United States
Department of
Agriculture

Forest Service

Rocky Mountain
Region

Medicine Bow National Forest

FINAL ENVIRONMENTAL IMPACT STATEMENT AND REVISED LAND AND RESOURCE MANAGEMENT PLAN

RECORD OF DECISION

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Lead Agency:	U.S. Department of Agriculture Forest Service Rocky Mountain Region
Cooperating Agencies:	State of Wyoming (including Carbon, Converse Counties) Seven Southeastern County Conservation Districts USDI Bureau of Land Management (Wyoming)
Responsible Official:	Rick D. Cables Regional Forester Rocky Mountain Region
Recommending Official:	Mary Peterson Forest Supervisor Medicine Bow-Routt National Forests and Thunder Basin National Grassland

Located within Albany, Carbon, Converse, Laramie, and Platte Counties, Wyoming

This document presents the decision regarding the selection of a Revised Land and Resource Management Plan for the Medicine Bow National Forest. It summarizes the reasons for choosing the Selected Alternative as the basis for the Revised Forest Plan, which will be followed for the next 10 to 15 years. The long-term environmental consequences contained in the Final Environmental Impact Statement are considered in this decision.

Explanation of Acreages and Data Sources

The information in the tables, figures and maps in the following document was generated from a variety of sources, including several different Geographical Information System (GIS) software platforms, tabular databases, and data from a variety of models used in planning analysis. The acreage figures from the various sources do not match exactly in all cases. However, when added, acres of the National Forest System lands (regardless of the source) are within acceptable margins of error.

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I. Summary of the Decision

A. Introduction

I have selected Alternative D FEIS as described in the Final Environmental Impact Statement (FEIS) for the 2003 Medicine Bow National Forest Plan Revision. By selecting Alternative D FEIS, I am approving the Revised Land and Resource Management Plan (Revised Plan) for the Medicine Bow National Forest (MBNF) that describes in detail the goals and objectives, standards and guidelines, management area direction, monitoring, and recommendations for special area allocations for Congressional consideration.

I chose Alternative D FEIS because it provides a mix of multiple use activities with a primary emphasis on enhancing non-motorized recreation opportunities while maintaining active forest vegetation management. Non-motorized uses play a larger role than in the 1985 Medicine Bow Land and Resource Management Plan. I base my decision on three types of information—scientific and technical analyses, the views of the public and our stakeholders, and legal mandates and policy direction. Taken together this information and knowledge supports Alternative D FEIS as the appropriate strategic guidance for the MBNF. Alternative D FEIS is the logical outgrowth of the alternative development and public involvement parts of the forest plan revision process. It responds to a variety of concerns by retaining many past opportunities and uses managed within an ecological and social framework and it positions the Forest to continue to provide recreational opportunities, forest products, and many intrinsic values. This alternative will honor our commitment to provide options for future generations.

This Revised Forest Plan and FEIS are programmatic and represent a broad management strategy for the Medicine Bow National Forest that provides broad direction for sustaining healthy forest and rangeland conditions. Standards and guidelines ensure that resources are managed in a sustainable manner. Needed course corrections or adjustments will be identified through monitoring, and amendments to this Revised Plan will be made as circumstances warrant. This decision will remain in effect until the Plan is revised according to applicable National Forest Management Act (NFMA) regulations. Goals and objectives are based on the 2000 Forest Service Government Performance Results Act (GPRA) Strategic Plan.

While Plan decisions are generally programmatic, this decision also incorporates the following decisions:

- The leasing decision for specific lands [36 CFR 228.102(e)] that have been designated as administratively available for oil and gas leasing [36 CFR 228.102(d)], and
- Designation of specific areas as Research Natural Areas.

Apart from these decisions, the Revised Plan provides overall systematic guidance and establishes management direction to govern future actions. The flexibility and

adaptability of this Plan to changing conditions is an important factor in my decision. We will amend this plan as circumstances warrant.

B. Elements of the Decision

1. Wild and Scenic Rivers

I am recommending two Wild and Scenic River designations to Congress, totaling 27.7 miles. With this decision, I am allocating 7,052 acres in Management Area (MA) 1.5 Wild River and 1,285 acres in MA 3.4 Scenic River. All Scenic River MA designations are outside existing wilderness boundaries, while all Wild River MA designations are within existing wilderness areas.

These management designations provide important resource related protection measures that will preserve the free-flowing conditions of the Encampment and North Platte Rivers. One designation is for 13.4 miles of Wild River and 2.9 miles of Scenic River designation for portions of the North Platte River that run through the National Forest. The other designation is for 10.0 miles of Wild River and 1.3 miles of Scenic River designation for portions of the Encampment River that run through the National Forest.

2. Areas Recommended for Wilderness

The existing 78,850 acres of designated Wilderness provide opportunities for solitude and for primitive and unconfined recreational experiences. While the Forest Service has determined that all thirty-one Inventoried Roadless Areas (IRAs) on the MBNF are suitable for wilderness designation, I am recommending the following areas to Congress for their consideration for wilderness designation, for a total of 27,963 acres of Recommended Wilderness MA 1.2. The recommended areas include additions to the Huston Park (8,083 acres), and Encampment River Wilderness (2,349 acres) Areas and one additional recommended wilderness area, Rock Creek (17,530 acres).

The Little Snake and Huston Park Additions increase the size of the existing Huston Park Wilderness Area. These additions encompass stream habitats with wild, genetically pure Colorado River cutthroat trout (CRCT is an R2 Sensitive Species) and associated native fishes. Protective measures resulting from Wilderness designation would minimize the threats from non-native species and possible reductions in water quality.

The Encampment River Additions would increase the size of the existing Encampment River Wilderness Area and add the headwaters of creeks that are now outside a protected area. Currently, activities in the headwaters could compromise the water quality of downstream stretches. Inclusion of these headwaters would create a more logical ecological unit for both aquatic and terrestrial species.

The Rock Creek area has been the focus of local, national and international interest. This area is one of the most primitive areas on the forest. It is on the north end of the Medicine Bow Mountain Range just south of Interstate 80 with reasonable access

from Casper, Laramie and Cheyenne, which account for the highest concentration of people in the State of Wyoming. The Forest Supervisor received a petition signed by organizations and individuals, thousands of signed postcards and personal letters and emails requesting that the Rock Creek area be recommended for wilderness. In a 1998 survey of county residents, 45% of the Albany county respondents desired wilderness designation in the next ten years. (University of Wyoming 1998)

The Laramie Peak area was recommended for wilderness in the DEIS. This was a very controversial proposal. We received many public comments supportive of and opposed to wilderness. Both sides submitted well thought out rationale to support their positions. Although no one factor or comment was overwhelming, I felt the State of Wyoming comments deserved close consideration. The State of Wyoming preferred that Laramie Peak not be designated as recommended wilderness. After much thought, I chose to allocate the Laramie Peak area to MA 1.31 Backcountry Recreation, Year-round Non-motorized and MA 2.1 Special Interest Area for Ashenfelder Basin. These allocations protect and maintain the qualities that would allow it to be considered for wilderness in the future.

3. Special Interest Areas (SIAs)

Designating SIAs will preserve and protect areas of local interest. SIAs are managed to protect their unique values and to develop areas for public education and to provide interpretative opportunities, where appropriate. Many uses are allowed in SIAs, including recreation, livestock grazing, mineral leasing, and road construction, but only if such uses do not degrade the characteristics for which these areas are designated.

I am allocating thirteen SIAs (MA 2.1) totaling 18,708 acres to provide a mix of botanical, geological, zoological, scenic and historical values that may be enjoyed by all Forest visitors.

ROD-Table 1. SIAs acres and unique features.

SIA Name	District	Unique Feature	Alt D FEIS Acres
Ashenfelder	Douglas (DRD)	Botanical, natural area	2,062
Cinnabar Park	Laramie (LRD)	Botanical	204
Medicine Bow Peak	Brush Creek/Hayden (BCH)	Botanical	1,135
White Rock Canyon	BCH	Geologic, zoological, scenic	684
Kettle Ponds	BCH	Geologic, botanical, zoological	4,721
Tramway Trail	BCH	Historical	1,050
Roper Cabin	LRD	Historical	65

SIA Name	District	Unique Feature	Alt D FEIS Acres
Douglas Creek Tie Dam	LRD	Historical	3
Horse Creek Tie Dam	LRD	Historical	7
Muddy Park Tie Dam	LRD	Historical	20
Sunken Gardens	LRD	Botanical, scenic	236
Centennial Ridge	LRD	Historical	4,628
Ribbon Forest	LRD/BCH	Botanical, geological, zoological, scenic	3,893

4. Research Natural Areas (RNAs)

I am also allocating five new RNAs (MA 2.2) totaling 15,476 acres. They provide relatively undisturbed areas representing important natural ecosystems and environments as well as special or unique scientifically important characteristics. These areas are: Battle Mountain (1,204 acres), Browns Peak (472 acres), LaBonte Canyon (3,023 acres), Platte Canyon (8,982 acres in existing wilderness) and Savage Run (1,061 acres in existing wilderness). They join the existing Snowy Range RNA (734 acres). A total of 10,043 acres of the 15,476 of new RNAs are in Wilderness Areas.

