

Chapter 1. PURPOSE AND NEED FOR ACTION

1.1 Introduction

The USDA Forest Service proposes to continue to authorize livestock grazing on the San Carlos District in a manner that moves resource conditions toward meeting Forest Plan objectives and desired on-the-ground conditions.

The planning area ranges from south of Canon City to south of La Veta on the San Carlos Ranger District in the Upper Arkansas River, Huerfano River, Cuchara River, Apishapa River, and Purgatoire River drainages. The San Carlos District is located on the San Isabel National Forest in Custer, Fremont, Huerfano, Las Animas, and Pueblo counties of Colorado. The Land and Resource Management Plan (LRMP, “Forest Plan”) for the Pike and San Isabel National Forests, Comanche and Cimarron National Grasslands (PSICC), provides direction for management on the Pike and San Isabel National Forest.

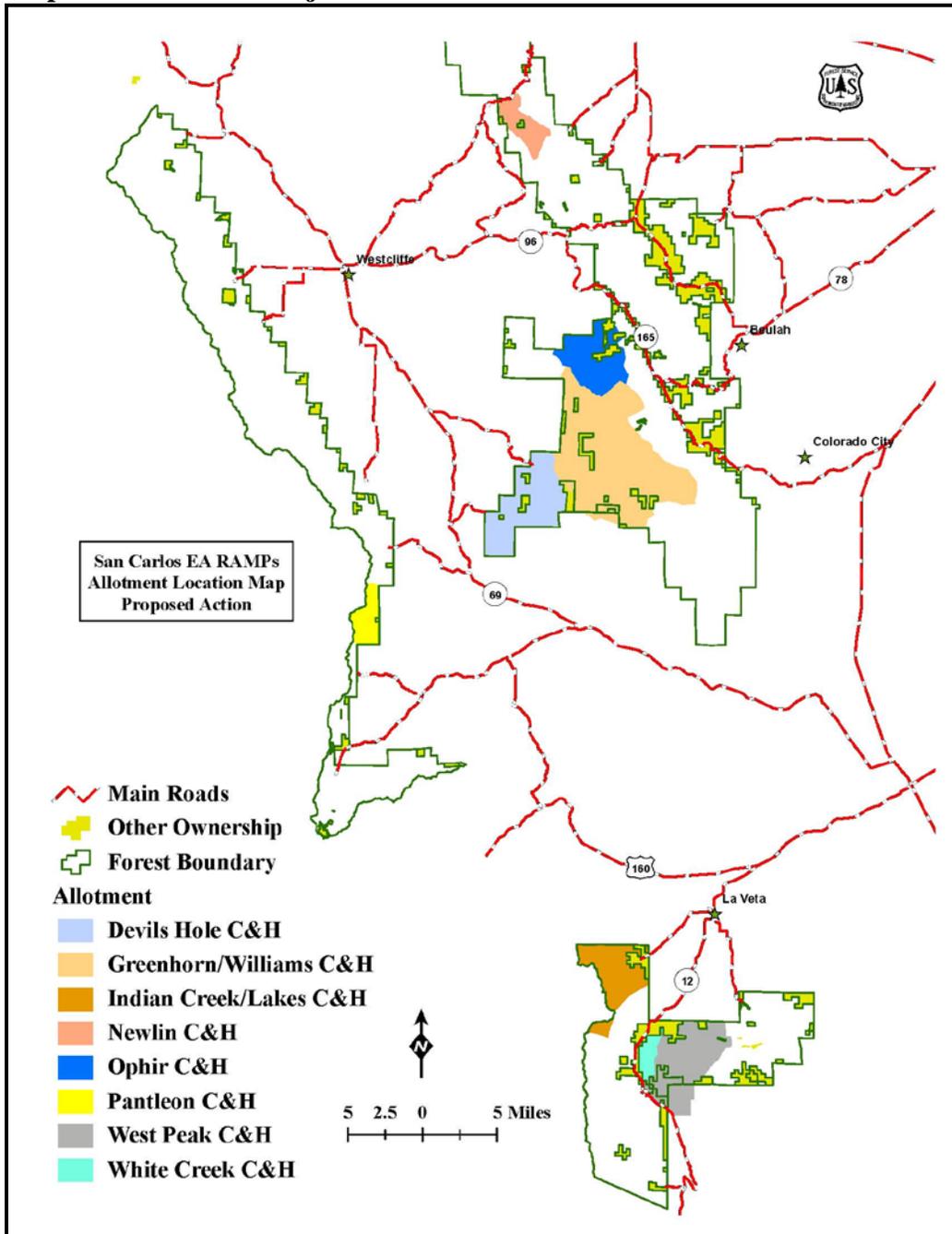
Livestock grazing is just one of many activities that occur on the San Carlos Ranger District. Livestock grazing has been determined by the LRMP to be an appropriate use of the project area based in part on the Forest Plan suitability determination. Livestock grazing permits are issued for a ten-year period on specific portions of the project area. An analysis conducted according to the National Environmental Policy Act (NEPA) is required in order to continue to authorize livestock grazing on the project area, to prescribe adaptive management of the rangeland resources, and to ensure management is capable of meeting or moving toward desired conditions.

