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Decision Notice

Finding of No Significant Impact

Rangeland Allotment Management Planning on the McQuaid Allotment

Pike National Forest

South Park Ranger District, Park County, Colorado



Brush Park, McQuaid Allotment – South Park Ranger District

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Decision Notice (DN) Finding of No Significant Impact (FONSI)

McQuaid Allotment

South Park Ranger District, Pike National Forest
Park County, Colorado

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ABSTRACT

Decision Notice/FONSI – This document discloses the decision to implement Alternative 3 (the Proposed Action) detailing the specifics of authorized livestock grazing on the McQuaid Allotment Analysis Area. The Decision Notice/FONSI also documents the rationale for the decision and the findings.

TABLE of CONTENTS

TABLE of CONTENTS	i
SUMMARY	ii
Introduction	1
Background.....	1
Decision.....	3
Rationale for the Decision	4
Alternatives Considered	15
Public Involvement.....	20
Legal Requirements for Environmental Protection	21
Finding of No Significant Impact (FONSI).....	24
Implementation.....	27
Administrative Review or Appeal Opportunities	27
Contact Information.....	28
Signature and Date.....	29

SUMMARY

This document contains two major components: (1) a Decision Notice (DN) / Finding of No Significant Impact (FONSI), followed by (2) an Environmental Assessment (EA). Item one documents the decision (i.e., the DN) and summarizes the evaluation of whether or not to conduct an environmental impact statement (i.e., the FONSI). Item two documents the analysis (i.e., the EA) to support the decision.

The Pike National Forest proposes to continue to permit livestock grazing within the McQuaid Allotment Analysis Area (hereafter referred to as the Analysis Area) under an adaptive management strategy that would meet or move toward Forest Plan and project-specific desired conditions.

The project area is in Park County, on the southern end of the Mosquito Range. It encompasses National Forest lands from the Continental Divide on the west, to the Forest boundary on the east, to near Trout Creek Pass on the south, to Rich Creek on the north. U.S Highway 285 parallels the allotment to the east and provides the primary access to National Forest. The project area falls within 10-20 air miles south of Fairplay, Colorado. The McQuaid allotment acreage, excluding private inholdings, is 42,749 acres. Elevation of the project area varies from approximately 9,012 to 12,844 feet, with East Buffalo Peak comprising an isolated high point of 13,300 feet. The majority of the slopes range from 2 to 60 percent with the most common slope range being 10-20% slope. (Geospatial Information prepared by USDA Forest Service 2009). Average annual precipitation of the area is 18.9 inches, but ranges from 9 - 23 inches per year.

The *need* for this action is tied to any important resource, social, or economic disparity that was found when comparing the existing condition in the Analysis Area to the desired conditions, as determined by the interdisciplinary team (IDT) and authorized officer on a site-specific basis. The *need* for action is further defined by the scope of the analysis (i.e. the analysis is limited to evaluating the appropriate level of livestock grazing, given considerations of rangeland condition and other Forest Plan goals and objectives).

The proposed action is expected to result in low impacts on the physical, biological, and social environments.

Three alternatives were developed in detail for this environmental analysis. Each action alternative was designed to be viable and consistent with Forest Plan direction. Alternatives developed were based on the following themes: 1) No Action (no permitted livestock grazing), 2) Current Livestock Grazing Management, and 3) Adaptive Livestock Grazing Management (Forest Service proposed action).

The EA discloses the environmental consequences of implementing the proposed action and alternatives to that action. The Decision Notice (DN) / Finding of No Significant Impact (FONSI), signed by the responsible official, explains the environmental and management reasons for selecting the alternative to be implemented. The DN will disclose the rationale for choosing

the selected alternative; discuss the rationale for rejecting other alternatives; and disclose how the decision responds to the relevant issues.

Based on the effects of the alternatives, the responsible official will decide whether or not to authorize some level of livestock grazing on all, part, or none of the Analysis Area given considerations of rangeland condition and other Forest Plan goals and objectives. If the decision is made to authorize some level of livestock grazing, the management framework will be described (including standards, guidelines, grazing management, and monitoring) so that desired condition objectives are met or that movement occurs toward those objectives in an acceptable timeframe.



Decision Notice (DN) and Finding of No Significant Impact (FONSI)

Introduction

A Decision Notice (DN) and Finding of No Significant Impact (FONSI) are provided. The DN documents my decision and provides my rationale concerning the management and environmental basis for my decision and Alternative selection. Based on my thorough review of the project and the analysis of effects, I have decided that this action will not have a significant effect on the human environment and therefore an environmental impact statement will not be prepared. The FONSI documents and explains my reasons for this conclusion.

The Environmental Assessment (EA) for Rangeland Allotment Management Planning on the McQuaid Allotment is incorporated by reference to this DN/FONSI. The DN/FONSI documents the following:

- Background description of the McQuaid Allotment Analysis Area (hereafter referred to as the Analysis Area) and scope of the analysis;
- My decision (i.e., the permitted livestock management activities selected for the Analysis Area);
- The rationale for my decision;
- The Alternatives considered;
- The public involvement conducted;
- The legal requirements for environmental protection;
- A Finding of No Significant Impact;
- The implementation date;
- The rights to appeal and administrative review;
- Contact information; and
- My signature and date, as the responsible official

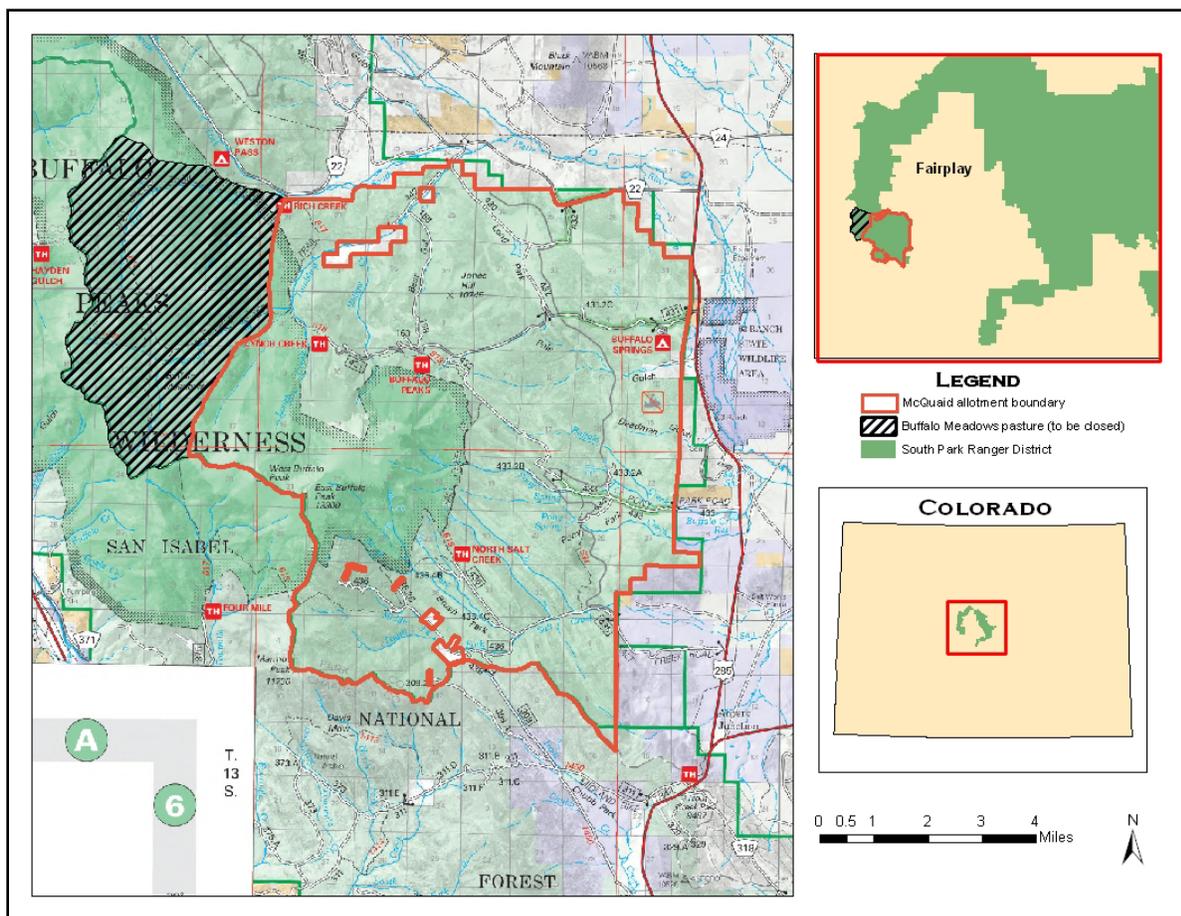
The Pike and San Isabel (PSICC) Land and Resource Management Plan, as amended (hereafter referred to as the Forest Plan) and its accompanying Final Environmental Impact Statement (FEIS) are also incorporated by reference in this DN/FONSI (USDA Forest Service, 1984).