ROD-Table 2. RNA acreage and plant series or gaps filled by the new RNAs.

RNAs and District	Acres in D FEIS	Plant Series or Gaps Filled
Platte Canyon LRD	8,982	Wide range of grassland, shrubland, riparian and montane forest ecosystem types (Lodgepole, Douglas Fir) Also within the Platte River Wilderness Area.
Battle Mountain BCH RD	1,204	Only pRNA that occurs in the North-Central Highlands and Rocky Mountain Section. (Aspen, lodgepole pine and sagebrush).
Savage Run LRD	1,061	Lodgepole pine that has never been logged or tie-hacked and is within the Savage Run Wilderness area.
LaBonte Canyon DRD	3,023	Provides a representative range of ponderosa pine forests in the Region.
Brown's Peak (known as Snowy Range in WYNDD database) LRD	472	Area recommended by public. Alpine community of skree and high elevation mosses and lichens with interspersed Engelmann Spruce and Subalpine fir.

5. Oil and Gas Leasing

Seventy-five percent of the Forest acreage is considered to have no recognizable potential for oil and gas development and the remaining twenty-five percent of the Forest has either low or moderate potential. With this decision, I am making 265,298 acres or 24 percent of the Forest available for oil and gas leasing with certain lease

stipulations as specified in Appendix C of the FEIS. I am also making the decision to authorize the Bureau of Land Management (BLM) to offer specific lands identified as available for oil and gas leasing. There will be 63,182 acres available with standard stipulations; 4,276 acres with timing limitations; 98,945 acres with No Surface Occupancy; 80,724 acres with Controlled Surface Use; and 18,173 acres with both Controlled Surface Use and Timing Limitations.

Lands allocated to Management Area 2.2 include both an existing RNA and five new RNAs. The existing Snowy Range RNA has been withdrawn from mineral entry. The LaBonte RNA and the Brown's Peak RNA are on lands with no recognizable potential for oil and gas development. RNAs within Wilderness areas (Savage Run and Platte Canyon) are not available for fluid mineral leasing. The Battle RNA is available for oil and gas leasing; however, no ground-disturbing oil and gas activities are permitted. Leasing in the Battle RNA will be with a no surface occupancy (NSO) stipulation.

6. Timber Harvest

The mix of Management Area prescriptions in Alternative D FEIS provides for continued timber harvesting. Alternative D FEIS provides potential resource outputs of 22.8 million board feet (MMBF) per year Allowable Sale Quantity (ASQ), though the experienced budget level on the Forest generally allows the Forest to produce less than half that amount per year. Timber management activities may occur on 44% of the Forest. Activities on 44% of the Forest work towards achieving a generally regulated distribution of age classes. I am allocating 132,047 acres to MA 5.13 Forest Products and 281,835 acres to MA 5.15 Forest Products, Ecological Maintenance and Restoration Considering the Historic Range of Variability.

With this decision, clearcutting has been determined to be the optimum method for regenerating lodgepole pine, one of the two dominant cover types on the Forest (the other being spruce/fir). Created openings in MA 5.15 will vary in size from less than 40 acres to 250 acres, or are staged to create larger patterns over time. As per Forest Service Manual (FSM) direction 2470, any decision to exceed 40 acres opening size at the project level must be approved by the Regional Forester or the Regional Director of Renewable Resources.

7. Recreation Opportunities

The Forest will be managed under a wide variety of management areas, many of which emphasize recreation opportunities. See ROD Table 4.

Seventy-four percent of the MBNF is allocated for summer-motorized recreation on existing roads and trails. Sixty-four percent of the area is allocated for winter-motorized recreation. The total acreage available for semi-primitive non-motorized recreation, including designated Wilderness, recommended Wilderness and backcountry opportunities is 286,266 acres, an increase of 72,338 acres. The total acreage available for semi-primitive motorized recreation is 223,056 acres, a decrease of 41,132 acres.

The 2000 Medicine Bow National Forest Travel Management Record of Decision remains unchanged by this decision; motorized travel is restricted to designated roads and trails on the MBNF. Unauthorized off-road motorized use is prohibited.

8. Ski-Based Resorts (MA 8.22)

With this decision the area contained within MA 8.22, Ski-based Resorts, has increased to 1,364 acres to allow for the potential expansion of the Snowy Range Ski Area. While this decision allows for potential expansion, it does not make the site-specific decision to allow the Snowy Range Ski area to expand. If and when expansion of the existing infrastructure or operations of the ski area is proposed, that proposal will go through a site-specific environmental analysis and decision process which will include public involvement and consultation with other state and federal agencies, as appropriate.

9. Inventoried Roadless Area (IRA) Management

Ninety-five percent of Inventoried Roadless Areas retain roadless character with Alternative D FEIS. Roadless areas are managed with a variety of management prescriptions. Small portions of some inventoried roadless areas are in the suitable timber base in Alternative D FEIS, so timber harvest and some road building may occur in these areas. (FEIS, Chapter 3, Roadless) Where it is feasible and economical, temporary road building or harvesting methods in these stands should try to retain "roadless" character. Roads created for timber harvest or other vegetative treatments in these areas should be decommissioned if not needed as part of the permanent transportation system. The ASQ associated with these roadless acres is 8 million board feet per decade (or 0.8 million board feet per year). This amount of ASQ will be non-interchangeable, meaning that if this volume is not harvested from within roadless areas, this amount will not be "made up" in the roaded portion of the MBNF.

10. Conserving Biodiversity

Forestwide, geographic area, and management area direction provides for species viability and protection of special areas and habitats. The standards and guidelines and geographic and management area direction provide for maintaining or increasing habitats for many game and non-game species. In addition, I am allocating 49,156 acres to MA 3.5 Forested Flora or Fauna Habitats, Limited Snowmobiling; 16,990 acres to MA 3.54 Special Wildlife Areas (Sheep Mountain); 30,280 acres to MA 3.56 Aspen Maintenance and Enhancement; 59,763 acres to MA 3.58 Crucial Deer and Elk Winter Range; 62,610 acres to MA 5.41 Deer and Elk Winter Range; 7,998 acres to MA 5.42 Bighorn Sheep Habitat, all of which contribute to the maintenance of important wildlife and plant habitats on the Forest.

11. Livestock Grazing

Livestock grazing will continue to be an important activity on the MBNF. I have determined that 884,233 acres are suitable for cattle grazing and 958,250 acres are

suitable for sheep grazing. One hundred and four allotments will remain active, though several are currently vacant.

12. Special Wildlife Areas (Sheep Mountain—MA 3.54)

The Sheep Mountain area is designated as a National Game Refuge, and its habitat is managed by the Forest Service for the protection and propagation of game animals and birds [Medicine Bow National Forest, Wyoming (Seventh Proclamation) by the President of the United States of America (Calvin Coolidge), August 8, 1924]. This area contains 16,990 acres and will be managed to emphasize habitat management for deer and elk and remain relatively undisturbed by human activity. Habitat management goals will be developed by the Forest in consultation with the Wyoming Game and Fish Department and adjacent private landowners.

13. Management Indicator Species (MIS)

The Forest Service Manual (FSM 2620.5) defines Management Indicator Species (MIS) as "…plant and animal species, communities, or special habitats selected for emphasis in planning, and which are monitored during forest plan implementation in order to assess the effects of management activities on their populations and the populations of other species with similar habitat needs which they may represent" (United States Department of Agriculture [USDA]-Forest Service 1991). The National Forest Management Act (NFMA) requires that MIS be selected as part of the forest plan to estimate the effects of planning alternatives on fish and wildlife populations.

The MIS list for the Revised Plan includes: Northern goshawk, American marten, Snowshoe hare, Golden-crowned kinglet, Three-toed woodpecker, Common trout (brook, brown, and rainbow), Lincoln's sparrow, and Wilson's warbler.

II. Rationale for the Selection of Alternative D FEIS

A. Introduction

I selected Alternative D FEIS because the strategic guidance it establishes best matches the direction I believe needs to be taken on the MBNF. The balance in Alternative D FEIS is responsive to public issues and provides a wide range of outcomes and outputs.

Alternative D FEIS best addresses the revision topics and the four decision criteria I applied to make my determination of the selected alternative. It is responsive to both the needs and desires of those who live in or near the forest and the wishes of those who live elsewhere. I did not pick an alternative that maximized or minimized any particular element because I think it is important to strike a relative balance between these priorities. However, the most important part of my decision was ensuring the long-term health of the land for the enjoyment of current and future generations. Alternative D FEIS also maintains scenic quality and fish and wildlife habitat, and

provides recreational opportunities that make the MBNF an attractive place to live, work, and visit.