The project area consists of 8 allotments in the San Carlos Range Project Area (SCRPA). There is a need for a NEPA decision to define authorized management of livestock grazing and to support the continued authorization of livestock grazing through permit issuance as determined in the Forest Plan (LRMP Chapter II p 50).

Currently, there are 6,774 Head Months (HM) of livestock grazing provided within the project area. Allotments in the project area cover approximately 84,915 acres. About 57,728 acres (68 percent) is classified as capable rangeland. Capable rangeland is accessible to livestock, produces forage or has inherent forage-producing capabilities, and can be grazed on a sustained basis under reasonable management practices (Forest Service, 1996, Rangeland Analysis And Management Training Guide, Lakewood, CO: USDA, Forest Service, Rocky Mountain Region. (RAMTG)).

Within the capable rangeland, there are suitable rangelands. Suitable rangelands are those capable rangelands where there is no Forest Plan or other binding decisions to preclude the permitting of livestock grazing. Within the overall suitable/capable rangelands (hereafter referred to as Suitable rangelands), primary rangelands are those areas that livestock prefer to use when management is limited. Approximately 25,000 acres (29 percent) of the project area is considered primary rangeland. Non-Suitable rangelands are included in allotment boundaries for the geographic convenience of defining a large area as an allotment that includes many smaller areas of Suitable rangelands. Non-Suitable rangelands may get incidental use by livestock.

Map 1-1 San Carlos Project Area and Affected Allotments



Forested vegetation communities include aspen, bristlecone pine, limber pine, blue spruce, lodgepole pine, ponderosa pine, Engelmann spruce and Douglas-fir. Non-forested areas consist primarily of perennial bunchgrass habitat and riparian plant communities. Elevations range from approximately 8,000 to 12,500 feet. The study area is described in more detail in Chapter 3.

1.2 Proposed Action ---

The proposed action is to continue to permit livestock grazing by incorporating adaptive management strategies on all 8 active allotments within the SCRPA while meeting LRMP direction which provides for a wide range of values and uses. The proposed action is designed to continue to improve trends in rangeland health, vegetation, watershed conditions, and in ecological sustainability relative to livestock grazing within the SCRPA. Collectively, these 8 allotments cover approximately 85,000 acres of National Forest System (NFS) lands within the allotments. Chapter 2 presents a more detailed description of the proposed action and the need for action by allotment.

Allotment management plans (AMPs) are implementation documents for the NEPA decision. As such, they simply put the decision into language compatible with the term grazing permits and clearly understandable by all parties. In accordance with FSM 2210, AMPs, and therefore the selected alternative from this NEPA analysis, will consist of four elements designed to move the allotment towards the desired conditions. These are: (1) Desired Conditions; (2) Design Criteria; (3) Need for Action; and (4) Monitoring and Evaluation Standards.

The proposed action addresses each of these elements. A complete AMP will be developed incorporating the decision based on the analysis contained in the Decision Notices for this EA document. The revised AMPs will be prepared for individual allotments with implementation to begin in fiscal year 2011.

The selected alternative will include a monitoring plan to determine if actions are implemented as prescribed. Monitoring will evaluate progress towards desired conditions in a timely manner. Based upon the monitoring results, livestock grazing may be adjusted within specified adaptive management limits to ensure that specified management actions are being implemented as planned and that actions are moving resource conditions towards that desired conditions within the desired timeframes.