Background

The Analysis Area is the boundary of the McQuaid allotment as currently managed. The McQuaid allotment lies completely within Park County. The historic McQuaid allotment boundary included approximately 55,510 total acres. However, the Buffalo Meadows pasture (on the west side of the allotment) has not been grazed since 1992. The Buffalo Meadows pasture will be closed to grazing under administrative authority of the district ranger (FSM 2200, Chapter-Zero Code, page 2). The remaining pastures of the McQuaid allotment constitute the

Analysis Area for the Environmental Assessment and resulting Decision Notice and FONSI. The current McQuaid allotment acreage, excluding private inholdings is 42,749 acres. These acres define the Analysis Area. Within the Analysis Area, 38,319 acres (90%) of the allotment is considered capable for grazing. Of those acres determined to be capable, 23,414 acres are actually suitable for grazing domestic livestock as calculated using the Forest Plan suitability determination process (Revision Analysis Requirements for Planning Documents, Chapter G. 2002). The suitable acres represent 55% of the Analysis Area. Rangeland suitability is defined as the appropriateness of applying certain (range) resource management practices to a particular area of land, as determined by an analysis of the economic and environmental consequences and the alternative uses forgone (36 CFR 219.3 and FSM 1905). A portion of the allotment (8,537 acres - 20%) is within the Buffalo Peaks Wilderness, located in the southwest portion of the South Park Ranger District. Figure 1.3-1 shows the Analysis Area. Livestock management for one active cattle allotment has been evaluated in the EA. This decision applies to the McQuaid allotment.

Figure DN-1. Analysis Area relative to South Park Ranger District and State of Colorado.



The scope of the analysis was limited to evaluating the appropriate level of permitted livestock grazing, given considerations of rangeland condition and other Forest Plan goals and objectives.

The proposed action was to continue to permit livestock grazing within the Analysis Area under an adaptive management strategy that would meet or move toward Forest Plan desired conditions and project-specific desired conditions (EA, Chapter 1, section 1.2).

The analysis did not address management of recreation livestock, animals authorized under livestock use permits (i.e., where the primary purpose is not livestock production), or stock used by outfitters and guides. The analysis did not address the appropriateness of livestock grazing in designated wilderness since that had already been determined by Congress. Section 4(d)(4)(2) of the Wilderness Act states: “the grazing of livestock, where established prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture” (P.L. [Public Law] 88-577). Livestock grazing is allowed in the Buffalo Peaks Wilderness. Finally, this analysis did not address changing wilderness area management.

Decision

I have decided to select Alternative 3 (Adaptive Livestock Grazing Management) for implementation. My decision is based on the EA completed for this project, and Forest Plan direction, as well as comments received from scoping and the 30-day public review of the document. Alternative 3 allows permitted livestock grazing under an adaptive livestock grazing management strategy¹ and includes the following constraints and requirements:

Allotment	The McQuaid allotment, which comprises the Analysis Area, will be active with the exception of Buffalo Meadows, which will be closed by administrative authority.
Grazing System	The grazing system will be based on adaptive livestock grazing management. Grazing management will be flexible and may be readily modified on an annual basis to respond quickly to biological, physical, and social needs within the constraints of the Forest Plan and this decision.
Kind of Animals	The kind of livestock will be constrained to domestic cattle.
Class of Animals	The class of livestock will not be constrained. Bulls, mature cows, cows with calves, or yearlings may be used to achieve objectives.
Grazing Season	The grazing season will be flexible within constrained on and off dates. The Animal Unit Month (AUM) capacity will not be exceeded for the Analysis Area. Range readiness will be used to determine the actual livestock on date. Allowable use standards and guidelines will be used to determine livestock off date.
Livestock	Livestock numbers would be variable and could vary from season to season, but they would

¹ "Adaptive livestock grazing management" or simply "adaptive management" is defined as natural resource management in which decisions are made as part of an ongoing process. It involves planning, implementing, monitoring, evaluating, and incorporating new knowledge into management approaches based on scientific findings and the needs of society. Results are used to modify future management methods.

²Livestock grazing carrying capacity is based on historic stocking rates and site-specific design criteria (EA, section 2.6). Carrying capacity should be based on impacts of historical and current stocking rates, grazing management, and weather. Adjustments in carrying capacity should be made through monitoring over time to ensure progress toward desired resource conditions (Position statement on grazing capacity adopted by the Society for Range Management, February 1999).

Numbers	not exceed the permitted AUMs for the Analysis Area. There are 2098 AUMs permitted for the Analysis Area (McQuaid Allotment) (an example of how this is calculated is: 400 pair, x 1.308 use factor for pairs, x 4 months). Livestock grazing carrying capacity ² is estimated to be approximately 3200 AUMs. Under proposed stocking levels, the suitable rangeland across the McQuaid Allotment would be stocked at an average of 59 suitable acres/pair. Flexibility would allow the stocking of fewer number for a longer period of time, or stocking of more numbers for a shorter period of time, as long as the overall permitted AUMs is not exceeded (maintained somewhere between 2000 and 2100 AUMs).
Project Design Criteria	All Project Design Criteria listed for Alternative 3 (EA, Chapter 2, section 2.6) are required and incorporated into my decision.
Monitoring	Implementation and effectiveness monitoring identified in the EA, Chapter 2, section 2.7 are required and incorporated into my decision. In addition, desired condition objectives identified for pastures and associated monitoring explained in Appendix C of the EA are also included and part of my decision. If monitoring shows that the desired conditions are not being met, then the Forest Service can implement a different option identified in the General Grazing Management Options table (see EA, Chapter 2, Table 2.4.2-1) (or any other applicable tool or strategy available within the scope of the EA) to adjust management to move conditions toward desired conditions.

Rationale for the Decision

I made my decision based on the best science and information available. In making this decision, I carefully considered applicable laws, regulations, and policy; and the information disclosed in the EA, the Forest Plan, and the project's administrative record. I considered how the Alternatives in the EA met the stated Purpose of and Need for Action, and how they addressed the key issues. I also considered how the Alternatives in the EA met the goals and objectives in the Forest Plan. Finally, I carefully considered public, tribal governments, and State and other Federal agencies' comments.

1. The Purpose of and the Need for Action (EA, Chapter 1, sections 1.4 and 1.5).

The purpose of this action is to provide forage for permitted domestic livestock grazing in a manner that maintains or moves conditions toward achieving Forest Plan objectives and desired conditions. Providing forage for permitted domestic livestock is desirable in this Analysis Area because of the following:

- Where consistent with other Forest Plan goals and objectives, there is Congressional intent to allow livestock grazing on suitable lands (*Multiple-Use Sustained-Yield Act of 1960; Wilderness Act of 1964; Forest and Rangeland Renewable Resources Planning Act of 1974; Federal Land Policy and Management Act of 1976; and National Forest Management Act of 1976*).
- The Analysis Area contains lands identified as suitable for domestic livestock grazing in the Forest Plan, and continued domestic livestock grazing is consistent with the goals, objectives, standards, and guidelines of the Forest Plan (*Forest Plan, Chapters I, II, and III*).

- It is Forest Service policy to make forage available to qualified livestock operators from lands suitable for livestock grazing consistent with land management plans (36 CFR §222.2 (c); and Forest Service Manual [FSM] 2203.1).
- It is Forest Service policy to continue contributions to the economic and social well being of people by providing opportunities for economic diversity and by promoting stability for communities that depend on rangeland resources for their livelihood (FSM 2202.1; and Forest Plan, pp. II-4 through II-6).
- The PSICC Forest Plan, which directs the management of lands contained within this Analysis Area, has as one of its goals to: “Provide for productive use of range forage while maintaining or improving other resource values.” (Forest Plan, p. III-4).

Livestock grazing is a discretionary action by the Forest Service and there is an overall need to analyze the possible effects in order to continue or modify the grazing authorization. There is an overall need for greater management flexibility to cope with fluctuations in environmental and social conditions including, but not limited to, annual changes in weather; to be responsive to visitor-use pattern changes; to be responsive to permittee requests for reasonable operational adjustments; and to respond to unforeseen issues.

More specifically, the need for this action is tied to any important resource, social, or economic disparity that was found when comparing the existing condition in the Analysis Area to the desired conditions, as determined by the interdisciplinary team (IDT) and authorized officer on a site-specific basis. The need for action is further defined by the scope of the analysis (i.e., the analysis is limited to evaluating the appropriate level of livestock grazing, given considerations of rangeland condition and other Forest Plan goals and objectives).

The IDT described desired conditions for each resource ecosystem community type occurring within the Analysis Area (EA, section 1, Table 1.5-1). Existing conditions were then compared to desired conditions to see if a change in livestock management was needed. The result of this analysis is displayed in the EA, section 1, Table 1.5-2. This table also identifies the need for action within the scope of this analysis and is displayed below as Table DN-1.