I selected Alternative D FEIS in part because of the manner in which it will achieve the goals and objectives listed in Chapters 1-3 of the Revised Plan in accordance with the planning regulations at 36 CFR 219.11(b). Alternative D FEIS strikes a realistic balance between protecting and maintaining ecosystem integrity through natural processes and offering uses, goods, and services through active management.

Economic analysis was also performed on each alternative. This analysis showed that Alternative D FEIS does not have the highest Present Net Value (PNV). However, I am confident that Alternative D FEIS ranks highest in terms of net public benefits. As explained in the FEIS, net public benefits are more than just PNV. Many outputs and effects (biological diversity, visual amenities, watershed health, etc.) are difficult to quantify. The reduction of PNV in any alternative as compared to the most financially or economically efficient solution is the economic trade-off, or opportunity cost, of achieving that alternative. Alternative D FEIS does the best job of balancing the tradeoffs for competing uses, differing values, costs, and outputs, resulting in the highest net public benefit.

The application of science is a factor in my decision. There are many facets to consider here. One is the use of biological science as it applies to the management of national forests. Another is the application of social science, since people are an integral part of ecosystems. Science does not always provide clear answers to complex resource management issues, but it does give insight into the effects of management decisions and actions. These scientific findings are displayed in the FEIS. In integrating the biological and social sciences, I considered the following:

- The role of the MBNF in the greater ecological province and sections.
- The role of fire, insects, and disease in ecosystem dynamics.
- Access to the forest and to the facilities available to the public.
- The plans, goals, and policies of other government agencies (local, state, and national) and American Indian tribes.
- The role the MBNF plays in local, regional, and national economies.
- Application of the scientific literature in the analysis of the effects of the alternatives.

The scientific community played a large role in facilitating an accurate and appropriate interpretation of data and research information. Our planning team and specialists consulted with scientists in the research branch of the Forest Service, with U.S. Fish and Wildlife Service (USFWS), the Bureau of Land Management (BLM), the University of Wyoming, University of Montana, Colorado State University, the Environmental Protection Agency, Wyoming Game and Fish, and others.

Many comments were received throughout the planning process and during the comment period. Alternative D FEIS reflects these comments and other less formal

interactions with the public and other government and tribal representatives and is a logical outgrowth of our analysis and public involvement efforts. I know that selecting Alternative D FEIS is not likely to completely satisfy every group or individual. However, I feel that Alternative D FEIS sets a reasonable course that gives most people satisfaction and provides future opportunities to participate in plan implementation.

I find that all practical means have been adopted in this Revised Plan to avoid or minimize environmental harm from the selected alternative. As provided in 36 CFR 219.10(g), this decision will remain in effect until the Plan is again amended or revised.

B. Revision Topics

Each alternative evaluated in the FEIS addresses these revision topics in a different way. The revision topics represent the significant issues examined in this management plan revision. The major revision topics that drove alternative development and evaluation are:

1. Biological Diversity.
2. Timber Suitability and Forest Land Management.
3. Recreation Opportunities.
4. Roadless Area Allocation and Management.
5. Special Areas.
6. Oil and Gas Leasing.

C. Criteria Used to Select the Preferred Alternative

I established four criteria for helping me select the preferred alternative for this plan revision. These criteria emerged from the revision topics with which we began the planning process on the MBNF. These criteria are:

1. Ensuring the ***long-term health of the land***, including maintaining and enhancing the viability of native plant and animal species and contributing to the recovery of threatened and endangered species.
2. Implementing a ***balanced variety of natural resource programs featuring a sustainable output of multiple uses.***
3. Continuing the emphasis on ***providing high-quality nationally significant recreation opportunities*** while protecting the environment.
4. Contributing to the ***economic vitality of neighboring communities*** by implementing a variety of natural resource programs that provide a sustainable output of multiple uses.

I can best describe my rationale for this decision by telling you how I think Alternative D FEIS addresses these decision criteria.

1. Ensuring the long-term health of the land, including maintaining and enhancing the viability of native plant and animal species and contributing to the recovery of threatened and endangered animals.

This criterion encompasses all of the revision topics, but in particular, biological diversity. Biological diversity is defined as the full variety of life in an area, including the ecosystems, plant and animal communities, species and genes, and the processes through which individual organisms interact with one another and with their environments. It includes protection of soil, air, and water resources and also includes maintaining the diversity and productivity of forest and rangeland vegetation, including riparian areas, fens, bogs, and wetlands. It includes maintaining the sustainability of ecosystem characteristics and the quality of watershed functions and conditions. Control and management of noxious weeds and non-native invasive plants are also part of this priority. Without healthy ecosystems, we cannot sustain the values currently offered by these public lands.

Maintaining biological diversity and providing for the viability of species requires management direction for the protection, restoration, and as needed, improvement of habitats for threatened, endangered, sensitive, and management indicator species, as well as providing habitats for other game and non-game species. It includes looking at plant and animal damage control practices to ensure they have the desired effect in maintaining and enhancing the viability of desired native plant and animal species.

It is imperative to me that my decision provides for the viability of these species through management direction that ensures the protection and enhancement of habitats and populations on the MBNF.

I recognize the progress that has already been made on the MBNF, with the assistance and partnership of many cooperators and permittees, to conserve biodiversity; but we also recognize the increasing role these lands play in meeting local, regional, and national conservation goals and objectives. I choose Alternative D FEIS because the overall intent of the management direction is to enhance the vegetative composition and structure of the forest, and to maintain diverse habitats using a wide array of vegetation management tools, such as timber harvesting, grazing, prescribed fire, and no active vegetation management. Vegetation and habitat management direction within the Revised Plan is intended to provide ecological conditions that contribute to the continued viability of all species, including threatened, endangered, and sensitive species. Forty-five percent of the Forest's vegetative pattern and successional condition will be influenced by natural disturbance processes such as fire, insects, and diseases. On this portion of the Forest, it is predicted late successional habitats and natural processes will occur at higher levels.

The Biological Assessment (BA) and Biological Evaluation (BE) recommended conservation measures for many of the species at risk on the MBNF. These conservation measures were brought forward in Revised Plan objectives, standards, and guidelines in Chapters 1, 2, and 3. Chapter 4 addresses monitoring needed to ensure the implementation and effectiveness of Revised Plan direction regarding these

species. We will also assume that threatened and endangered species are present in potential and suitable habitat.

I looked at the standards and guidelines in the revised Plan, the mix of management area prescriptions, and the environmental consequences disclosed in the FEIS to see how each alternative responded to issues such as forest health, biological diversity, wildlife habitat effectiveness, habitat fragmentation, threatened, endangered, and sensitive species populations, species at risk, control of noxious weeds and invasive species, establishment of RNA's, and riparian and watershed health. I conclude that ensuring long-term health of the land requires a balance between active management of ecosystems through active vegetation management and prescribed burning, and a more passive approach where natural processes influence ecosystems and their functions. I believe that Alternative D FEIS provides that balance.

The mix of management area allocations within this alternative provides for more opportunities to maintain important ecosystem components and special habitats.

By making land allocations as described in ROD Table 4 and reducing the total acres available for motorized winter and summer recreation, more protection of important components of biodiversity on the landscape will be provided.

The addition of five new RNAs is an important factor in my decision. A principle purpose of the Research Natural Area System is to provide a representative range of relatively undisturbed sites for research, monitoring, biodiversity protection and as reference areas for management activities throughout the National Forest System lands. A variety of uses are allowed in RNAs as long as the activity or uses do not become a threat to the values for which the RNA was proposed and as long as RNA management plan direction is followed.

These areas represent a range of vegetation types and topographic features that have not been heavily influenced by humans. These RNAs, combined with other RNAs in the Region, ensure that research and education opportunities will be available now and in the future across a wide range of ecosystems. The boundaries of these RNAs were established by the location of fences and the manageability of each area with its surrounding prescription category and/or different ownerships. The management prescription, including objectives, standards, and guidelines for management of these areas are described in Chapter 3 of the Revised Plan. The establishment record, along with the order to administratively effect this decision of these RNAs, will be done in the future.

The MBNF provides habitat for numerous species at risk. Three federally listed animals are known to occur on the Forest. Analysis of four other listed species disclosed no known occurrences or potential suitable habitat on the Forest.

- Bald eagles, a threatened species protected under the Endangered Species Act, winter in the vicinity of the Forest with some nesting on the periphery of the Forest boundary.

- Canada lynx, a threatened species, are rare on the Forest with only scattered sightings from the early 19th century until 2003. In September 2003, four radio-collared individuals were located on the Forest. These individuals were dispersers from the recent augmentation of the Colorado population, and were moving independently across the Wyoming-Colorado border from day to day. It is not known whether any of these animals currently reside on the Forest. Critical lynx habitat has not been identified on the MBNF.
- Preble's meadow jumping mouse, a threatened species, is confirmed to exist on the Forest and critical habitat for the species occurs on the Forest.
- Ute's ladies' tresses, a threatened aquatic plant species, occurs outside the Forest (downstream). Analysis disclosed no known occurrences or potential suitable habitat on the Forest.
- Colorado butterfly plant, a threatened aquatic plant species, occurs in riparian areas that flow from the Forest. Analysis disclosed no known occurrences or potential suitable habitat on the Forest.
- Black-footed ferrets and Wyoming toads, endangered species, were listed by the USFWS as possible on the Forest. Analysis disclosed no known occurrences or potential habitat on the Forest.