1.3 Existing Condition

Rangeland condition is evaluated by measuring how well ecosystem processes are functioning on the land. Evidence of properly functioning processes is expressed largely through the vegetative components of each community. Table 1-1 shows the generalized qualitative differences between rangelands in excellent and poor condition.

Table 1-1 Comparison of Rangeland Conditions

Excellent Rangeland Condition	↔	Poor Rangeland Condition
Desirable plant species abundant.		Desirable plants absent or few.
Desirable plants vigorous.		Desirable plants stressed.
Diverse age structure in plant community.		Structure confined to single age.
Increased diversity of plant species.		Little diversity in plant species.
Litter present and contacting soil.		Litter absent or not contacting soil.
Sufficient vegetation.		Insufficient vegetation.
Little bare ground.		Excessive bare ground.
Water soaks into ground.		Water runs off ground.
Sufficient litter cover.		Insufficient or excessive litter cover.
Soil Surface protected by plants or litter		Soil Surface exposed
Good upland and riparian conditions		Poor upland and riparian conditions
Adequate watering sources		Inadequate watering sources

Trend is determined where possible by comparing historical records (transects plots, inspection records, etc.) and photographs with current conditions and determining if conditions have improved, declined, or stayed the same. These trends are described as upward, downward, and static. Areas for which no historic data was available were described based on best currently available knowledge of the areas. This information generally indicates that they are at least in static trend with some places in an apparent upward trend.

Streams/riparian areas of concern were evaluated using the “Riparian Characteristics Evaluations” R2-2200-RCS USFS from the Rangeland Analysis and Management Training Guide (RAMTG) (USDA 1996) by interdisciplinary team members, including botany, wildlife, fisheries, hydrology, soils, and range management field personnel from the Forest Service.

Existing conditions for all allotments in the SCRPA are shown in Appendix 2. Benchmark areas and key areas for each pasture of the allotments are shown on maps in Appendix 1.

1.4 Desired Condition

Desired conditions are the on-the-ground resource conditions that management is working towards. Desired conditions are the results that are expected if management goals and objectives are fully achieved. They are based in significant part on bringing the broad scale desired conditions from the Forest Plan down to the project level. They also consider the site-specific conditions for each evaluated resource. Table 1-2 describes the desired conditions for each general ecosystem community found within the SCRPA.

Table 1-2 Desired Condition for Resource Ecosystems

Resource Ecosystem Community Type	Desired Condition
Alpine	Provide a diverse mix of desirable native grass, forb and shrub communities. Where developed soils exist, ground cover is 80% or greater.
Spruce/Fir	Provide forests with a diversity of age classes and structure. Vigorous understory of forb and shrub growth. Snags and woody debris present across forested areas.
Ponderosa//Mixed Conifer Forest	Forests with diverse age structure, late successional communities, openings, snags and down woody debris across forested areas; vigorous understory of native grasses (grama, needle and thread, junegrass, Arizona fescue, mountain muhly, mutton grass) and forbs where light allows. Achieve or maintain satisfactory range condition on all forested rangeland in this community type.
Aspen	Perpetuate aspen communities with diverse age structures including late successional communities, regeneration, openings, snags and down woody debris across aspen areas; vigorous and diverse native grass and forb understory present. Use of aspen regeneration as browse is limited to light use (up to 40%) as defined by the Range Analysis and Management Training Guide (RAMTG).
Upland Shrub	Vigorous growth and regeneration of a mosaic of shrub age classes and species (mountain mahogany, rabbitbrush, sagebrush, oakbrush) interspersed with a variety of native grasses and forbs. Range condition is satisfactory or better on all rangeland in this community type.
Pinyon/Juniper	Provide a mosaic of age classes, open and dense stands. An understory of native mixed bunchgrass, shrub and forb communities in open areas (grama, needle and thread, junegrass, Arizona fescue, Indian ricegrass).
Grassland	Mixed native grass and forb communities provide a mosaic of plants with species diversity, a variety of vegetative structures and sufficient amounts of litter. Principle grass species may include Arizona fescue, thurber's fescue, muhly species, Parry's oatgrass, native brome, grama species, needle and thread. Grass communities show vigor and range condition is satisfactory or better on all rangeland in this community type.
Mesic Meadow	Diverse mix of native upland and riparian graminoids and forbs present with significant proportions of riparian species relative to moisture availability. Riparian species to include at least two of the following: bluejoint reedgrass, tufted hairgrass, riparian sedges. Range condition is excellent based on site potential. Graminoid communities show vigor.
Bench/Transition areas (qualities of both riparian and upland communities)	Stabilized slopes adjacent to riparian areas, vegetated with a diverse mix of native upland and riparian grasses and forbs. Maintain desirable native vegetation species. Minimize undesirable specie encroachment (Kentucky bluegrass, fringed sage, introduced clovers). Reduce bare ground to less than 10 percent.