Table DN-1. Existing condition, desired condition, and need for action identified for the McQuaid allotment.			
Pasture <i>Benchmark</i>	Existing Condition and Trend (based on current monitoring)	Desired Conditions (identified in table 1.5-1)	Need for Action (based on disparity between Existing and Desired Conditions)

Table DN-1. Existing condition, desired condition, and need for action identified for the McQuaid allotment.			
Pasture Benchmark	Existing Condition and Trend (based on current monitoring)	Desired Conditions (identified in table 1.5-1)	Need for Action (based on disparity between Existing and Desired Conditions)
Long Park Dry Lake	Mountain big sage shrub community is mature and decadent. Grass and forb understory is increasing and bare ground is decreasing. <i>Conditions are moving toward desired conditions for Upland Shrub and Grassland communities.</i>	<i>see</i> Upland Shrub, and Grassland	<ul style="list-style-type: none"> • Diversity, density and vigor of native grass and forb species less than desired. • Age class structure of shrubs less than desired. • Amount of bare ground is greater than desired. • Litter cover is less than desired.
North Long Park pasture- wide	Mosaic of native grasses, forbs, and shrubs. Riparian vegetation dense and vigorous. <i>Conditions are moving toward desired conditions for Grassland communities and meeting desired conditions for Stream/Riparian communities.</i>	<i>see</i> Grassland and Stream/Riparian	<ul style="list-style-type: none"> • Continue existing management to promote native perennial graminoid, forb, and shrub retention.
Pony Park Pony Creek	Willows colonizing stream/riparian areas where they once were absent. Streambanks stable, meandering and well-vegetated. Good species diversity. <i>Conditions are meeting desired conditions for Grassland and Stream/Riparian communities.</i>	<i>see</i> Grassland and Stream/Riparian	<ul style="list-style-type: none"> • Continue existing management to promote willow establishment and retention. • Seasonal utilization is less than desired in some areas and greater than desired in others. • Livestock distribution is less than desired in some areas of the pasture.
Deadman Buffalo Creek	Willow recruitment is high. Riparian graminoids vigorous and abundant. Streambanks stable and vegetated. Meanders developing well. <i>Conditions are moving toward desired conditions for Grassland and Stream/Riparian communities.</i>	<i>see</i> Grassland and Stream/Riparian	<ul style="list-style-type: none"> • Continue existing management to promote willow establishment and retention. • Seasonal utilization is less than desired in some areas and greater than desired in others. • Livestock distribution is less than desired in some areas of the pasture.
Jones Hill Rough-n-Tumblin'	Dense cover of riparian graminoids and mature willow. Many age classes of willow present. High species diversity. Stream relatively narrow and deep. <i>Conditions are meeting desired conditions for Grassland and Stream/Riparian communities.</i>	<i>see</i> Grassland and Stream/Riparian	<ul style="list-style-type: none"> • Continue existing management to promote native perennial graminoid, shrub, and forb retention. • Livestock distribution is less than desired in some areas of the pasture.

Table DN-1. Existing condition, desired condition, and need for action identified for the McQuaid allotment.			
Pasture Benchmark	Existing Condition and Trend (based on current monitoring)	Desired Conditions (identified in table 1.5-1)	Need for Action (based on disparity between Existing and Desired Conditions)
Jones Hill <i>Willow Creek</i>	<p>Vigorous riparian graminoids, forbs, willow, and other riparian shrubs. Bench and transition areas moving toward greater percentage of perennial species. Density of vegetation increasing. Litter levels are adequate.</p> <p><i>Conditions are meeting desired conditions for Stream/Riparian communities and moving toward desired conditions for Bench/Transition communities.</i></p>	<i>see</i> Stream/Riparian and Bench/Transition	<ul style="list-style-type: none"> • Continue existing management to promote native perennial graminoids, forbs and shrubs. • Livestock distribution is less than desired in some areas of the pasture.
Watershed <i>East of pipeline tank</i>	<p>Grasses and forbs recovering from severe drought conditions in 2002. Perennial grasses and forbs are becoming more abundant. Litter levels adequate, but bare ground is higher than desired.</p> <p><i>Conditions are moving toward desired conditions for Grassland and Upland Shrub communities and not meeting desired conditions for Ponderosa Pine and Aspen communities.</i></p>	<i>see</i> Grassland, Upland Shrub, Ponderosa Pine and Aspen	<ul style="list-style-type: none"> • Perennial grass recruitment and retention is less than desired. • Maintain litter levels. • Percentage of bare ground is greater than desired. • Livestock distribution is less than desired in some areas of the pasture.
Buffalo Springs <i>Wild Game Spring</i>	<p>This area underwent major rehabilitation in 2004 to address declining conditions in soil stability and vegetation health. Some beetle-infested ponderosa pine. Aspen is old, decadent, and stressed in some areas. Riparian area, grasslands, and bench-transition area have improved tremendously since 2002. Stream has good width-to-depth ratio, developing meanders, diversity of species, and vigorous vegetation.</p> <p><i>Conditions are moving toward desired conditions for Grassland, Bench/Transition, and Stream/Riparian communities and not meeting desired conditions for Ponderosa Pine and Aspen communities.</i></p>	<i>see</i> Grassland, Aspen, Ponderosa Pine, Stream/Riparian and Bench/Transition	<ul style="list-style-type: none"> • Continue existing management to promote native perennial graminoids, forbs and shrubs. • Livestock distribution is less than desired in some areas of the pasture.

Table DN-1. Existing condition, desired condition, and need for action identified for the McQuaid allotment.			
Pasture Benchmark	Existing Condition and Trend (based on current monitoring)	Desired Conditions (identified in table 1.5-1)	Need for Action (based on disparity between Existing and Desired Conditions)
Lower Salt Brush Park	<p>Litter levels are adequate to higher than desired. Streambanks are stable and well-vegetated. Riparian area has expanded and willows are increasing. Some Kentucky bluegrass and annual forbs are present in the bench and transition area due to past grazing pressure and concentrated dispersed recreation use.</p> <p><i>Conditions are moving toward desired conditions for Bench/Transition communities and meeting desired conditions for Grassland, Mesic Meadow, Stream/Riparian communities.</i></p>	<p>see Mesic Meadow, Grassland, Aspen, Stream/Riparian and Bench/Transition</p>	<ul style="list-style-type: none"> • Continue existing management to promote native perennial graminoids, forbs and shrubs and support riparian system function. • Livestock distribution is less than desired in some areas of the pasture.
Upper Salt west of fence	<p>Mesic meadow contains diverse mix of riparian graminoids, forbs and grasses. Vegetation is vigorous and wetted area is expanding. Adjacent grasslands are diverse with proportionally acceptable levels of litter and bare soil. Aspen are dense, decadent, and environmentally stressed (drought, elk-barking, disease, crowding).</p> <p><i>Conditions are moving toward desired conditions for Grassland and Mesic Meadow communities and not meeting desired conditions for Aspen communities.</i></p>	<p>see Aspen, Grassland and Mesic Meadow</p>	<ul style="list-style-type: none"> • Continue existing management to promote aspen regeneration, native perennial graminoids and forb retention. • Livestock distribution is less than desired in some areas of the pasture.
Buffalo Meadows Buffalo Meadows	<p>Mesic meadow contains diverse mix of riparian graminoids, forbs and grasses. Vegetation is vigorous and wetted area is expanding. Not currently grazed by domestic livestock due to access issues.</p> <p><i>Conditions are meeting desired conditions for Mesic Meadow and the trend is static.</i></p>	<p>see Mesic Meadow</p>	<ul style="list-style-type: none"> • None. Recommend closing this pasture due to limited access and sensitive species issues.

The Analysis Area is generally meeting or moving toward the Forest-wide desired conditions. Within the scope of this analysis, only two community type areas were judged to have an important disparity -- the aspen community type and the ponderosa pine community type. The existing condition is largely due to environmental conditions beyond the scope of livestock grazing. The effects to these communities relative to livestock grazing are limited.

I find that Alternative 1 does not fully comply with the Purpose of and Need for Action as stated above since it discontinues livestock grazing. There is Congressional intent to allow livestock grazing on suitable rangelands where consistent with the Forest Plan. Livestock grazing is allowed in the Buffalo Peaks Wilderness and it is appropriate and authorized. It is Forest Service policy to continue contributions to the economic and social well-being of people by providing opportunities for economic diversity and by promoting stability for communities that depend on rangeland resources for their livelihood. The Forest Plan, which directs the management of lands contained within this Analysis Area, has as one of its objectives to provide for productive use of range forage while maintaining or improving resource values. Alternative 1 forgoes these opportunities. This Alternative would be expected to have the most negative effect on the local social and economic conditions due to the cancellation of the existing term grazing permit.

In contrast, I find that both action Alternatives continue livestock grazing. Alternative 2 meets the stated Purpose of and Need for Action, except it does not provide the management flexibility I need. Alternative 2 limits my ability to effectively address and better resolve livestock effects to resources. My management flexibility is relatively constrained under Alternative 2 as compared to Alternative 3.

I feel that Alternative 3 best meets the stated Purpose of and Need for Action by providing greater management flexibility to cope with fluctuations in environmental and social conditions including, but not limited to, annual changes in weather; responsiveness to visitor-use pattern changes; responsiveness to permittee requests for reasonable operational adjustments; and ability to respond to unforeseen issues. Alternative 3 includes the ability to construct stock watering options, which gives me greater flexibility to move livestock to minimize potential resource conflicts. Alternative 3 gives me the flexibility I need to quickly address and better resolve livestock impacts. Alternative 3 provides me with flexibility to rapidly adjust stocking to maintain or move conditions toward desired conditions while contributing to the economic and social well-being of local communities.