Forest Service biologists and botanists analyzed land and resource management direction prescribed in Alternative D FEIS and reached the following determinations:

- No effect on black-footed ferrets or Wyoming toads;
- Not likely to adversely affect lynx, bald eagles, Ute's ladies' tresses, and Colorado butterfly plants; and
- Likely to adversely affect Preble's meadow jumping mouse and its critical habitat because management direction would allow actions that could modify critical habitat in the short-term. Although the USFWS agrees with the determination of likely to adversely affect Preble's mouse, they have concluded that the Revised Plan is not likely to jeopardize the continued existence or adversely modify critical habitat for this species.

The USFWS concurred with the determinations of effects on the black-footed ferret, Wyoming toad, bald eagle, Ute's ladies' tresses, and Colorado butterfly plant. Effects on the lynx and Preble's meadow jumping mouse were addressed in a Biological Opinion, which concluded that the Revised Plan is not likely to jeopardize the continued existence of the lynx, and is not likely to jeopardize or adversely modify critical habitat of the Preble's meadow jumping mouse.

Thirty-six animal and twenty-five plant species that are currently designated as sensitive in Region 2 of the Forest Service were assessed in the Biological Evaluation (BE) (FEIS, Appendix I). Forest Service biologists and botanists evaluated the effects on these species of land and resource management direction prescribed in Alternative D FEIS. They determined implementation of this alternative may adversely impact individuals, but is not likely to result in a loss of viability in the planning area, nor

cause a trend towards federal listing or a loss of species viability. In fact, these public lands can and do play a beneficial role in conserving these species and their habitats.

2. Implementing a balanced variety of natural resource programs featuring a sustainable output of multiple uses.

This criterion encompasses all revision topics. These revision topics represent some of the diverse uses that people expect from the MBNF, including timber harvesting, grazing, mineral development, wildlife habitats, special uses, water, and a variety of recreational settings and opportunities. Some of these uses are compatible while others are not. I choose to focus on the concept of "balance" among the various uses. By "sustainable," I mean providing outputs of renewable resources and high quality experiences in perpetuity without impairing the productivity of the land.

It is important to me that my decision implements a variety of relatively balanced natural resource programs featuring a sustainable output of multiple uses.

The MBNF is known for both its outstanding natural beauty and its ability to produce goods and services needed by society. It offers many scenic landscapes, historic and cultural properties, geologically significant areas, primitive areas that provide opportunities for solitude, and special plant and wildlife habitats. Protecting these special areas will ensure their use and enjoyment by current, as well as future generations. Management area designations and direction for wilderness and recommended wilderness areas, backcountry non-motorized areas, SIAs, special flora and fauna areas, and RNAs will protect the characteristics and resources that make these areas "special." Alternative D FEIS manages about 35% of the MBNF in special areas, backcountry recreation, RNA's, Wild or Scenic Rivers, and for Dispersed or Developed Recreation.

Alternative D FEIS identifies 320,754 acres as being suitable for timber harvesting; 884,233 acres suitable for cattle grazing and 958,250 acres suitable for sheep grazing; identifies 265,298 acres as suitable and available for oil and gas leasing; and provides opportunities for a wide range of recreational pursuits. Thus, the MBNF will continue to provide the goods and services needed by our society.

Management prescriptions are organized into eight major categories representing different levels of management intensity. Categories range from minimal to substantial human-caused changes. Within each category are different management area prescriptions that share a related management emphasis. Alternatives allocate land to categories and prescriptions depending on the emphasis of the alternative. ROD Table 3 lists the management area categories for Alternative D FEIS and this decision and gives examples of the prescriptions in each.

ROD-Table 3. Acres allocated per management category under Alternative D FEIS.

	Management Category	Acres	% of Forest
1	Wilderness, recommended wilderness, backcountry recreation year-round non-motorized and summer non-motorized with snowmobiling, recommended wild rivers	241,561	22
2	Special Interest Areas, Research Natural Areas	34,184	3
3	Backcountry recreation, year-round motorized and summer motorized with winter non-motorized, scenic rivers, Forested flora and fauna, Special wildlife areas, Aspen Maintenance and enhancement, crucial deer and elk winter range	228,915	21
4	Scenery, dispersed recreation	38,320	3
5	General forest and rangelands, forest products, forest products—ecological maintenance and restoration, deer and elk winter range, bighorn sheep habitat	551,327	50
6	Not used in the Revised Forest Plan	0	0
7	Residential/Forest Interface	26 sites	0
8	Developed recreation, Ski-based resorts, utility corridors and electronic sites, administrative sites	7,192	1

Among the seven alternatives considered in the FEIS, Alternative D FEIS is ranked second, third, or fourth in Categories 1-5, showing a good balance among the various resource emphases. This alternative increases recognition of special areas, important habitats, diverse recreation opportunities, important rangelands, and timber management opportunities. See ROD-Table 4.

3. Continuing the emphasis on providing high-quality nationally significant recreation opportunities while protecting the environment.

This criterion encompasses revision topics 3, 4, and 5. The demand for recreational opportunities on public lands is increasing dramatically. The MBNF has the ability to accommodate a wide variety of developed recreation opportunities. It provides a myriad of dispersed recreation opportunities such as hunting, fishing, mountain bicycling, hiking, driving for pleasure, solitude, photography, bird watching, camping, snowmobiling, cross-country skiing, wildlife viewing, personal renewal, and rock climbing. People are seeking additional recreation and education opportunities on our public lands, asking for more developed facilities at specific sites, improved roads for recreational traffic, and more site and area information and signing. Hunters and people who enjoy photography desire a diversity of habitats to ensure sufficient vegetative cover to provide for the life requisites of the species they want to hunt or photograph. People are also seeking a diversity of recreation experiences in motorized and non-motorized settings.

Alternative D FEIS provides different experiences for different use types: motorized access is available on 74% of the MBNF in summer, and 66% in the winter, and the non-motorized recreation is available on 26% of the MBNF in the summer, and 32%

in the winter. Sheep Mountain (about 2% of the forest) is a winter "non-use" area and therefore is not available for either winter motorized or non-motorized use.

This alternative provides a mix of recreation opportunities by allocating areas to special areas and management areas that emphasize diverse recreation opportunities. See ROD Table 4.

The MBNF offers many scenic landscapes, historic and cultural properties, geologically significant areas, and primitive areas that provide opportunities for solitude, and special plant and wildlife habitats. Protecting these special areas will ensure their use and enjoyment by current as well as future generations. Management area designations and direction for backcountry non-motorized areas, SIAs, and RNAs will protect the characteristics and resources that make these areas "special."

4. Contributing to the economic vitality of neighboring communities by implementing a variety of natural resource programs that provide a sustainable output of multiple uses.

This criterion encompasses all of the revision topics. By sustainable, I mean providing outputs of renewable resources and high quality experiences in perpetuity without impairing the productivity of the land.

To have sustainable communities, we must have sustainable ecosystems to ensure a sustainable flow of resources for the future. In my decision I have focused on sustaining the health and productivity of our land and resources to ensure that we will be implementing natural resource direction that provides for both sustainable outputs and sustainable multiple uses for current and future generations. Being a good neighbor to local communities means being mindful of these values in making this decision and when implementing this plan.

The Forest Service has an interdependent relationship with local communities. Many individuals who live in or near the Forest rely on it for economic opportunities and for other values, such as scenery and recreational opportunities, which contribute to a cherished way of life. We will continue to be a good neighbor to these people and their communities. Some depend upon the Forest for their livelihood; others value the recreational opportunities and scenery and solitude the Forest provides. Some specific uses that people expect from these public lands include livestock grazing, mineral development, wilderness, wildlife habitats, special uses, water, and a variety of recreational opportunities. I choose to focus on the concept of balance among the various uses.

Alternative D FEIS identifies lands where timber harvesting, livestock grazing, motorized and non-motorized recreation, and oil and gas leasing may occur or continue, and provides opportunities for recreational uses that will, in the future, bring in important revenues to local businesses.

I considered the effects of the alternatives to the local communities and counties. While Alternative B provided the greatest increase in direct and indirect jobs and

income from all employment (timber, grazing, recreation, and other), Alternative D FEIS projects a 10% increase in employment and a 12% increase in income over current levels.

I selected Alternative D FEIS because it provides outputs of renewable resources and high quality experiences without impairing productivity of the land. Because this alternative focuses on sustaining the health and productivity of the Forest, it ensures that we will continue to provide sustainable outputs and sustainable multiple uses. And for the first time, we will have formal management direction focused on the unique needs of people living in the wildland-urban interface.