Resource Ecosystem Community Type	Desired Condition
Streams & Riparian areas	<p>Provide healthy, self-perpetuating plant communities, meet water quality standards, provide habitats for viable populations of wildlife and fish, and provide stable stream channels and still water-body shorelines (LRMP, III-203).</p> <p>Achieve desired condition of riparian areas by following the standards set forth in the Watershed Conservation Practices (WCP) Handbook, FSH 2509.25. Section 12 deals specifically with Riparian Areas. Management measure (3) of this section states, “In the water influence zone (WIZ) next to perennial and intermittent streams, lakes, and wetlands, allow only those actions that maintain or improve long-term stream health and riparian ecosystem condition.” Adherence to the design criteria within this standard will help to sustain riparian areas at or move them toward their desired conditions.</p> <p>Where a defined channel exists (perennial and intermittent), streams and riparian ecosystems will be managed so that stream pattern, geometry (profile and dimension), and habitats are maintained or improved. Where a defined channel does not exist, the area will be managed to maintain the hydrologic function and provide for self-perpetuating plant communities in riparian corridors/pockets.</p>

A listing of the desired conditions in each allotment by resource area is included in Appendix 2. This listing provides the specificity needed to fully understand where this project area needs to go with sound resource management, and what it should look like when the desired condition is met. Good range management alone will not succeed in meeting all of these desires. Other projects, over time, will also contribute to this effort.

1.5 Purpose and Need

1.51 Purpose.

The site-specific purpose for the proposed action is twofold. First is to continue to permit livestock grazing on all or portions of the project area. Second and inter-related is to design and implement an adaptive management system. The chosen adaptive management system should be designed to move current resource conditions from the existing conditions toward the desired conditions for the resource ecosystems.. The movement towards desired condition prescribed by the adaptive management system should be timely and consistent with LRMP objectives, standards, and guidelines.

Authorization of livestock grazing and management in an adaptive manner is appropriate on the project area because:

- Where consistent with other multiple use goals and objectives there is Congressional intent to allow 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, National Forest Management Act of 1976)
- The allotments contain lands identified as suitable for domestic livestock grazing and continued domestic livestock grazing is consistent with the goals, objectives, standards, and guidelines of the Forest Plan (LRMP p. III-161-168, III-35-40, II-74, and II-81).
- It is Forest Service policy to make forage available to qualified livestock operators from lands suitable for grazing consistent with land management plans (Forest Service Manual (FSM) 2203.1; 36 CFR 222.2 (c)).
- Updated management strategies will outline how livestock will be grazed and at what levels will be developed to assure implementation of Forest Plan management direction, and meet Section 504 of Public Law 104-19 (Rescission Bill, signed 7/27/95), which requires revision of existing allotment management plans.
- 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 range resources for their livelihood (FSM 2202.1).
- The Forest Plan, which directs the management of lands contained within this project area, has as one of its goals to “Provide forage to sustain local dependent livestock industry” (LRMP p. II-35).

1.52 Need.

The site-specific need for the proposed action is based on the knowledge that a change in management needs to occur. This need for change in management is identified by comparing what currently exists on the landscape in the SCRPA to specific descriptions of what should exist in those different community types across the project area.

- There is a need for change from current management, as some limited areas on allotments within the project area may not be meeting or moving toward desired conditions in an acceptable timeframe.
- The need for action is created by the disparity between what is present (existing condition) and what is wanted (desired condition). The specific action needs for each allotment which are not meeting or moving toward desired conditions in an acceptable timeframe are summarized in Table 1-3. The detailed existing and desired condition tables are in Appendix 2.