2. The goals and objectives for Management Areas within the Analysis Area as described by the Forest Plan and desired conditions for the Analysis Area as described in the Environmental Assessment (EA, Chapter 1, sections 1.5 and 1.6).

The Forest Plan contains goals and objectives to allow livestock grazing on suitable rangelands. The Analysis Area contains lands suitable for livestock grazing and 47% of the Analysis Area is within Management Area 6B (Livestock Grazing Management emphasis). It is Forest Service policy to make forage available to qualified livestock operators from lands suitable for livestock grazing consistent with the Forest Plan. The Forest Plan has an

objective to provide for productive use of range forage while maintaining or improving other resource values. It is Forest Service policy to continue contributions to the economic and social well being of people by providing opportunities for economic diversity and by promoting stability for communities that depend on rangeland resources for their livelihood.

Specifically, the need for this action was tied to any important resource, social, or economic disparity that was found when comparing the existing condition in the Analysis Area to the desired conditions, as determined by the interdisciplinary team (IDT) and authorized officer on a site-specific basis. The need for action was further defined by the scope of the analysis (i.e., the analysis was limited to evaluating the appropriate level of livestock grazing, given considerations of rangeland condition and other Forest Plan goals and objectives).

The IDT reviewed each of the Management Areas and their prescriptions from the Forest Plan relative to this Analysis Area. The Analysis Area was found to be generally meeting the Forest-wide management prescription summary for Livestock Grazing management. The IDT also reviewed the ecosystem community types within the analysis area and the desired conditions for each. The Analysis Area was also found to be meeting or moving toward the desired conditions for each community type. Within the scope of this analysis, only two ecosystem community types were judged to have an important disparity between desired conditions and existing conditions -- the aspen community and the ponderosa pine community (see Table DN-1 displayed above). The existing condition is largely due to environmental conditions beyond the scope of livestock grazing. The effects to these communities relative to livestock grazing are limited.

I find that Alternative 1 does not fully meet the Forest Plan goals and objectives relative to livestock grazing. This Alternative does not meet the Forest Plan Management Area Prescription for Livestock Grazing Management, the largest emphasis (47%) within the Analysis Area.

I find that Alternative 2 mostly meets the Forest Plan goals and objectives relative to livestock grazing, but it does not give me the management flexibility I need to optimally care for the land. Alternative 2 limits my ability to effectively address and better resolve livestock-related impacts in a timely way.

I feel that Alternative 3 provides me with the best opportunity to address the two “Need for Action” items listed in Table DN-1 above. Alternative 3 gives me the most management flexibility. I need the ability to quickly address and better resolve livestock issues as they arise. Alternative 3 provides me with flexibility to adjust management (i.e., livestock numbers, season, grazing rotation, etc.) to maintain or move conditions toward Forest Plan desired conditions while contributing to the economic and social values of local communities.

3. The laws, regulations, and policies that govern land management on National Forests (EA, Chapter 1, section 1.6).

It is Forest Service policy to conduct its operations in a manner that ensures the protection of public health, safety, and the environment through compliance with all applicable Federal and State laws, regulations, orders, and other requirements. The EA considered whether actions described under its alternatives would result in a violation of any Federal, State, or local laws or requirements (40 Code of Federal Regulations [CFR] §1508.27), or would require a permit, license, or other entitlement (40 CFR §1502.25). By tiering this project to the FEIS and Record of Decision (ROD) for the Forest Plan, it is expected that all applicable requirements would be met. Also, see the “Legal Requirements for Environmental Protection” topic presented later in this DN/FONSI for more information.

I find that Alternative 1 does not fully comply with Forest Plan goals, objectives, and desired conditions for the reasons stated in items 1 and 2 above. The action Alternatives are expected to comply with applicable laws, regulations, and policy on the national forest. I feel that Alternative 3 will give me the most flexibility to adjust management, as needed, to ensure compliance with the direction in the Forest Plan.

4. Key issues (EA, Chapter 1, section 1.9).

The Interdisciplinary Team (IDT) used scoping comments from the public, tribal governments, State, and other Federal agencies to identify *key issues* to be analyzed with the proposed action. Three key issues were identified for this Analysis Area. The following is a brief summary of how the Alternatives responded to each key issue (EA, Chapter 2, section 2.4, 2.5, and Tables 2.4.1-1, 2.4.3-1, 2.4.4-1, and 2.5-1).

- **Alternative 1 – No Action** (*No Permitted Livestock Grazing*)

Key Issue 1: Management flexibility – Alternative 1 provides no management flexibility since there would be no permitted livestock. Livestock management as a resource tool would be eliminated. The ability to respond to annual changes in biological, physical, and social changes/desires relative to livestock grazing would be nonexistent.

Key Issue 2: Local social & economic impacts of livestock grazing – Present Net Value (a measure of financial efficiency) is negative (-\$237,970.00) since there would be no net revenue, but there would still be Forest Service administrative costs tied to managing lands in the Analysis Area (EA, Chapter 3, section 3.8). This Alternative has the second lowest Present Net Value. The social values and impacts of livestock grazing would be gone.

Overall, I find that Alternative 1 is not fully in compliance with the Forest Plan since it does not address Management Area 6B as an emphasis area for Livestock Grazing management (Forest Plan, p. III-161). There is no management flexibility under this Alternative. It fails to meet the social values of livestock grazing while still incurring administration costs. It does not fully meet the stated Purpose of and Need for Action (EA, Chapter 1, sections 1.4 and 1.5).

- **Alternative 2** – Current Livestock Grazing Management (*as applied on-the-ground over the past 3 to 5 years*)

Key Issue 1: Management flexibility – There would be some management flexibility since the Forest Service has the ability to change the rotation and rested pasture(s) within the grazing system exists. The season of use, class of cattle, and permitted livestock numbers would be somewhat unresponsive to annual changes in biological, physical, and social changes. Annual changes made in the Annual Operating Instructions (AOI) would generally be by exception (EA, Chapter 2, section 2.4.3).

Key Issue 2: Local social & economic value/impact of livestock grazing – Present Net Value (a measure of financial efficiency) is the most costly of the three alternatives at a loss of -\$359,760.00 spread over ten years. The costs are mostly in additional NEPA analysis which would be required for any stock water development deemed appropriate (EA, Chapter 2, section 2.4.3-1 and Chapter 3, section 3.8). This Alternative has the lowest Present Net Value. The social values and impacts of livestock grazing would still be present.

Overall, I find that Alternative 2 is consistent with the Forest Plan but only partially meets the stated Purpose of and Need for Action (Chapter 1, sections 1.4 and 1.5). The management flexibility that I need to effectively manage this Analysis Area is somewhat less under this Alternative than under Alternative 3. The economic impact of this alternative is the greatest of the three.

- **Alternative 3** – Adaptive Livestock Grazing Management (*selected Alternative*)

Key Issue 1: Management flexibility – Alternative 3 provides a high degree of management flexibility since my ability to change the grazing system, season of use, and permitted livestock numbers would be very responsive to annual changes in biological, physical, and social changes. If monitoring shows that the desired conditions are not being met, then I can choose to try a different grazing management option more likely to improve issues or resource conditions, or any other applicable option or strategy available within the scope of the EA (EA, Chapter 2, Table 2.4.2-1) to adjust management to meet or move conditions toward desired conditions.

Key Issue 2: Local social & economic value/impact of livestock grazing – Present Net Value (a measure of financial efficiency) is -\$235,620.00, a loss which would be spread over ten years. This is the least expensive alternative (EA, Chapter 2, section 2.4.4 and Chapter 3, section 3.8). Alternative 3 has a slightly higher Present Net Value than Alternative 1 because the revenue from livestock grazing offsets some of the costs. The social values and impacts of livestock grazing would remain.

Overall, I find that Alternative 3 is consistent with the Forest Plan and best meets the stated Purpose of and Need for Action (EA, Chapter 1, sections 1.4 and 1.5). The management flexibility that I need to effectively manage this Analysis Area is the

highest and is expected to be the most effective under this Alternative. This is the least expensive alternative and still retains the social value of livestock grazing.

5. Site-specific resource information and potential environmental, social, and economic effects (EA, Chapter 3).

The EA described the present conditions of the environment in and around the Analysis Area. It also disclosed the probable consequences (impacts and effects) of implementing each Alternative (Chapter 2) on selected environmental resources (Chapter 3). It provided the analytical basis from which to compare the Alternatives.

This project is local and would affect only the Analysis Area, which contains approximately 42,749 acres. The scope of this analysis is limited to evaluating the appropriate level of permitted livestock grazing, given considerations of rangeland condition and other Forest Plan goals and objectives (EA, Chapter 1, section 1.3-1.6). Livestock grazing has occurred in the Analysis Area since the late 1800s (EA, Chapter 3, section 3.2.1). Suitable rangelands for grazing livestock are 23,414 acres and make up 55% of the total Analysis Area.

