. Other herbivory includes wildlife, rodents, insects and microorganisms. This herbivory is hard to quantify and not the focus of this EA, however it should be acknowledged.

RESPONSE 9: The discussion on elk starting on EA page 156 does address wildlife herbivory. You are correct that other wildlife and insects consume plant material. In our analysis though, no animals consumed as much plant matter as completely as cattle. Large ungulates were considered in the cumulative effect of grazing on forage plants. Small rodents and insects were not considered since their contribution to grazing is very minor, certainly less than one percent on the scale we were considering.

COMMENT 10: Livestock grazing is written as a negative in the majority of this EA. It is not livestock grazing itself that is negative but the mismanagement of grazing which can have detrimental impacts. When grazing is done appropriately, landscape and watershed goals can be accomplished while maintaining a management tool, an industry and a component to the local economy. That should be clearly spelled out and referenced throughout this document.

RESPONSE 10: Most of the text in this EA is focused on the negative effects that cattle can have when managed poorly. In this way it serves to warn us that we need to be proactive and manage the grazing well. Grazing is an authorized use of National Forest System lands, and when managed well it can be an effective tool for managing some of the resources in the forest.