Alternative D FEIS identifies 884,233 acres suitable for cattle grazing and 958,250 acres suitable for sheep grazing; identifies 265,298 acres as suitable and available for oil and gas leasing and 320,754 acres suitable for timber harvest and provides opportunities for a wide range of recreational pursuits. Thus the MBNF will continue to provide the goods and services needed by our society, from which local businesses can continue to prosper.

Being a good neighbor also means cooperating with adjacent landowners in controlling noxious weeds and other pests and in reducing unacceptable fuel loadings in residential interface areas. I recognize the inter-dependent relationship on the MBNF between numerous landowners and resource managers. Included in this interdependency are other land and/or resource management agencies at the federal, state, and local levels and interested citizens who want to collaborate with the Forest Service to achieve effective and efficient resource utilization along with innovative land and resource stewardship.

National Fire Plan direction came to the Forest Service in 2001. The key points of the plan are firefighting, rehabilitation and restoration, hazardous fuels reduction, community assistance, and accountability. The State of Wyoming posted their list of Communities at Risk in the *Federal Register* on August 17, 2001. The communities at risk are described in the FEIS. In implementing the Revised Plan, the Forest Service will be working with the Wyoming State Forester, the counties, other federal and state agencies, and other fire agencies to jointly develop fire management plans and fuels reduction plans to address protection of these communities at risk. Additionally, the Revised Plan at Chapter 1, page 1-5 to 1-6, Subgoal 1.c, Objectives 1- 4 and Strategies a – h, and page 1-49 to 1-50, Fuel Treatment, Guidelines 1 and 2, and page 1-50, Insects and Disease, Guidelines 2 and 3 address reducing the threat of wildfire to public and private developments, reducing the threat of insect and disease, reducing fuel loadings to acceptable levels, and participating in the "Firewise" community program.

III. Components of the Decision

There are six fundamental components of the decision made in the plan revision. The following sections discuss these components of the decision in more detail.

Component 1. Establishment of Forestwide Multiple-Use Goals and Objectives

The goals and objectives are listed and described in Chapter 1 of the Revised Plan in accordance with the planning regulations at 36 CFR 219.11(b). They are based on the four goals identified in the 2000 Forest Service Government Performance Results Act (GPRA) Strategic Plan.

I am selecting Alternative D FEIS in part because of the manner in which it will achieve the goals and objectives. Alternative D FEIS strikes a realistic balance between protecting and maintaining ecosystem integrity through natural processes and offering uses, goods, and services through active management.

The goals and objectives apply to all of the alternatives; however, each alternative achieves them in different ways and to different degrees, depending on its emphasis. Therefore, the components of biological diversity emphasized, the levels of goods and services produced, and the mix of recreational opportunities offered vary by alternative. I refer the reader to the comparison of alternatives in Chapter 2 of the FEIS.

Component 2. Establishment of Forestwide Standards and Guidelines

Establishment of forestwide management requirements (standards and guidelines) is required by 36 CFR 219.13 to 219.27.

I am selecting Alternative D FEIS based on the balance between areas that are actively managed and those that emphasize natural processes with minimal human-caused impacts. In other words, this alternative provides for great diversity in ecosystems, wildlife habitat protection, experiences and commodity uses. This balance is achieved through Alternative D FEIS's particular diverse combination of goals and objectives, and management area prescriptions. Forestwide standards and guidelines listed in Chapter 1 of the Revised Plan did not vary between alternatives, except for Alternative A (which did not contain lynx conservation management direction), Alternative D FEIS (which had modified standards and guidelines based on public comment and formal consultation with USFWS), and Alternative F (which had unique management direction which was provided in FEIS, Appendix K).

In Chapter 2 of the Revised Plan, some standards and guidelines vary by geographic area. These standards and guidelines are too general for management areas and too specific for the entire forest. For the MBNF, 27 geographic areas have been delineated as areas where the vegetative types, productivity, and physical character within the geographic areas are fairly similar.

In Chapter 3 of the Revised Plan, standards and guidelines vary by management area. For the MBNF Revised Plan, there are 26 different management areas where direction and specific standards and guidelines apply.

Our objective is to simplify the content of the Revised Plan. The content of the laws, policies, and manual and handbook direction are not reprinted in the Revised Plan.

These rules still apply, and they supplement the Revised Plan direction. I direct you to Appendices A, B and C of the Revised Plan for a list of them.

The standards and guidelines provide management direction and ensure that resources are managed in a sustainable manner. They represent design criteria to ensure that projects implementing the Revised Plan move the MBNF toward the desired outcomes expressed in the goals and objectives. The standards and guidelines allow those who work for the Forest Service and with the public to design and administer projects that accomplish MBNF objectives.

Standards and guidelines allow for some local discretion given different site-specific conditions and circumstances, but they are definite expressions of management direction and do not allow much leeway without ample justification. I am confident that the package of standards and guidelines in Alternative D FEIS provides needed protection for resources while allowing managers to exercise their professional judgment when implementing activities.

During plan implementation, the standards and guidelines will be monitored to ensure that they are helping us meet the stated goals, objectives, and desired conditions.

Component 3. Establishment of Management Area Direction (Management Area Prescriptions and Associated Standards and Guidelines) for 26 Management Areas

Establishment of management area direction (Management Area Prescriptions and associated Standards and Guidelines for 10 management areas) is required by 36 CFR 219.11(c).

The following mix of 26 management area prescriptions in Alternative D FEIS will guide implementation of the Revised Plan. This direction will guide future management activities within each specific management area and is required by 36 CFR 219.11(c). Chapter 3 of the Revised Plan contains a complete description of the management area prescriptions.

ROD-Table 4. Alternative D FEIS acres by management area.

Medicine Bow National Forest Management Areas		Alternative D FEIS Acres
1.13	Wilderness, Semi-Primitive	78,908
1.2	Recommended for Wilderness	27,973
1.31	Backcountry Recreation, Year-round Non-motorized	63,067
1.33	Backcountry Recreation, Summer Non-motorized with Winter Snowmobiling	64,561
1.5	Wild Rivers	7,052
2.1	Special Interest Areas	18,708
2.2	Research Natural Areas	15,476
3.31	Backcountry Recreation, Year-round Motorized	67,613

Medicine Bow National Forest Management Areas		Alternative D FEIS Acres
3.33	Backcountry Recreation, Summer Motorized with Winter Non-motorized	3,828
3.4	Scenic Rivers	1,285
3.5	Forested Flora or Fauna Habitats, Limited Snowmobiling	49,156
3.54	Special Wildlife Areas (Sheep Mountain)	16,990
3.56	Aspen Maintenance and Enhancement	30,280
3.58	Crucial Deer and Elk Winter Range	59,763
4.2	Scenery	14,878
4.3	Dispersed Recreation	23,442
5.12	General Forest and Rangelands–Rangeland Vegetation Emphasis	66,837
5.13	Forest Products	132,047
5.15	Forest Products, Ecological Maintenance and Restoration Considering the Historic Range of Variability	281,835
5.41	Deer and Elk Winter Range	62,610
5.42	Bighorn Sheep Habitat	7,998
7.1	Residential/Forest Interface	26 sites
8.21	Developed Recreation	4,788
8.22	Ski-based Resorts, Existing and Potential	1,364
8.3	Utility Corridors and Electronic Sites	10 points
8.3	Utility Corridors and Electronic Sites	55 miles
8.6	Administrative Sites	1,040
	Total	1,084,390

Component 4. Determination of Lands Suitable for Timber Harvest. Determination of Lands Suitable for Grazing and Browsing (36 CFR 219.15, 219.20). Identification of probable occurrence of various minerals and potential for future mineral development (36 CFR 219.22). Identification of Lands Available for Oil and Gas Leasing and subject to constraints (lease stipulations) (36 CFR 228.102(c) and (d)). Provision for a Broad spectrum of Forest Related Outdoor Recreation Opportunities (36 CFR 219.21).

Timber Suitability: An extremely important facet of this plan revision is timber management. 320,754 acres within Alternative D FEIS are determined to be suitable for timber management. The average annual ASQ for the Forest is 22.8 million board feet (4.9 thousand cubic feet). (FEIS, Chapter 3, Timber and Appendix B)

Range Suitability: Livestock grazing will continue on the MBNF. We are emphasizing effective management of grazing allotments through the development of individual Allotment Management Plans. Alternative D FEIS has 884,233 acres suitable for cattle grazing and 958,250 acres suitable for sheep grazing. This is no

change from the 1985 Plan. These rangelands can meet the needs of livestock permittees. Grazing will continue to be a valued use of resources on the MBNF. The amount of suitable rangelands in Alternative D FEIS should accommodate livestock needs, while maintaining healthy herds of elk, antelope and deer and protecting other wildlife habitats, including grasslands, shrublands, riparian areas, and wetlands. (FEIS, Chapter 3, Appendix B)

Probably Occurrence and Future Mineral Development Potential: Occurrence and future mineral potential is discussed in FEIS, Chapter 3, Minerals.