Alternative 1 can be implemented without significant adverse effects on economic, cultural, and natural resources as documented in the EA (EA, Chapter 3, and section 3.9 for cumulative effects). However, Alternative 1 does not fully meet the Forest Plan goals and objectives relative to livestock grazing and it does not fully address the desired conditions for all ecosystem communities over time (Forest Plan, p. III-161, EA, Chapter 3, section 3.2). Alternative 1 would be expected to have less cumulative effects than the action Alternatives, with one exception – it would have the most negative effect on the local social and economic conditions due to the cancellation of one term grazing permit. Cumulative effects predicted under this Alternative are not judged to be significant.

The action Alternatives (Alternatives 2 and 3) can be implemented without significant adverse effects on economic, cultural, and natural resources as documented in the EA (EA, Chapter 3, and section 3.9 for cumulative effects). There are no expected significant adverse effects on vegetation (section 3.2 and 3.6), soils (section 3.2), water (section 3.3), wildlife (section 3.5), fisheries (section 3.4), recreation (section 3.8), social values & economics (section 3.8), and heritage resources (section 3.7), due to an extensive list of Project Design Criteria (EA, Chapter 2, section 2.6) and monitoring measures that provide feedback for management change, as needed (EA, Chapter 2, section 2.7, and Appendix C). Thus, the action Alternatives will not affect either the short-term or long-term productivity of the Pike National Forest, in terms of sustainability of the resources or outputs associated with them.

Overall, I find that the selected Alternative has no significant resource or social/economic impacts (EA, Chapter 3). Furthermore, there are no significant adverse cumulative effects expected (EA, Chapter 3, section 3.9). The management flexibility inherent to adaptive livestock grazing management will allow me to meet or move the Analysis Area toward Forest Plan objectives and desired conditions under Alternative 3. The Project Design Criteria (PDC) for Alternative 3 expand upon the PDCs for Alternative 2 and were

specifically designed to additionally minimize impacts on wildlife and other resources (EA, Chapter 2, section 2.6).

6. Comments made by the public and other agencies (EA, Chapter 6).

The Pike National Forest invited public comment and participation regarding this project through two separate scoping periods, once under the Salida, Leadville, and South Park (SLS) RAMP project (2004-2007) and again under the McQuaid RAMP project (2008-2009). A pre-decisional Environmental Assessment (EA for Comment) was released on March 2, 2007 and a 30-day formal comment period followed. Eight timely responses were received, none of which pertained to the McQuaid allotment on the South Park Ranger District.

Following the formal comment period for the SLS RAMP, the McQuaid RAMP project was separated and scoped separately. During this time, internal and external scoping resulted in many discussions regarding conditions and issues on the McQuaid allotment. While no formal letters or public comments were received as a result of the public scoping letter for the McQuaid RAMP, much information was gathered from District and Forest specialists and personnel, grazing permittees and managers, the local Cattlemen’s Association, and Western Watersheds Project.

7. Summary of Decision Rationale.

I find that Alternative 1 does not fully meet the objectives of the Forest Plan since it does away with livestock grazing on 47% of lands designated for the purpose of Livestock Grazing Management. There is no management flexibility under this Alternative. It also does not fully meet the stated Purpose of Action and Need for Action (EA, Chapter 1, sections 1.4 and 1.5).

I find that Alternative 2 is consistent with the Forest Plan and meets the stated Purpose of and Need for Action (Chapter 1, sections 1.4 and 1.5). The management flexibility that I need to effectively manage this analysis area is less than I desire under this Alternative than the selected Alternative because it doesn’t allow for water development under this analysis. This flexibility is a powerful tool in managing livestock movements and impacts.

I find that Alternative 3 is consistent with the Forest Plan and best meets the stated Purpose of Action and Need for Action (EA, Chapter 1, sections 1.4 and 1.5). The management flexibility that I need to manage this analysis area is the highest and is likely the most effective under this Alternative. I feel this Alternative gives me the most options to effectively control and use livestock grazing in a positive way.

Livestock grazing has been occurring in the analysis area since the early 1900s (EA, Chapter 3, section 3.2). Permitted livestock grazing was established in the analysis area well before the establishment of the Buffalo Peaks Wilderness area. I understand that the public is not unified in accepting livestock grazing in wilderness areas. But, it is important to be clear that livestock grazing is an allowable use of wilderness and it is an allowable and appropriate use under our current Forest Plan direction (EA, Chapter 1, section 1.6.1). The selected

Alternative abides by the Wilderness Management Philosophy for the Rocky Mountain Region.

I considered all relevant public, agency, and tribal government comments to this project. I considered Forest Plan direction and concerns for wilderness, recreation, wildlife, permittee needs, and many other matters. I believe Alternative 3 gives me the management flexibility I need to address these concerns and affords me the opportunity to adapt livestock management, as appropriate, to changes as they arise in the future. Management flexibility is absolutely essential for me to effectively manage this analysis area. I believe Alternative 3 best satisfies the concerns of the public while meeting our stated Purpose of and Need for Action (EA, Chapter 1, sections 1.4 and 1.5). I believe Alternative 3 satisfies our Forest Plan’s desire to provide forage for permitted livestock without compromising rangeland condition, and can be done in a way that is compatible with the many other important values in this area. I believe that domestic livestock grazing can occur in the analysis area while simultaneously caring for the wilderness and other resources we all care deeply about.

Alternatives Considered

Three Alternatives were developed and considered in detail (EA, Chapter 2, section 2.3). These are discussed immediately below. Several Alternatives were considered but dropped from detailed consideration (EA, Chapter 2, section 2.5) and they are briefly discussed at the end of this section.

Alternatives analyzed in detail

1. **Alternative 1** – No Action (*No Permitted Livestock Grazing*) (see EA, Chapter 2, section 2.4.1)

The Council for Environmental Quality (CEQ) regulations for implementing the National Environmental Policy Act (NEPA) requires that a no action alternative be developed as a benchmark from which the agency can evaluate the proposed action. No action in livestock management planning is defined as “no permitted livestock grazing” (Forest Service Handbook [FSH] 2209.13).

This Alternative proposes to discontinue permitted livestock grazing within the analysis area. A term grazing permit currently exists for the McQuaid Allotment. This grazing permit would be cancelled under the time period provisions of Forest Service Handbook (FSH) 2209.13 and would not be renewed. The affected allotment would be permanently closed by a separate decision signed by the Forest Supervisor. Alternative 1 includes the following constraints and requirements:

Component	Action
Grazing System	None
Kind of Animals	None

Component	Action
Class of Animals	None
Season	None
Livestock #	None
Adaptability to Change	Inflexible.
Project Design Criteria	Project design criteria would not be required for the no action alternative.
Monitoring	None relative to permitted livestock.

Management flexibility would be nonexistent (Key Issue 1) and it would not support the local economic value provided by livestock grazing (Key Issue 2).

Overall, Alternative 1 is not fully in compliance with the Forest Plan since it would not allow grazing in a management area specifically designated for livestock grazing. There is no management flexibility under this Alternative. It also does not meet the stated Purpose of and Need for Action (EA, Chapter 1, sections 1.4 and 1.5).

Action Alternatives:

General grazing management options for both action alternatives
<i>Use of any options below must consider rangeland condition and other relevant Forest Plan goals and objectives for the analysis area under study. Grazing management options do not preempt Project Design Criteria or the constraints designed into the alternatives.</i>
✓ Change season of use -- do not exceed permitted Animal Unit Month (AUM) capacity; use monitoring information to determine livestock turn on date and allowable use standards and guidelines to determine livestock off date.
✓ Change livestock numbers -- do not exceed permitted AUM capacity; use allowable use standards and guidelines to determine desired rangeland use and time to move livestock (including off date).
✓ Change livestock class – do not exceed permitted AUM capacity.
✓ Adjust livestock grazing intensity and/or duration.
✓ Adjust livestock herding to manage specific areas of concern.
✓ Rest specified areas from livestock grazing or enact non-use for resource protection.
✓ Restrict livestock grazing in specified areas (does not apply to recreation and outfitter/guide livestock under this analysis).
✓ Use of a pasture.
✓ Exclusion of a pasture.

General grazing management options for both action alternatives
✓ Create, modify, or remove allotment infrastructure.
✓ Encourage livestock grazing in specified areas.
✓ Use herding to achieve management objectives.
✓ Adjust pasture or allotment boundaries.

2. **Alternative 2** – Current Livestock Grazing Management (*as applied on-the-ground over the past 3 to 5 years*) (see EA, Chapter 2, section 2.4.3)

The goal of this Alternative is to maintain current livestock grazing management practices. A single Term Grazing Permit would continue to authorize livestock grazing on the McQuaid Allotment. Forest Plan standards and guidelines, the Watershed Conservation Practices Handbook (USDA Forest Service 2006 FSH 2509.25; USDA Forest Service 1984), and Project Design Criteria (see section 2.6 later in this chapter) are incorporated by reference. An Allotment Management Plan (AMP) would be developed for the allotment mentioned above.

Under this Alternative, if monitoring showed that Forest Plan desired conditions were not being met or satisfactory progress was not occurring toward meeting the desired conditions, and all administrative actions had been exhausted, then the Forest Service would have limited flexibility to make changes without completing a new NEPA analysis. Conducting new NEPA analysis each time a change is needed takes considerable time and expense.