Table 1-3 Allotment Specific Needs for Action

Allotment	Need	Action
Devils Hole	Better distribution of cattle	Install new water developments; relocate existing water developments out of riparian areas.
Greenhorn/Williams	More flexible and efficient grazing rotation, effective management of cattle on allotment, better distribution of cattle	Combine the two allotments into one. Develop a cow camp. Add new fencing and spring developments to create a 17 pasture allotment.
Indian Creek/Lakes	More flexibility in grazing rotation to avoid recreation conflicts, better distribution of cattle, reduce cover of non-native grasses	Relocation of tank and adding of new tank to improve distribution. Adjustment of rotation to avoid recreation conflicts and to reduce non-native grass species.
Newlin	Better distribution of cattle, implementation of an efficient grazing system	Install new ponds, fence and cattleguards to control cattle distribution.
Ophir	More flexibility in grazing rotation	Implement a deferred rotation system that promotes variability in pasture use over the years.
Pantleon	More flexible and efficient grazing rotation, better distribution of cattle, protection of springs.	Use this pasture in conjunction with private lands, in order to establish a viable grazing rotation, fencing off of springs, relocation of tank out of riparian area.
West Peak	More flexible and efficient grazing rotation	Split this allotment into two separate allotments; Implement a deferred rotation system that promotes variability in pasture use over the years.

White Creek	More flexible grazing rotation	Implement a deferred rotation system that promotes variability in pasture use over the years.
-------------	--------------------------------	-----------------------------------------------------------------------------------------------

1.6 Scope of the Analysis

The San Carlos Ranger District IDT has prepared this Environmental Assessment (EA) to document the analysis and disclose the environmental effects of alternative management actions in the SCRPA geographic area, referred to as the “project area” (Map Figure 1-1, page 2). The project area generally extends from the Sangre De Cristo Mountains on the west, to the Arkansas River on the north, to Wet Mountains on the east and then to the Spanish Peaks on the south. The project area includes about 84,915 acres of land managed by the Pike - San Isabel National Forest.

Implementation of the selected alternative would begin with the 2011 grazing season. Upland and riparian utilization design criteria would be incorporated into the new Allotment Management Plans (AMPs) and become requirements of the grazing permits. The new AMPs would guide livestock management within the project area until a periodic review of the NEPA Decision indicates that changed conditions have occurred and there is a need for an updated analysis and decision. The approval of the new or subsequent AMPs and issuance of grazing permits to reflect the selected alternative would not be subject to further NEPA documentation as long as the current NEPA analysis and decision remain current and valid. A review will be conducted and documented as a minimum each time that a term grazing permit affected by this decision comes up for issuance.

The grouping of actions in this analysis was based on their relationship in attaining the desired conditions. However, these actions could be implemented individually and are therefore, not “connected” (40 CFR 1508.25).

Three alternatives were developed in conjunction with this project. These alternatives provide a range of reasonable actions.

- The “No Action” (No Livestock Grazing) alternative was developed and analyzed in detail. This alternative provides a circumstance that provides for a comparison with the action alternatives for displaying potential environmental effects.
- The “No Change” or Grazing under current Allotment Management Plans or Annual Operating Instructions alternative was developed to reflect current management. Current management is defined as that management actually applied on the allotment(s) over the past three to five years as documented in Annual Operating Instructions (AOI). This management may or may not be the same as documented in existing AMPs (where they exist) for the 8 allotments in the project area.
- The “Proposed Action” or Grazing using Adaptive Management alternative is focused on the continued authorization of livestock grazing to include the development of adaptive management actions. This includes upland allowable use standards, riparian area

allowable use and other standards, rangeland improvement practices (structural and non-structural), management systems, monitoring and feedback mechanisms to manage adaptive processes, and special management and emphasis areas.

This EA was written under the implementing regulations of the National Environmental Policy Act, Council on Environmental Quality, Title 40, Code of Federal Regulation, Parts 1500-1508; and the National Forest Management Act, Title 36, Code of Federal Regulations, Part 219. The proposal is not a general management plan for the area; general management direction is found in the LRMP (1986).