Availability for Oil and Gas Leasing: 265,298 acres or 24 percent of the Forest is determined to be available for oil and gas leasing with certain lease stipulations as specified in Revised Plan, Appendix E. There will be 63,182 acres available with standard stipulations; 4,276 acres with timing limitations; 98,945 acres with No Surface Occupancy; 80,724 acres with Controlled Surface Use; and 18,173 acres with both Controlled Surface Use and Timing Limitations. 75% of the Forest acreage is considered to have no recognizable potential for oil and gas development and the remaining 25% of the Forest has either low or moderate potential. None of the Forest has high potential for oil and gas development. (FEIS, Chapter 3, Oil and Gas, and Revised Plan Appendix E)

With management responsibility and authority for the federal mineral estate, the BLM also plays a role in managing oil and gas resources underlying NFS lands. The BLM is a cooperating agency in this analysis in accordance with the 1991 Interagency Agreement for Oil and Gas Leasing between the Forest Service and BLM. The oil and gas analysis addresses all federal minerals including those under non-federal surface (split estate) lands with any known oil and gas leasing potential within the boundaries of the NFS units to which the analysis applies. Based on the oil and gas analysis for this decision, the BLM will make decisions for leasing federal mineral estate under Forest Service administered surface and under non-federal surface (split estate lands) within Forest Service units, as appropriate (43 CFR 3101.7).

Outdoor Recreation Opportunities: Alternative D FEIS provides for a fairly broad spectrum of outdoor recreation opportunities. Backcountry prescriptions emphasize the more primitive end of the spectrum, while developed roads and trails and water improvements emphasize the less primitive aspects of recreation. Alternative D FEIS features a broad mix of resource prescriptions including backcountry non-motorized recreation, SIAs, dispersed recreation high use, developed recreation, and ski-based resorts. A broad range of travel management opportunities exists from non-motorized areas to motorized opportunities. (FEIS, Chapter 3, Recreation and Appendix B)

Component 5. Establishment of Requirements for Monitoring and Evaluating the Implementation of the Revised Plan to Meet the Requirements of 36 CFR 219.11(d).

A key feature of all alternatives is the monitoring plan (Chapter 4, Revised Plan). Monitoring and adaptive management principles are cornerstones of ecosystem

management. They allow us to be responsive to changing circumstances and changes in science and technology. MBNF monitoring questions have been developed to help ensure that, by implementing this Revised Plan, we are meeting the goals and objectives. An annual Monitoring Plan of Operations will be prepared each year, identifying how the monitoring questions will be addressed. Results of monitoring will be documented in a Monitoring and Evaluation Report. The frequency of reporting is outlined in the Revised Plan Chapter 4. Key components of the Monitoring and Evaluation Report will be the Evaluation and the Action Plan. This will evaluate whether we are moving toward the Forest goals and objectives and desired conditions. This will also validate whether we are meeting expected outcomes. Based on the results, amendments to the Plan could be made to reflect necessary changes.

The 1985 monitoring plan was detailed, specific, and lacked flexibility. It focused on quantifying outputs rather than using qualitative assessment to determine how well the implementation of the Revised Plan was helping us achieve desired goals and objectives. In the development of the Revised Plan, the monitoring focus shifted from specific activities to broad programmatic requirements. These broad requirements satisfy the regulatory provisions and are responsive to the plan goals and objectives. Because the requirements are flexible and adaptable, they allow new knowledge and techniques to be easily incorporated into the monitoring plan.

Monitoring plans do not vary between alternatives. The Monitoring and Evaluation Chapter in the Revised Plan identifies the legally required monitoring activities; the action, effect, or resource to be measured; the monitoring schedule; and the level of precision or reliability. Also listed are additional monitoring activities to be conducted based on funding and availability of personnel.

Component 6. Recommendations Regarding Additions to the Wilderness Preservation System and Wild and Scenic Rivers.

Documentation that we will/will not recommend any further additions to the wilderness preservation system or for wild and scenic river is required to meet the requirements of 36 CFR 219.17(a) and 219.18.

Of the 31 Inventoried Roadless Areas evaluated, all areas are capable and available for wilderness designation. The following areas are recommended for wilderness designation: Huston Park Wilderness Additions (8,083 acres), Encampment River Wilderness Additions (2,349 acres), and Rock Creek (17,530 acres). (FEIS, Chapter 3, Roadless and Wilderness, and Appendix C)

The Plan also recommends that Congress designate the following Wild and Scenic River segments on the Medicine Bow National Forest: North Platte River (13.4 miles as Wild River and 2.9 miles as Scenic) and Encampment River (10.0 miles as Wild River and 1.3 miles as Scenic River). (FEIS, Chapter 3, Wild and Scenic River, Appendix E.)

IV. Changes Between Draft EIS and Final EIS

Alternative D FEIS, as described in the FEIS, is a modification of Alternative D described in the DEIS based on public comments and additional analysis conducted between draft and final. It is within the range of alternatives described and analyzed and is a modification of Alternative D DEIS. Major changes include management area allocations adjusted to respond to public comment. The following discussion summarizes the major changes between DEIS and FEIS.

A. Revised Biological Evaluation (BE) and Biological Assessment (BA)

1. Additional Management Direction and Additional Standards and Guidelines for Threatened, Endangered, and Region 2 Regional Forester's Sensitive Species (R2 Sensitive Species), and Species of Local Concern

The Revised Plan provides recommended conservation measures for numerous species at risk. Many of the conservation measures were incorporated into the Revised Plan between the DEIS and FEIS. During consultation for compliance with the Endangered Species Act, input from the USFWS also resulted in changes in management direction for the Revised Plan.

2. Changes in Species Addressed in BA

Mountain plover (*Charadrius montanus)* was dropped from the BA as the USFWS proposal to list the species as threatened was withdrawn on September 9, 2003. The species is now on the R2 sensitive species list and is addressed in the BE. At the request of the USFWS, an assessment was added for Wyoming toad (*Bufo baxteri*) and black-footed ferret (*Mustela nigripes*) though neither is found on Forest.

Four R2 Sensitive species that are also Candidates for federal listing were included in an appendix to the BA for comment by the USFWS (boreal toad, yellow-billed cuckoo, black-tailed prairie dog, and slender moonwort). These species are also addressed in FEIS, Chapter 3, Biodiversity and Appendix I.

3. Revision of Region 2 Regional Forester's Sensitive Species list

During the Plan Revision development the R2 Sensitive Species List was revised. As a result of the revision, 11 animal species were dropped and 15 animal species were added, including four fish species. Five plant species were dropped from the R2 Sensitive Species list and 20 plant species were added. See FEIS, Chapter 3, Biodiversity, and Appendix I .

4. Changes in Species of Local Concern

One of the Species of Local Concern in the DEIS, the black-backed woodpecker, was added to the Sensitive Species list and is now addressed in the "Sensitive Animals" section of the BE. One species that was addressed under "Other Species of Possible

Viability Concern" (the species under consideration for addition to the R2 Sensitive Species list when the DEIS was published), the brown creeper, was not selected as a R2 Sensitive Species (of concern on all units where it occurs in the Region) but is of concern on the MBNF. It is now considered as a Species of Local Concern. See FEIS, Chapter 3, Biodiversity and Appendix D.

B. Management Indicator Species (MIS)

Between DEIS and FEIS, the American marten was added as an MIS while three other species were dropped—the red-backed vole, Lewis's woodpecker, and chorus frog. See FEIS, Chapter 3, Wildlife and Appendix H.

C. Watershed Analysis

The Watershed Condition Assessment and Priority Watershed discussions and maps were updated to include the newest interagency watershed boundaries, names and codes (Hydrologic Unit Code). See FEIS, Chapter 3, Aquatic Resources, and Appendix B.

Additional analysis was conducted to identify and protect public water supplies that may be affected by management activities on the Forest. These changes are summarized in the water uses sections as well as the Geographic Area discussions.

Areas on the Forest with adequate reservoir storage to capture and utilize potential increases in water yield from vegetation management were identified. Desired condition statements were identified for these areas to maintain long-term water quality and quantity, while reducing the risk of catastrophic wildfire and insects and diseases.

D. Recreation Use Data

The FEIS analysis was enhanced by new information, specifically the National Visitor Use Monitoring Study information on visitor use, satisfaction, and primary activities. The information provided insights into our visitors and their satisfactions and expectations. We stated in the DEIS that this information would be not be available until after the release of the DEIS. We have incorporated that new information into the FEIS, Chapter 3, Recreation and Appendix B.

E. Modified Timber Analysis and Changes in Modeled Outputs

SPECTRUM is a model used to schedule timber harvest and determine ASQ for each alternative. Based on public comments and questions about the SPECTRUM model and the methodology used in applying some of the constraints, the SPECTRUM model Version 2.6 used in the DEIS was sent to an expert independent contractor for detailed evaluation and updating. For the MBNF, SPECTRUM was used as a timber harvest-scheduling tool, reporting timber outputs and timber costs and benefits, while tracking wildlife habitat structural stages and water yields. It is based on growth and

yield modeling from the Forest Vegetation Simulator. Detailed descriptions of modeling changes are described in FEIS, Appendix B.