There would be no changes in permitted numbers of livestock, permitted season of use, kind or class of livestock, or grazing system (other than minor changes made, by exception, in the AOI). Alternative 2 allows current permitted livestock grazing and includes the following constraints and requirements:

COMPONENT	ACTION
Grazing System	A deferred, rest-rotation grazing system would continue to be used. This type of grazing system best meets the needs of plants and their requirements for rest before or following grazing events. The flexibility of this system is responsive to changes on the ground. Minor changes could be made, by exception, in the AOI.
Kind of Animals	The kind of livestock would be constrained – cattle only.
Class of Animals	The class of livestock would be constrained – cow/calf pairs.
Season	The grazing season would be inflexible from year to year. Grazing could take place from June to October. Minor changes could be made, by exception, in the AOI.
Livestock	Livestock numbers would be somewhat inflexible. Permitted livestock numbers

COMPONENT	ACTION
Numbers	would be 400. Minor changes could be made, by exception, in the AOI. The livestock grazing carrying capacity ¹ is estimated to be approximately 3200 AUMs. AUMs are permitted currently at 2098 (400 pair, x 1.308 use factor for pairs, x 4 months). With current stocking levels, the suitable rangeland is stocked at about 59 suitable acres/pair.
Adaptability to Change	Somewhat flexible. A variety of management options is currently available for adjusting resource conditions on the allotment. However, the ability to change grazing system, season of use, and livestock numbers is somewhat unresponsive to annual changes in biological, physical, and social changes. Annual management changes made in the AOI are generally by exception.
Project Design Criteria	Project Design Criteria (PDCs) required for Alternative 2 are shown in the PDC tables 2.6-1 through 2.6-15 (EA, Chapter 2, section 2.6)
Monitoring	Implementation and effectiveness monitoring identified in the EA, Chapter 2, section 2.7 would be required. If monitoring showed that the Forest Plan desired conditions were not being met (or not being met within the desired timeframes), then the Forest Service could implement another tool from the General grazing management options for both action alternatives listed in the table provided at the top of the Action Alternatives section. (Also see EA, Chapter 2, Table 2.4.2-1) to adjust management to move conditions toward Forest Plan desired conditions. Water developments could not be implemented without separate NEPA analysis.

Alternative 2 would be somewhat flexible (Key Issue 1). It would support the local economic value provided by livestock grazing to the extent that no future changes are needed to respond to new or continuing issues (Key Issue 2).

Overall, Alternative 2 is consistent with the Forest Plan and meets the stated Purpose of and Need for Action (Chapter 1, sections 1.4 and 1.5). The management flexibility that I need to effectively manage this Analysis Area is less under this Alternative than the selected Alternative.

3. Alternative 3 – Adaptive Livestock Grazing Management (see EA, Chapter 2, section 2.4.4)

This Alternative is based on the principle of applying full adaptive management – a process that uses monitoring information to determine if current management is producing the desired results, if management changes are needed, and if so, what type of changes, to what degree, and within what timeframe. It is a process that allows the Forest Service to cope with uncertainty and changing conditions over time. It provides the authorized officer with “constrained flexibility” to adapt to changing conditions on the ground. This Alternative strives to resolve the disparity between Forest Plan/project-level desired conditions and existing conditions in the analysis area (within the scope of the analysis -- i.e., the analysis is limited to evaluating the appropriate level of livestock grazing, given considerations of rangeland condition and other Forest Plan goals and objectives).

This means that a proposed course of action would be selected as a starting point that is believed to best meet or move resource conditions toward desired conditions within the desired timeframes and the confines of those items which can be controlled through project-level management. Recurrent monitoring would take place over time and be evaluated by the Forest Service in order to make appropriate adjustments in management, as needed. Assessments would measure whether adequate progress was being made toward desired conditions. All adaptive management options available would be analyzed under this environmental assessment for potential future use, including the development of stock water at predetermined locations if necessary. All pastures within the McQuaid Allotment would remain active with the exception of the Buffalo Meadows pasture, which would be closed due to limited access. This alternative includes administrative closure of the Buffalo Meadows pasture and removal from the allotment and from domestic livestock grazing. In addition, a new Allotment Management Plan would be written and implemented to provide management direction for the McQuaid allotment (see EA, Appendix B for proposed AMP language).

The proposed management action is designed to improve existing conditions in all community types in which livestock grazing may have a potential effect, in order to meet Forest Plan desired conditions. Alternative 3 allows permitted livestock grazing under an adaptive livestock grazing management strategy and includes the following constraints and requirements:

COMPONENT	ACTION
Grazing System	The grazing system would be flexible and could be readily modified on an annual basis to respond to biological, physical, and social needs within the constraints of the Forest Plan and this decision.
Kind of Animals	The type of livestock would be constrained – cattle
Class of Animals	The class of livestock would be not be constrained – yearlings, pairs or dry cows
Season	The grazing season would be flexible within specified on and off dates. The total permitted AUMs would not be exceeded. Range readiness or allotment monitoring information would be used to determine a suitable livestock turn on date and allowable use standards and guidelines would be used to determine livestock off date.
Livestock Numbers	Livestock numbers would be variable and could vary from season to season, but they would not exceed the permitted AUMs for the analysis area. The permitted AUMs for the analysis area (McQuaid Allotment) are 2098 (400 pair, x 1.308 use factor for pairs, x 4 months). Livestock grazing carrying capacity ¹ is estimated to be approximately 3200 AUMs. Under proposed stocking levels, the suitable rangeland across the McQuaid Allotment would be stocked at an average of 59 suitable acres/pair. Flexibility would allow the stocking of fewer number for a longer period of time, or stocking of more numbers for a shorter period of time, as long as the overall permitted AUMs is not exceeded (maintained somewhere between 2000 and 2100 AUMs).

COMPONENT	ACTION
Adaptability to Change	Highly flexible. If monitoring showed that the Forest Plan desired conditions were not being met, then the Forest Service could implement another option from the Grazing Management Options (or any other applicable tool or strategy available within the scope of this EA) to adjust management to move conditions toward Forest Plan desired conditions.
Project Design Criteria	All Project Design Criteria (PDCs) required for Alternative 3 are shown in the PDC tables 2.6-1 through 2.6-15 (EA, Chapter 2, section 2.6)
Monitoring	Implementation and effectiveness monitoring identified in the EA, Chapter 2, section 2.7 would be required. If monitoring showed that the Forest Plan desired conditions were not being met (or not being met within the desired timeframes), then the Forest Service could implement another tool from the General grazing management options for both action alternatives listed in the table provided at the top of the Action Alternatives section. (Also see EA, Chapter 2, Table 2.4.2-1) to adjust management to move conditions toward Forest Plan desired conditions. This would include the construction and implementation of livestock water developments.

Livestock would be moved by a herder as a unit (called a band) through the allotments. Consequently, livestock would not be dispersed equally throughout the entire area. Under this Alternative, there would be a greater opportunity (and adaptability) to resolve recreation visitor conflicts since the land area available includes 13 allotments.

Alternative 3 would provide management flexibility (Key Issue 1), it would resolve most livestock grazing and recreation visitor conflicts (Key Issue 2), and it would support the local economic value provided by livestock grazing (Key Issue 3).

Overall, Alternative 3 is consistent with the Forest Plan and meets the stated Purpose of and Need for Action (Chapter 1, sections 1.5 and 1.6). The management flexibility that I need to effectively manage this Analysis Area is provided under this Alternative.

Public Involvement

The Pike National Forest invited public comment and participation regarding this project through two separate scoping periods, once under the Salida, Leadville, and South Park (SLS) RAMP project (2004-2007) and again under the McQuaid RAMP project (2008-2009). A pre-decisional Environmental Assessment (EA for Comment) was released on March 2, 2007 and a 30-day formal comment period followed. Eight timely responses were received, none of which pertained to the McQuaid allotment on the South Park Ranger District.

Following the formal comment period for the SLS RAMP, the McQuaid RAMP project was separated and scoped separately. During this time, internal and external scoping resulted in many discussions regarding conditions and issues on the McQuaid allotment. While no

formal letters or public comments were received as a result of the public scoping letter for the McQuaid RAMP, much information was gathered from District and Forest specialists and personnel, grazing permittees and managers, the local Cattlemen’s Association, and Western Watersheds Project.

Legal Requirements for Environmental Protection

I find the selected Alternative is consistent with all applicable Federal, State, and local laws and requirements for the protection of the environment. The selected Alternative is also consistent with the Forest Plan for the Pike National Forest (EA, Chapter 1, sections 1.1 and 1.6).

National Environmental Policy Act (NEPA)

My decision and the EA analysis comply with NEPA. Direction in 40 CFR §1500-1508 and Forest Service Handbook (FSH) 1909.15 was followed throughout the development of this EA and the project.

National Forest Management Act (NFMA)

This project and my decision comply with the NFMA and the Forest Plan. The NFMA and its implementing regulations govern National Forest management planning through Forest-level planning.