1.7 Decision Framework

Rangeland Allotment Management Planning (RAMP) is needed to define appropriate decisions and provide guidance to ensure that rangeland health is maintained or moving towards the desired condition. Based on this analysis, the San Carlos District Ranger will determine the appropriateness of livestock grazing and management needed to ensure that we are meeting or moving toward desired condition objectives in desired timeframes.

The District Ranger is the responsible official who will decide whether or not to continue to authorize livestock grazing on all or portions of the eight allotments and if so, under what terms and conditions necessary to meet or move toward meeting Forest Plan objectives in a timely manner.

Management on each allotment is implemented through an allotment-specific AMP based on the alternative selected in the NEPA Decision. The AMP is the implementation document by which the Forest Service communicates to the permittee and others the management objectives and planned actions to accomplish those objectives.

The allotments currently under permit in the SCRPA are being operated under AMPs developed 10 to 15 years ago and are being proposed for revision.

This environmental assessment is not a decision document. This EA discloses the environmental consequences of implementing the three different alternatives. The Forest Service decisions will be stated and explained in one Decision Notice (DN) document.

This EA focuses on National Forest System lands administered by the San Carlos Ranger District. It does not evaluate livestock grazing activities on other allotments, other Ranger Districts, or other National Forests. This EA does evaluate cumulative actions associated with livestock grazing effects on both the National Forest System lands and to the degree feasible on the adjacent or associated private lands.

The individual specialists contributing to this EA each used the best available science in their field to arrive at the effects that they describe for each alternative. Best available science means that any computer models used during the analysis are the latest version available. It means that Geographic Information System (GIS) spatial analysis used the most current information on each available layer. It also means that the specialists reviewed currently published peer-reviewed scientific literature for subjects or discussions that could inform the decision makers about issues

that are appropriate for this analysis. This is evidenced by the many reference documents cited by the specialists in their reports.

1.8 Public Involvement

A preliminary scoping letter was sent to over 50 interested parties in February 2009. This letter asked for public comments on the proposal until March 18, 2009. Six comment letters were received. Additional scoping was performed by engaging grazing permittees, special interest groups, coordinating agencies (Colorado Division of Wildlife, Natural Resource Conservation Service, Bureau of Land Management, and local governments (County Commissioners in Custer, Fremont, Huerfano, Las Animas, and Pueblo Counties. The Western Watersheds Project submitted various reference documents regarding management of grazing use which were reviewed. The concepts and strategies included in these documents were considered in the development of the Environmental Assessment. Some of the information in these documents had previously been considered. The research information in some of the documents did not apply to the conditions in the project area.

The project was also identified in the quarterly Schedule of Proposed Actions (SOPA) for the PSICC National Forests and Grasslands starting in July 2007. The SOPA is mailed to hundreds of individuals and groups and is also posted on the Forest website. Using comments from the public, other agencies and entities, the interdisciplinary team (IDT) developed a list of issues to address.

When the draft EA was published in July 2010, only two people provided comments on the draft. Those comments, and the ID Team responses are in Appendix 5 of this EA.

1.9 Key and Non-Key Issues

Issues were separated into key and non-key issues. Key issues were defined as an effect (or perceived effect, risk or hazard) on a physical, biological, social or economic resource caused by implementing the proposed action. Non-key issues were identified as those which were: 1) outside the scope of the proposed action; 2) already decided by law, regulation, LRMP or other higher level decision; 3) not relevant to the decision to be made; or 4) conjectural and not supported by scientific or factual evidence.

For each key issue, one or more indicator criteria are identified. These indicators will be used to evaluate the effectiveness of each alternative in responding to the issue.

The interdisciplinary team (ID Team) identified preliminary issues prior to the formal public scoping. The list identified expected concerns regarding the effects of the proposed action. Comments received after the initial scoping effort revealed several areas of social and environmental issues related to the proposed action. Key issues and their indicators are described below and can be tracked in Chapter 3.

The Forest Service separated the issues into two groups: key and non-key issues. Key issues are those directly or indirectly caused by implementing the proposed action or alternatives. Non-key issues are:

- 1) outside the scope of the proposed action,
- 2) already decided by law, regulation, Forest Plan, or other higher-level decision,
- 3) irrelevant to the decision to be made,
- 4) conjectural and not supported by scientific or factual evidence, or
- 5) an analysis need that will be addressed in the EA or project record but the concern would not create a need for alternative actions to be developed.