Primary changes included:

- Improvements to the model to more accurately reflect management constraints.
- Additional reporting variables to provide more detailed tracking of growth and yield and habitat structural stages.
- Estimates of water yield due to vegetation management.

These modifications resulted in higher estimates of timber outputs (ASQ) across all alternatives except Alternative F that decreased as a result of corrections in constraints specific to that alternative. The ASQ for Alternative D-FEIS is a 29% (5.1 MMBF) increase from Alternative D as modeled in the DEIS (Alternative D DEIS had an ASQ of 17.7 MMBF per year). Due to the modeling changes between DEIS and FEIS, Alternative D DEIS is now modeled at an ASQ of 24.2 MMBF. Alternative D FEIS has an ASQ of 22.8 MMBF. See FEIS, Chapter 3, Timber.

While the modeled outputs increased as a result of these updates, the overall alternative theme, distribution of management areas, and standards and guidelines are similar to those published in the DEIS. The modeled output for Alternative D-FEIS is within the range of ASQ analyzed in the DEIS.

F. Economics and Communities

In response to comments on the DEIS, the Communities section has been modified for the FEIS, Chapter 3, Communities. Two of the most substantial changes follow from major changes in other parts of the FEIS. Many comments were received on levels of timber harvest, timber industry viability, and related community effects. In response to these comments, extensive and updated data on the local timber industry were obtained, realistic levels of timber harvest from all sources in the timbershed were estimated, and timber-related employment and income effects were determined.

Another topic that received much comment was recreation use, especially snowmobiling, and its related impacts upon the local tourism industry. In response to these comments and the arrival of new, statistically reliable data on Forest Service recreation use, recreation use estimates were revised, growth projections to 2010 were modified, and community impacts were re-estimated.

The sales and lodging tax consequences of projected tourism levels in 2010 were re-estimated.

Less substantial changes included a revision to grazing levels and financial/economic efficiency determinations to 2010 using all revised data. One key indicator was replaced: “acres converted from agriculture,” which was unaffected and weakly linked to this decision, was replaced with local government fiscal impacts, which is strongly linked to tourism projections.

All of the changes noted above can be found in the Economics, Local Governments, and Financial and Economic Efficiency parts of the FEIS, Communities section. Other changes were made to the FEIS, Demographic subsection. Foremost among the changes was a Tribal component added to many parts of the Demographic subsection, including environmental justice. The history of communities around the Forest was streamlined and the Community of Interest section was dropped given minimal interest in and comment on these subsections.

G. Revised Estimates of Potential Occurrences of Fire, Insects, and Diseases

The estimates of the extent of stand-replacement wildfire and non-stand replacement wildfire was revised between the DEIS and the FEIS. Estimates in the FEIS were based upon information on stand replacement fire from the report, Historic Variability for Upland Vegetation in the Medicine Bow National Forest, Wyoming. (Dillon, et al., 2003)

Those estimates were revised and listed as a range of values in the FEIS, Chapter 3, Insects and Disease, instead of absolute values as defined in the DEIS. The estimates of the extent of insects and diseases were also revised between the DEIS and the FEIS. An insect hazard analysis was completed on the lodgepole pine, spruce-fir and ponderosa pine cover types between the DEIS and the FEIS. This information was applied to the estimate of potential occurrence of insects and disease. The results of this analysis are included in the FEIS. The insect risk rating is moderately high or high on greater than 22,687 acres across the Forest. When similar insect risk rating procedures are applied to all acres by cover type, the insect risk is high on 153,073 acres and moderate on 354,533 acres across the Forest. (The methodology for this analysis is displayed in FEIS, Appendix B – Insect Risk Analysis.)

H. Updated Oil and Gas Leasing Stipulations

Between the DEIS and this FEIS resource inventories and land status continued to be updated. This resulted in some minor changes to acreages and the elimination of a timing limitation stipulation for Merlin because Merlin habitat is not found in the analysis area. More importantly, Plan Standards and Guidelines were updated to reflect the latest research and information. As a result, seasonal and distance limitations resulting in oil and gas leasing stipulations were modified to be consistent with the latest information and Plan Standards and Guidelines. Three stipulations were added to provide additional protection for: bald eagle foraging habitat; bald eagle winter roosts; and Swainson's hawk nests. And finally, only those oil and gas leasing stipulations that would be included in the Plan for the preferred alternative are included in Plan Appendix E, Oil and Gas Leasing Stipulations. Stipulations needed to implement alternatives other than the preferred alternative were moved to FEIS, Appendix K.

As a result of these changes, there was a reduction of 6,257 acres of No Surface Occupancy and a 3,747-acre increase in Timing Limitations. Slight changes were made in the number of acres with Standard Lease Terms (increase of 1,029 acres), Controlled Surface Use (increase of 2,561 acres), and Controlled Surface Use and Timing Limitations (decrease of 1,080 acres). See FEIS, Chapter 3, Oil and Gas.

I. Increase in Old Growth Percentages for Desired Condition

Commentors on the DEIS asked the Forest to validate the requirements for old growth forest, with regard to how well they correlated to the Historic Range of Variability. Referencing studies conducted at Yellowstone National Park (a reference landscape), new standards were developed for Alternative D FEIS. Alternative D FEIS increased in spruce/fir, lodgepole and aspen old growth percentages by cover type. See FEIS, Chapter 3, Biodiversity and Appendix D.

ROD-Table 5. Old growth percentages, Alternatives A, D DEIS and D FEIS.

Cover type	Percent of the Cover Type within each Mountain Range		
	Alt A	Alt D DEIS	Alt D FEIS
Spruce/fir	10%	20%	25%
Lodgepole	10%	15%	15%
Ponderosa pine	10%	25%	25%
Aspen	10%	10%	20%

The spruce-fir is at the low end of estimated typical conditions created by natural processes. At 20%, there was concern about retaining connectivity in areas where old growth was reduced to the minimum level. For lodgepole pine, the concern was that, at 10%, most of the old growth could be lost in a single fire. Old growth is especially vulnerable since the distribution is by mountain range and requirements for distribution across the range are not strictly defined (because of varied existing condition across Geographic Areas). For aspen it was determined that 10% is at the low end of what occurred commonly under natural processes. No commercial harvest is expected to occur in aspen, so the only loss of existing old aspen will be from natural processes or from a limited amount of regeneration with disturbances designed to diversify age class distribution. (The existing percentage of old growth aspen based on inventoried stands is 24% to 59%, depending on criteria used.) See FEIS, Chapter 3, Biodiversity, and Appendix D.

J. Increased allocation of Deer and Elk Winter Range MA 5.41 to more closely tie with mapped habitat

The acreage of MA 5.41 doubled (to about 60,000 acres) from Alternative D DEIS to Alternative D FEIS. The changes in Sierra Madre and Medicine Bow Ranges are minor (mostly caused by map adjustments to natural boundaries such as ridges). Deer and Elk Winter Range increased on Pole Mountain due to boundary adjustments to definable features on the ground such as roads, streams, or ridges. Most of the change

in MA 5.41 is on the Laramie Peak Unit and is based on discussions with Wyoming Game and Fish. See FEIS, Chapter 3, Wildlife.

V. The Planning Process and Public Involvement

A. Scoping

The Forest published the Notice of Intent to revise the Plan on October 5, 1999. The Forest and the State of Wyoming conducted public meetings between November 2001 and February 2002 to scope with the public on the revision topics and alternative themes. Public comments were used to refine the issues and alternative themes to create the alternatives and revision topics that are addressed in the FEIS. During the alternative development process, several groups came forward to offer suggested alternatives for consideration in the EIS process: Recreationists of the Bow (Alternative C), Biodiversity Associates (Alternative F), Rocky Mountain Activist Network (Alternative G), and local timber industry representatives (Alternative H).

B. Public Meetings

In February and March 2003, the Forest and the State of Wyoming conducted open house public meetings in ten communities near the Medicine Bow: Rawlins, Saratoga, Laramie, Cheyenne, Douglas, Encampment, Baggs, Walden, Casper, and Wheatland. Substantive comments were used to refine the draft plan and draft environmental impact statement (DEIS). In addition, Forest Supervisor Mary Peterson met with representatives from several organizations who offered specific comments on the Draft Revised Forest Plan and DEIS. (See FEIS-Appendix A for description of public involvement throughout the entire planning process.)

C. Cooperating Agencies and Consultation

Beginning in February 2003, the Forest and its Cooperating Agencies, including the State of Wyoming, seven southeastern Wyoming County Conservation Districts, Carbon and Converse Counties, and the BLM held a series of deliberative meetings to work on plan related resource issues. Together, teams of cooperators and Forest specialists addressed specific direction and analysis in the draft plan and DEIS and made recommendations for changes. The Forest consulted with Indian tribal governments and as a result incorporated goals, objectives, standards and guidelines in the Revised Plan that ensure consultation with tribes during plan implementation and protection of right, traditions and resources used by tribes.