I have evaluated the selected Alternative and compared it to the Forest Plan, as amended, to determine if the selected Alternative is in compliance with the Forestwide goals, objectives, desired conditions, and standards and guidelines. I have also evaluated the selected Alternative and compared it to the Management Areas within the Analysis Area to determine compliance with those desired conditions and standards and guidelines. I find that the selected Alternative is consistent with the Forest Plan. The Forest Plan standards and guidelines are included in the Project Design Criteria and have been incorporated into the selected Alternative by my decision. I have determined that the selected Alternative will meet Forest Plan standards and guidelines, and will contribute toward reaching Forest Plan goals, objectives, and desired conditions.

It should be noted that the 1982 planning rule has been superseded and is no longer in effect. There is a transition provision under the 2005 planning rule that allows use of the provisions of the former (1982) planning rule (per 36 CFR §219.14). However, the transition provision applies only to forest plan amendments or revisions and does not apply to authorization of projects implementing a forest plan (note: 36 CFR §219.2(c) indicates that no provisions of the rule apply to projects unless otherwise noted). Thus, the NFMA requirement for approving a project decision is simply to determine that the project will be consistent with the Forest Plan (16 U.S.C. 1604(i); 36 CFR §219.8(e) (2005)).

The Forest Plan Management Indicator Species (MIS) Amendment of October 2003 added MIS monitoring to the Forest Plan Monitoring and Evaluation Strategy. The MIS Amendment made MIS-related changes to Forest-wide standards and guidelines and made changes to the

Monitoring and Evaluation Strategy (to Chapter V, Monitoring Table V-1). The MIS Amendment added MIS to the biodiversity viability fine-filter monitoring for species change of occurrence at the Forest level. The amended Forest Plan provides specific monitoring provisions for the Forest MIS. The Forest Plan contains no obligation to conduct MIS monitoring or surveying within a proposed project area although project data can be used to support the Forest MIS monitoring. The EA evaluates MIS in Chapter 3, section 3.11. The Forest is implementing its Forest Plan Monitoring and Evaluation Strategy, which is documented in annual reports incorporated here by reference. This project is consistent with the requirements of the Forest Plan, as amended, and therefore is also consistent with the NFMA.

Wilderness Act

This project and my decision comply with the Wilderness Act. The Act established the National Wilderness Preservation System. Approximately 11% of the analysis area is inside the Buffalo Peaks wilderness area. The Wilderness Act specifically allows livestock grazing and related activities. Congressional Grazing Guidelines (displayed in Forest Service Manual 2323.22, Exhibit 1) state, in part:

“The legislative history of this language [Section 4(d)(4)(2) of the Wilderness Act] is very clear in its intent that livestock grazing, and activities and the necessary facilities to support a livestock grazing program, will be permitted to continue in National Forest wilderness areas, when such grazing was established prior to classification of an area as wilderness.”

Furthermore, House Committee Report 96-617 states, in part:

“There shall be no curtailments of grazing in wilderness areas simply because an area is, or has been designated as wilderness, nor should wilderness designations be used as an excuse by administrators to slowly ‘phase out’ grazing. Any adjustments in the numbers of livestock permitted to graze in wilderness areas should be made as a result of revisions in the normal grazing and land management planning and policy setting process, giving consideration to legal mandates, range condition, and the protection of the range resource from deterioration.

It is anticipated that the numbers of livestock permitted to graze in wilderness would remain at the approximate levels existing at the time an area enters the wilderness system. If land management plans reveal conclusively that increased livestock numbers or animal unit months (AUMs) could be made available with no adverse impact on wilderness values such as plant communities, primitive recreation, and wildlife populations or habitat, some increases in AUMs may be permissible. This is not to imply, however, that wilderness lends itself to AUM or livestock increases and construction of substantial new facilities that might be appropriate for intensive grazing management in non-wilderness areas.” [from sec. 108, P.L. 96-560, H.R. Report 96-617 dated 11/14/79.]

Livestock grazing has been occurring in the analysis area since the early 1900s (EA, Chapter 3, section 3.2). Permitted livestock grazing was established in the analysis area well before the establishment of the Buffalo Peaks Wilderness area. I understand that the public is not unified in

accepting livestock grazing in wilderness areas. But, it is important to be clear that livestock grazing is an allowable use of wilderness and it is an allowable and appropriate use under our current Forest Plan direction (EA, Chapter 1, section 1.6.1). The selected Alternative abides by the Wilderness Management Philosophy for the Rocky Mountain Region.

Endangered Species Act (ESA)

Under provisions of the ESA, Federal agencies are directed to seek to conserve threatened and endangered species and to ensure that their actions are not likely to jeopardize the continued existence of any of these species. I have complied with all applicable Federal laws and regulations and consulted with the US Fish and Wildlife Service, where it was appropriate to do so. I have considered the effects of this project and complied with relevant Forest Service regulations and policies. Effects of the selected Alternative on all listed threatened and endangered species, relevant to this Analysis Area, were analyzed in a Biological Assessment (BA) (project administrative record) and summarized in the EA.

Migratory Bird Treaty Act (MBTA) and Executive Order 13186

The selected Alternative was evaluated against Forest Plan standards and guidelines, and Project Design Criteria, to ensure consistency and to eliminate or reduce potential adverse effects to migratory birds. As a result, direct, indirect, and cumulative effects of the selected Alternative would not be expected to adversely affect identified birds of conservation concern, and would be consistent with the MBTA, Executive Order 13186, Forest Service standards and guidelines, and Colorado Landbird Conservation Plan (BCP) goals and objectives to conserve migratory and resident birds in Colorado.

Clean Air Act (CAA)

The basic framework for controlling air pollutants in the United States is the 1970 Clean Air Act (CAA), as amended in 1990 and 1999 (42 USC 7401 *et seq.*) The CAA was designed to protect and enhance the quality of the nation's air resources. All National Ambient Air Quality Standards are being met in the analysis area and in the surrounding area. The selected Alternative is not expected to impact air quality. The selected Alternative is consistent with and complies with the Clean Air Act.

Clean Water Act

The Clean Water Act requires that chemical, physical, and biological integrity of all waters, stream channels, and wetlands be protected. Implementation of Forest Plan standards and guidelines are normally expected to provide that protection. Project Design Criteria (EA, Chapter 2, section 2.6, Table 2.6-1) are taken from the Water Conservation Practices Handbook section on Hydrologic Function, Riparian Areas, and Wetlands. All streams within the Analysis Area are currently meeting water quality standards for the designated uses except Salt Creek, which is on the State Monitoring and Evaluation (M&E) list 305(b) and is suspected of not meeting water quality standards for sediment and temperature parameters along a 1.95 mile

segment (EA, Chapter 3, section 3.3). The selected Alternative is consistent with the Clean Water Act.

National Historic Preservation Act

Heritage and tribal interests are regulated by Federal laws that direct and guide the Forest Service in identifying, evaluating, and protecting heritage resources. The selected Alternative complies with these Federal laws. Heritage resources within the analysis area were considered during project development. The heritage resource analysis and assessment was done according to terms of the Memorandum of Understanding between the Colorado State Historic Preservation Officer and the Pike National Forest regarding range management activities. Literature and field review, found that there were 329 cultural sites on known traditional, cultural, or historical properties within the analysis area. Thirty-three of these exhibit some impact from livestock use. The selected Alternative includes measures to mitigate these impacts. (EA, Chapter 3, section 3.7).

Environmental Justice – Executive Order 12898

Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations,” requires that Federal agencies make achieving environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health and environmental effects of their programs, policies, and activities on minority populations and low income populations. No minority or low income populations were identified during scoping (internal or external) or during the analysis that might be adversely affected by the activities. Based on the EA analysis, my conclusion is that there would be no disproportionately high or adverse human health or environmental effects on minority or low-income populations as a result implementing the selected Alternative. The selected Alternative does not pose any significant socioeconomic risks that disproportionately affect low income or minority populations in communities potentially affected by the Alternative.

Roadless Area Conservation Rule

The selected Alternative complies with the Roadless Area Conservation Rule (36 CFR §294, May 13, 2005) because no timber harvest, road construction, or reconstruction is approved within inventoried roadless areas on the Pike National Forest.

Finding of No Significant Impact (FONSI)

I have reviewed the environmental effects of the selected Alternative disclosed in the EA. I have also evaluated whether the selected Alternative constitutes a significant impact on the quality of the human environment or whether the environmental impacts would be significant based on their context and intensity, as defined by the National Environmental Policy Act (NEPA) using the criteria in the implementing regulations (40 CFR §1508.27).