The Council on Environmental Quality (CEQ) NEPA regulations require this delineation in Sec. 1501.7, "...identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review (Sec. 1506.3)..." A list of non-key issues and reasons may be found in the Project Record.

Key Issues::

- ★ Management Flexibility using Adaptive Management. Throughout this EA are examples of proposed, or possible, management strategies for dealing with the problems that occur during the grazing and operation of each allotment. Chapter II includes an extensive discussion on adaptive management, including a table of the many actions that we would consider using to improve any resource that does not meet our desired condition. This EA will display the actions we would consider using, and the process we would follow to implement our actions, allowing us to conform with NEPA while we operate in a dynamic environment.
- ★ Improved Riparian Health within identified areas of concern. Livestock grazing in the project area has had a localized negative impact on certain natural ecosystems, especially riparian areas across the project area, through trampling, vegetation loss, reductions in water quality, and increases in erosion potential. This EA will extensively discuss riparian health, both in general concepts and in fine detail. Many of the Design Criteria in Chapter II are oriented toward improving riparian health. The many resource discussions in Chapter III will show how we expect riparian health can be improved through careful use of adaptive management. The maps and text will also show that overall our evaluation of riparian health is very good across the landscape. But it is not excellent. We have small areas of concern that we will work on to improve this aspect of our National Forest.

Non-Key Issues:

- ★ These issues were considered in the analysis, but not used to develop alternatives.
 - (1) Trespass cattle from non-permittees on allotments.
 - (2) Difficult access to allotments (Time , topography, and ownership).
 - (3) Conflicts exist between livestock grazing use and recreation use.
 - (4) Lynx and Leopard Frog affected habitat.

1.10 Other Related Efforts within the Project Area

There are on-going management efforts within the project area which are outside the scope of this analysis. These related efforts will work in conjunction with grazing management to improve rangeland health and increase forage availability.

- **Hazardous fuels reduction** – As part of the National Fire Plan, the Pike-San Isabel National Forest is planning to complete several analyses to implement hazardous fuels reduction treatments within the project area. The treatments are expected to use a combination of thinning, slash piling, pile burning, and/or broadcast burning. These activities should be completed within 10-15 years, funding dependent. Structural range improvements such as water sources and fences will need to be protected during these treatments. Livestock rotations may need to be adjusted to accommodate these treatments. Transitory forage areas will be opened as a result of these activities.
- **Prescribed burning** – Since the ponderosa pine ecosystem and surrounding grassland ecosystems evolved with fire, this disturbance regime is an important part of the system. The Forest Plan directs implementation of prescribed fire to reduce fuel loading. These types of projects will be ongoing, done both independently and in conjunction with hazardous fuels reduction projects. These treatments will be taking place on the allotments mentioned in the hazardous fuels reduction areas above. Structural range improvements such as water sources and fences will need to be protected during these treatments. Livestock rotations may need to be adjusted to accommodate these treatments. Transitory forage areas will be opened as a result of these activities.
- **Travel management and recreational use** – The Forest Service manages for multiple uses including recreational activities. Some recreation, including OHV use, has detrimental impacts on rangeland resources through gates being left open, soil erosion, vegetation disturbance or loss, cattle being chased or shot, and improvements being tampered with. An EA will be written following completion of Forest Plan revision to analyze travel management that will address such issues as off-road vehicle use resulting in damage to upland and riparian resources. These types of issues and impacts are not discussed in this document but management decided upon through this analysis and subsequent decisions will be incorporated into and coordinated with the travel management analysis and decision(s).
- **Noxious weed treatment** – The PSICC has already analyzed the effects of noxious weed treatment across the Pike–San Isabel National Forest. That EA and the resulting decision provides for implementation of an integrated weed management approach. The noxious weed EA focuses on prevention, early control of small infestations and containment of larger populations. Under the integrated weed management approach prescribed by the Noxious Weed EA weeds will be treated using a variety of techniques including chemical, physical and biological control. Weeds are treated aggressively on an annual basis on the San Carlos District. Mapping of new infestations is on-going. Design criteria specified later in this document will focus on prevention of weed spread from livestock management activities.

