

**JUSTIFICATION STATEMENT**

**USDA FOREST SERVICE  
PIKE NATIONAL FOREST  
Pikes Peak Ranger District**

**Temporary Target Shooting Restrictions**

The Rampart Range Road Christmas tree cutting area is located in the Pike National Forest within El Paso and Douglas Counties, Colorado. The area is within a one hour drive from Colorado Springs and within a ninety minute drive of the southern portion of the Denver metropolitan area. Due to the proximity of this area to the population centers along I-25 as well as Woodland Park and Teller County, the area is a very popular location for cutting Christmas trees. The Pikes Peak Ranger District sells an average of 4,000 Christmas tree cutting permits for this designated cutting area each year.

Recreational shooting is presently allowed in much of the Christmas tree cutting area subject to limited restrictions found within Title 36 of the Code of Federal Regulations (CFR). Under those regulations, it is illegal to discharge a firearm or any other implement capable of taking human life, causing injury, or damaging property:

- 1) In or within 150 yards of a residence, building, campsite, developed recreation site or occupied area, or
- 2) Across or on a Forest Development Road or a body of water adjacent thereto, or in any manner or place whereby any person or property is exposed to injury or damage as a result in such discharge

Despite these prohibitions, unsafe shooting activity occurs each year within the Christmas tree cutting area as evidenced by Forest Service employee experiences, and recurring complaints from Forest visitors. In the summer of 2014, the National Forest System lands along Mount Herman Road were closed to recreational target shooting and so the area along Rampart Range Road is now receiving more concentrated target shooting activity.

The newly concentrated shooting activity on top of hundreds of people looking for Christmas trees in a relatively small area will create the potential for unsafe conditions. In addition, the noise from recreational shooting is often disturbing to the public cutting Christmas trees any many are reluctant to walk through the Forest toward the sound of gunfire. The South Platte Ranger District has prohibited recreational target shooting within the Christmas tree cutting area in Jefferson County for nearly 20 years. This has proved to be a successful way to provide for public safety while imposing a very limited impact on target shooters.

The Forest Service is proposing to prohibit recreational target shooting for seventeen (17) days in the portion of the Rampart Range Road Christmas tree cutting area that are not already closed to target shooting. The boundaries of the area that will be closed to recreational shooting (see enclosed map) are National Forest System Roads 312 and 314 on the south, the eastern boundary of the Christmas tree cutting area on the east, the boundary between the Pikes Peak and South Platte Ranger Districts on the north, and the western boundary of the Christmas tree cutting area on the west.

The intent of this prohibition is to reduce safety hazards to the public who are cutting Christmas trees, as well as to employees monitoring the cutting area. Recreational shooting will still be allowed, subject to existing regulations, in those areas east of Rampart Range Road that are outside the Christmas tree cutting area. This prohibition will not affect individuals who are lawfully hunting or using paintball or "Airsoft" guns.

Posting of the Order as required in 36 CFR 261.50 will provide notification to National Forest visitors of the restriction and its conditions and/or exceptions. An enforcement plan will be developed that will describe how the public will be informed of the restrictions, how it will be posted, and planned enforcement strategies.

The Order will only be in effect from December 1, 2014 through December 17, 2014, unless rescinded sooner. The prohibition will be reviewed after it is rescinded. If it determined to be effective, the Prohibition may be repeated annually.

**CIVIL RIGHTS IMPACT ANALYSIS**

**USDA FOREST SERVICE  
PIKE NATIONAL FOREST  
Pikes Peak Ranger District**

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**Introduction**

The Pike National Forest proposes to prohibit recreational shooting within a portion of the Pikes Peak Ranger District, Pike National Forest, within El Paso and Douglas Counties, Colorado. The Order will only be in effect from December 1, 2014 through December 17, 2014 while the area is open for cutting Christmas trees. The purpose of the prohibition is for the protection of public health and safety.

The Order will prohibit:

1. Discharging a firearm, air rifle, and/or gas gun within the Rampart Range Road Christmas tree cutting area as described in the Order.

The exceptions are:

1. Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty
2. Any person possessing a valid Colorado hunting license who is lawfully involved in hunting or harvesting game in accordance with Colorado law.
3. Any person discharging a paintball or air soft gun in a manner that is in compliance with 36 CFR 261.10(d).

**Civil Rights Impact Statement**

The Order will have no impacts on civil rights, as the prohibitions will apply to all individuals equally unless listed above as excepted individuals. No one group will be affected more than another group.

**ENFORCEMENT PLAN**

**USDA FOREST SERVICE  
PIKE NATIONAL FOREST  
Pikes Peak Ranger District**

**Temporary Target Shooting Restrictions**

**Scope**

Order PSICC-2015-02, when signed by the Forest Supervisor for the Pike & San Isabel National Forests, Cimarron & Comanche National Grasslands, will prohibit recreational shooting within the Rampart Range Road Christmas tree cutting area on the Pikes Peak Ranger District within the Pike National Forest within El Paso and Douglas Counties, Colorado. The Restricted Area is shown on Exhibit A which is a part of the Order. The Order will be in effect only from December 1, 2014 through December 17, 2014 or until it is rescinded.

**Posting**

The Order will be posted in the Forest Supervisor's office in Pueblo, Colorado and at the Pikes Peak Ranger District in Colorado Springs, Colorado as required in 36 CFR 261.51. Signs explaining the prohibition will also be posted at access points into NFS lands as well as, trailheads, parking areas and other locations as needed to bring the prohibition to the attention of the public.

A news release will be issued to the local news media outlets and the information will be posted on the Pike and San Isabel National Forests and the Pikes Peak Ranger District websites.

**Coordination with Other Agencies**

The Forest Service will notify the El Paso and Douglas County Sheriff's Offices about the prohibition when it goes into effect and advise them of the appropriate response to violations, if there is a request to assist the Forest Service.

**Patrol Activities**

Forest Service Law Enforcement Officers will patrol the restricted area on a regular basis to ensure that posting of the Order is adequate, maintained, and to observe any violations.

Patrolling of the area will take place at various times of the day during all days of the week. Patrolling will be more concentrated Friday through Sunday which are the most popular days for cutting Christmas trees.

## **Enforcement Strategies**

Emphasis will be placed on informing the public of the restriction with the intent of preventing violations. Posted signs describing the prohibition at all entry points into the National Forest will be inspected periodically by Forest Service employees and replaced immediately if needed.

A Forest Service Law Enforcement Officer will contact any persons found in violation of the prohibition listed in the Order. Other employees will make visitor information contacts and will notify a Law Enforcement Officer of any violations they observe. Violators will be advised of the new temporary restriction on shooting in the area, and will be directed to other areas where recreational shooting is allowed. All violators will be identified and either a Violation Notice or Warning Notice will be issued to document the violation. Initially the emphasis will be on education and Warning Notices will generally be issued unless there is a safety concern or the violation is clearly willful or malicious.

## **Exemptions**

Order PSICC-2015-02 will exempt:

Any Federal, State, or local officer, or member of an organized rescue or fire-fighting force in the performance of an official duty.

Any person possessing a valid Colorado hunting license who is lawfully involved in hunting or harvesting game in accordance with Colorado law.

Any person discharging a paintball or air soft gun in a manner that is in compliance with 36 CFR 261.10(d).

## **Media Access**

The Order will not adversely impact the media.