I have determined that the implementation of the selected Alternative will not result in any anticipated effects that exceed the level at which a significant effect on the human, biological, or physical environment in terms of context or intensity would occur. Both beneficial and adverse effects have been considered. The effects from the selected Alternative are expected to be minor. The effects are not highly uncertain and do not involve unique and unknown risks. The action will not, in relation with other actions, cause cumulatively significant impacts. I have reviewed the actions from Alternative 3 in terms of both **context** and **intensity** in detail below:

1. **Context** -- this project is local and would affect only the analysis area, which contains approximately 42,749 total acres. The scope of this analysis is limited to evaluating the appropriate level of permitted livestock grazing, given considerations of rangeland condition and other Forest Plan goals and objectives (EA, Chapter 1, section 1.6.1). Rangelands suitable for domestic livestock grazing are 23,414 acres (55% of the total analysis area) (EA, Chapter 1, section 1.3). Livestock grazing has occurred in the analysis area since the early 1900s (EA, Chapter 3, section 3.2).
2. **Intensity** – severity of projected impacts is subdivided into several individual components, as suggested by 40 CFR §1508.27 as follows:
 - Environmental Effects -- I find that the selected Alternative can be implemented without significant adverse effects on economic, cultural, and natural resources as documented in the EA (see all of Chapter 3; also specifically section 3.9 for cumulative effects). There are no expected significant adverse effects on vegetation (section 3.2 and 3.6), soils (section 3.2), water (section 3.3), wildlife (section 3.5), fisheries (section 3.4), recreation (section 3.8), economics (section 3.8), heritage resources (section 3.7), and people (section 3.8) due to Project Design Criteria (EA, Chapter 2, section 2.6) and monitoring (EA, Chapter 2, section 2.7). Thus, the selected Alternative will not affect either the short-term or long-term productivity of the Pike National Forest, in terms of sustainability of the resources or outputs associated with them.
 - Public Health and Safety – I find that there are no adverse effects expected to public health or safety under Alternative 3. The project activities will comply with all State and Federal regulations (EA, Chapter 1, section 1.6). Water quality (EA, Chapter 3, section 3.3) will not be adversely affected.
 - Unique Characteristics of the Area -- I find there are no significant adverse effects on unique characteristics of the Pike National Forest. The selected Alternative, with applied design criteria and mitigation measures, will have no adverse effect on districts, sites, highways, structures, or objects listed or eligible for listing in the National Register of Historic places, and there is no loss of significant scientific, cultural, or historical resources.
 - Controversy -- While some aspects of livestock grazing tend to be somewhat socially controversial, the effects of the selected Alternative on the human environment are not scientifically controversial. No new or unusual methods or activities are proposed. The effects on the human environment are not highly uncertain, are very unlikely to involve

unique or unknown risks, and are not likely to be highly controversial because there is no scientific controversy on the impacts of the project.

- Uncertainty – The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk (EA, Chapter 3). Similar actions have been implemented within the Pike National Forest and in other areas in the West. Monitoring will ensure effects are within the expected parameters (EA, Chapter 2, section 2.7).
- Precedent -- The action is not likely to establish a precedent for future actions with significant effects. The action does not represent a decision in principle about future considerations. Similar projects conducted in the future will have to be evaluated under the National Environmental Policy Act (NEPA) for the significance of the effects of those specific actions.
- Cumulative Impact -- I find that the cumulative impacts are not significant because this activity, when considered with other past or reasonably foreseeable actions, is not expected to have a cumulatively significant impact (EA, Chapter 3, section 3.9).
- Properties on or eligible for the National Register of Historic Places – I find that the action with mitigation measures applied will have no adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. The action will not cause loss or destruction of significant scientific, cultural, or historical resources (EA, Chapter 3, section 3.7).
- Endangered or Threatened Species -- The action will not adversely affect any Federally listed or proposed endangered or threatened species or Forest Service listed sensitive species or their critical habitat. Biological Evaluations (BE) were completed for this project (for aquatics, animals and plants). The BEs determined that the proposed action will have “no effect” on the Federally listed species except Canada lynx where a determination of “may affect, not likely to adversely affect” was made for the selected Alternative (EA, Chapter 3, section 3.9). It was determined, for Regional Forester sensitive species, that the selected Alternative “may impact individuals, but is not likely to cause a trend towards federal listing or loss of viability” in the planning area (for aquatics – EA, Chapter 3, section 3.4; for wildlife – EA, Chapter 3, section 3.5; and for plants – EA, Chapter 3, section 3.6). The BEs are part of the administrative record.

In addition, a Management Indicator Species (MIS) analysis for this project was completed and determined that the proposed action and its relationship to MIS species and the habitat types they represent, is not expected to impact the viability of these species in the future nor will it cause a significant population shift or significant change in population numbers within the planning area or Forest as a whole (EA, Chapter 3, section 3.5).

The actions from Alternative 3 are in compliance with all Federal, State, and local environmental protection laws. Based on the EA and the above considerations, I find that the selected Alternative is not a major action and it will not constitute a significant effect on the human

environment. Therefore, it does not require the preparation of an environmental impact statement.

Implementation

Once a decision is made, Term Grazing Permits, Allotment Management Plans (AMPs), and Annual Operating Instructions (AOIs) may be issued provided that they are in compliance with this NEPA-based decision. These instruments are simply implementing documents and do not constitute decision points. Implementation of the decision is discussed in the EA, Chapter 1, section 1.7.1.

Pursuant to **36 CFR Part 215**, if no appeal is filed within the 45-day time period, implementation of this decision may occur on, but not before, five business days from the close of the appeal filing period. If an appeal is received, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

Pursuant to **36 CFR Part 251 Subpart C**, if no appeal is filed, implementation of this decision may occur on, but not before, five business days from the close of the appeal filing period. If an appeal is received, implementation may occur during the appeal process, unless the Reviewing Officer grants a stay (§251.91).

Administrative Review or Appeal Opportunities

This decision is subject to administrative review (appeal) pursuant to Federal regulations at 36 CFR Part 215. This decision is also subject to administrative review under Federal regulations at 36 CFR Part 251 Subpart C by term grazing permit holders or applicants (§251.86). However, term grazing permit holders or applicants must choose to appeal under either 36 CFR §251 or §215, but not both (§251.85).

Notices of Appeal that do not meet the content requirements of 36 CFR §215.14 or 36 CFR §251.90, as appropriate, will be dismissed.

Appeals filed under 36 CFR Part 215

Appeals filed under 36 CFR, Part 215, must be filed (regular mail, fax, email, hand delivery, or express delivery) with the Appeal Deciding Officer (ADO) at USDA Forest Service, Rocky Mountain Region, Appeals Deciding/Reviewing Officer, 740 Simms Street, Golden, CO 80401, or faxed to 303-275-5134, The office hours for those submitting hand-delivered appeals are: 8:00 a.m. to 4:30 p.m. Monday through Friday, excluding federal holidays. Electronic appeals filed under 36 CFR 215 must be submitted in a format such as an email message, rich text format (.rtf), or Word (.doc, docx) to: appeals-rocky-mountain-regional-office@fs.fed.us. In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

Appeals, including attachments, must be filed within 45 days from the publication date of notice of this decision in the Park County Republican and Fairplay Flume (The Flume). Appeals received after the 45 day appeal period will not be considered. The publication date in the Flume is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision under 36 CFR, Part 215 should not rely upon dates or timeframe information provided by any other source.

To be eligible to appeal this decision on this project, an individual or group must have provided a comment or otherwise expressed interest in this project by the close of the comment period. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

Appeals filed under 36 CFR Part 251 Subpart C

Appeals filed under 36 CFR Part 251 Subpart C (including attachments) must be in writing and filed with the Forest Supervisor at: USDA Forest Service, PSICC, Attn: Forest Supervisor, Pike National Forest Supervisor's Office, 2840 Kachina Drive, Pueblo, CO 81008. Appeals may also be hand or express delivered to the address shown above. Office business hours for those submitting hand-delivered appeals are 8:00 a.m. through 4:30 p.m. Monday through Friday, excluding federal holidays. Appeals must be filed within 45 days following the date on the notice of the written decision (§251.88). Attachments received after the 45 day appeal period will not be considered.

Appeals filed under 36 CFR 251 Subpart C must have a copy of the appeal simultaneously sent to Kris Sexton, the Deciding Officer at South Park Ranger District, Attn: Kris Sexton, District Ranger, PO Box 219, Fairplay, CO 80440 or fax (719) 836-3875 (36 CFR 251.88). National Forest permittees can appeal under 36 CFR 251 regulations.

It is an appellant's responsibility to provide sufficient activity-specific evidence and rationale, focusing on the decision, to show why the Deciding Officer's decision should be reversed (§251.90). The Deciding Officer is willing to meet with applicants and holders to hear and discuss any concerns or issues related to the decision (§251.93).

An appellant may also include in the notice of appeal a request for oral presentation (§251.97) or a request for stay of implementation of the decision pending decision on the appeal (§251.91).

Contact Information

For further information on this project or implementation; contact Sheila Lamb, Interdisciplinary Team Leader, South Park Ranger District, PO Box 219, Fairplay, CO 80440, phone (719) 836-3861 or fax (719) 836-3875. The EA, DN/FONSI, and supporting documents are available for inspection during regular business hours (Monday through Friday 8:00 a.m. to 4:30 p.m.) at the South Park Ranger District, 320 US Hwy 285, Fairplay, CO 80440. The EA and DN/FONSI are also posted on the Pike National Forest web site:

<http://www.fs.fed.us/r2/psicc/projects/>

Signature and Date

I have been delegated the authority and I am the Responsible Official for the decisions outlined in this DN/FONSI. Note that in many cases this DN/FONSI summarizes information described more completely in the accompanying EA. For more detailed information, please refer to the EA and its associated project administrative record.



KRISTEN SEXTON

District Ranger

South Park Ranger District

Pike National Forest



Date