1.11 Key Laws Influencing Management Decisions

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.

1. Organic Administration Act of 1897 (16 U.S.C. 475). This law defines original National Forest purposes to improve and protect the forest, secure favorable conditions of water flows, and furnish a continuous supply of timber.

2. Bankhead-Jones Farm Tenant Act of 1937 (7 U.S.C. 1010). This law mandates conservation of land to correct land abuse, control erosion, mitigate floods, conserve soil moisture, and protect watersheds.

3. Sustained Yield Forest Management Act of 1944 (16 U.S.C. 583). This law ties the goal of sustained yield to maintaining water supply, regulating stream flow, preventing soil erosion, and preserving wildlife.

4. Granger-Thye Act of 1950 (16 U.S.C. 5801). This law authorizes issuance of grazing permits having terms that preserve land and resources from erosion and flood damage. The Forest Service may reduce livestock numbers and cancel grazing permits if land is overgrazed.

5. Watershed Protection and Flood Prevention Act of 1954 (16 U.S.C. 1001). This law authorizes watershed improvement works to prevent floods, conserve ground water recharge and water quality, and protect aquatic life.

6. Multiple Use-Sustained Yield Act of 1960 (16 U.S.C. 528). This law amplifies National Forest purposes to include watershed, wildlife and fish, outdoor recreation, range, and timber. Renewable surface resources are to be managed for multiple use and sustained yield of the several products and services that they provide.

7. Wilderness Acts of September 3, 1964 (Section 4, Paragraph 4 subpart 2), December 22, 1980 (P.L.96-560, Section 108), and August 13, 1993 (P.L. 103-77, Section 3 Paragraph (2), (b)). These laws establish that livestock grazing is an approved and appropriate use of wilderness if it occurred prior to formal designation.

8. National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190, 42 USC 4321-4347, 01/01/1970). One of the purposes of this act is to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man.

9. Clean Air Act of 1970 (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.

10. Endangered Species Act of 1973 (16 U.S.C. 1531-1536, 1538-1540). This law was written to conserve endangered and threatened species of wildlife, fish, and plants and the ecosystems on which they depend. The Forest Service is required to consult with the Fish and Wildlife Service and to prepare biological assessments.

11. National Forest Management Act of 1976 (16 U.S.C. 1600-1602, 1604, 1606, 1608-1614). The Forest Service must be a leader in conserving natural resources. The overall goal of managing the National Forest System is to sustain the multiple uses of its renewable resources in perpetuity while maintaining the long-term productivity of the land. Maintaining or restoring the health of the land enables the National Forest System to provide a sustainable flow of uses, benefits, products, services and visitor opportunities (36 CFR 219.1 (2005)).

12. Federal Land Policy and Management Act of 1976 (43 U.S.C. 1752). Rights-of-way for water diversion, storage, and/or distribution systems, and other uses must include terms and conditions to protect the environment and otherwise comply with the requirements of Section 505.

13. Clean Water Act of 1977 (33 U.S.C. 1251, 1254, 1323, 1324, 1329, 1342, 1344). This series of laws was written to restore and maintain the chemical, physical, and biological integrity of the Nation's waters. States have authority over water rights. The Forest Service must comply with federal, state and local water quality laws and rules, coordinate actions that affect water quality with States, and control nonpoint source pollution.

14. Public Rangelands Improvement Act of 1978 (43 U.S.C. 1903). This law directs that range condition and productivity be improved to protect watershed function, soil, water, and fish habitat.

15. Executive Order 12898 (February 11, 1994) mandates Federal agencies to identify and address disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations (known as Environmental Justice) (Council on Environmental Quality 1997).

16. Roadless Area Conservation Rule (36 CFR §294, May 13, 2005). This rule sets restrictions on timber harvest, road construction, or reconstruction within inventoried roadless areas on the Pike-San Isabel National Forest.

17. National Historic Preservation Act Heritage and tribal interests are regulated by this Federal law that directs and guides the Forest Service in identifying, evaluating, and protecting heritage resources. 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-San Isabel National Forest regarding range management activities.

This page intentionally left blank.