D. Public Comment

Public comments formed the framework for the refinement of the Medicine Bow Draft Revised Forest Plan. The Forest received approximately 20,000 cards and letters that represented diverse viewpoints during the official 90-day comment period. The Revised Plan and FEIS include changes that directly reflect public comments.

VI. Alternatives Considered In Detail

A. All Alternatives

Each alternative was designed around a theme for management that achieves the purpose and need for revision and responds to the revision topics. All alternatives include the concepts of multiple-use, sustained yield, biological diversity, and ecosystem management while meeting the requirements of 36 CFR 219.27, as well as all other legal and regulatory requirements. Alternatives B, C, D FEIS, and E share a set of basic goals and standards and guidelines that ensure protection of forest resources and compliance with applicable laws and all alternatives fully considered using a new numbering scheme for the management areas that is consistent with other forests and grassland units in the Rocky Mountain Region. While Alternative A has similar management direction to Alternatives B, C, D FEIS, and E, it does not include specific management direction for lynx conservation. Objectives, forestwide standards and guidelines, and geographic area direction in Alternative D FEIS was revised based on public comment. Alternative F had its own specific objectives and standards and guidelines that were contained in the FEIS, Appendix K.

Each alternative applies a set of forestwide standards and guidelines ensuring basic resource protection, provision of services, and compliance with applicable laws. Individual management area direction is constant across all alternatives. Where alternatives differ most significantly is in the allocation of land to specific management areas and specific uses, acres and areas of recommended wilderness, designation of RNAs and other SIAs, areas of suitable range and timberlands, and areas designated for motorized and non-motorized recreation opportunities (Chapter 2 FEIS). These alternatives are described here in general terms, in relation to the revision topics. Only very major alternative elements are discussed, and the reader is encouraged to review both Chapters 2 and 3 of the FEIS for the full scope of the alternatives and their effects.

Each alternative is essentially a separate and distinct set of Management Area allocations and a distinct Management Plan. The alternatives in the DEIS were developed without preconceived notions of a preferred alternative. The preferred alternative (Alternative D) in the DEIS has been changed in the FEIS in response to public comments and consultation with other government agencies. While all alternatives provide a wide range of multiple uses, goods, and services, some alternatives give slightly more emphasis to particular uses in order to respond to public comment and to explore management options, opportunities, and trade-offs. The characteristics of alternatives considered in detail, and modified based on public comment and interagency coordination on the DEIS, are described below.

B. Description of Alternatives Considered in Detail

In making my decision, I have considered the seven alternatives described in detail in Chapter 2 of the FEIS. The following are summary descriptions of each alternative,

including the theme statement. For a more complete description of each alternative and how it responds to the revision topics, see FEIS Chapter 2.

Alternative A

This alternative is an updated form of the no-action alternative and reflects current forestwide direction. It meets the planning requirement (36 CFR 219.12(f)(7)) that a no-action alternative be considered.

'No Action' means that current management allocations, activities, and management direction found in the existing Forest Plan, as amended, would continue. This Alternative retains the goals and objectives of the 1985 Forest Plan. However, there have been amendments to the 1985 Plan, changes in law, regulation, Forest Service policy, modeling techniques, and other factors. This Alternative incorporates these changes and would continue current implementation of the Plan. It includes updated Management Area prescriptions identified by the Rocky Mountain Region of the Forest Service.

This multiple-use alternative does not recommend any wilderness, SIAs, or RNAs and does not provide for an area of non-motorized backcountry recreation or a wide range of recreation opportunities.

Alternative B

This alternative provides a mix of multiple-use activities with a primary emphasis on timber harvests that incorporate ecosystem management principles introduced after 1985. Management will work towards an even distribution of age classes, and will strive to produce a variety of goods and services that contributes to local economies.

This alternative would emphasize production of commodities, such as livestock, minerals, oil, gas, and timber.

Alternative C

This alternative provides a mix of multiple-use activities, with a primary emphasis on enhancing recreation opportunities. Recreation management, together with vegetation management, will strive to produce a variety of goods and services that contribute to local economies.

This alternative would modify the current management plan direction by emphasizing motorized recreation opportunities.

Alternative D DEIS

This alternative provides a mix of multiple-use activities with a primary emphasis on enhancing non-motorized recreation opportunities while maintaining active forest vegetation management. Non-motorized uses play a larger role than in Alternative A.

This alternative modifies the 1985 Management Plan direction by adopting additional special area designations, such as SIAs, and placing added emphasis on native plants and animals, and recreation opportunities.

Alternative D FEIS (Selected Alternative)

This alternative provides a mix of multiple-use activities with a primary emphasis on enhancing non-motorized recreation opportunities while maintaining active forest vegetation management. Non-motorized uses play a larger role than in Alternative A.

Changes in Alternative D FEIS from the DEIS include the following: fewer acres in Recommended Wilderness due to the change in MA allocation of Laramie Peak from MA 1.2 to MA 1.31 Backcountry Year-round Non-motorized, fewer acres of MA 1.33 Backcountry Recreation, Summer Non-motorized with Winter Snowmobiling, more acres in MA 2.2 Research Natural Areas, more acres in MA 3.31 Backcountry Recreation, Year-round Motorized, fewer acres in MA 3.5 Forested Flora or Fauna Habitats, Limited Snowmobiling, more acres in MA 5.12 General Forest and Rangelands, fewer acres in MA 5.15 Forest Products, Ecological Maintenance and Restoration, and more acres in MA 5.41 Deer and Elk Winter Range.

Alternative E

This Alternative provides a mix of multiple-use activities with a primary emphasis on protecting existing roadless character and emulating natural landscape patch size in many areas where timber harvest is allowed.

Alternative F

This Alternative provides a mix of multiple-use activities with a primary emphasis on providing non-game wildlife habitat through designation of mature forest core and linkage systems. It allows natural patterns and processes to occur at high levels.

C. Alternatives Considered but Eliminated From Detailed Study

Four alternatives were considered and eliminated from detailed study during the planning process. The alternatives are discussed more specifically in Chapter 2 of the FEIS, including the reasons why they were eliminated from detailed study. The following is a brief description of these alternatives.

Non-Commodity Based Alternative (Benchmark Alternative G)

This alternative was originally presented as an entirely non-commodity based alternative by a variety of interested groups and citizens. As originally presented this alternative: prohibits most commercial timber harvesting; withdraws wilderness, roadless areas, RNAs, SIAs, wild and scenic rivers, and special wildlife habitats from mineral extraction; prohibits oil and gas leasing; permits naturally caused fires to burn unless human life or property is threatened; prohibits clearcutting and precommercial thinning; restricts snowmobile use to roads and trails; recommends all roadless areas

for Wilderness designation; designates all potential RNA's; and eliminates all livestock grazing.

Maximum Timber Yield Alternative (Benchmark Alternative H)

This alternative was proposed by representatives of timber industry. This Alternative provides a mix of multiple-use activities with an emphasis on vegetation management to promote local economies, a balanced mix of age classes, and sustained flows of a variety of goods and services.

Maximum Water Yield Alternative

This alternative theme was proposed after the March public open houses. It was discussed with representatives from the timber industry and the State of Wyoming. The theme of the alternative is to maximize water yield through reductions in the density of forest canopy through timber harvest. The alternative offers an estimate of how much water might be produced if timber harvest were maximized on the Forest and therefore was combined into Alternative H with the Maximum Timber Harvest alternative above.

Local Governments Coalition Alternative

After publication of the DEIS, the Local Governments Medicine Bow National Forest Plan Coalition, submitted comments on the DEIS and included a proposed alternative for consideration. This alternative focused on personal and structural safety of the surrounding communities of the MBNF and restoration of the wildland-urban interface fire-dependent vegetation communities. Critical to this alternative was the proactive management approach of preempting large destructive wildfires.

The Forest Service reviewed this alternative in depth and determined that while it contained a unique theme, management proposals for specific areas, and numerous recommendations for Forestwide guidance, it was not significantly different from components of other alternatives already developed.

As a result of this determination, this alternative was considered as a comment on the DEIS and not added to the range of alternatives already identified. In cooperation with members of the Local Governments Coalition who were cooperating agencies in the revision process, key elements of the proposed alternative and accompanying comments were identified and incorporated into the selected alternative and Forest Plan direction.

VII. Summary Comparison of Alternatives by Management Areas

Table S-1, Summary of Key Land Allocations: Management Area Prescriptions, FEIS, Chapter 2 displays the management area allocations for each of the alternatives considered in detail.

VIII. Discussion of the Comparison of Alternatives by Major Revision Topic

A. Biological Diversity

Biological diversity was analyzed in a two-stage process. This approach utilizes a broad ecosystem analysis as the first stage and a single-species analysis as the second.

The Ecosystem Analysis focused on understanding dominant disturbance processes and evaluating how proposed management interacts with current conditions in light of those processes. Ecosystem components of composition (cover type), structure (habitat structure stages and landscape arrangement of patches) and function (growth and disturbance processes) provide a basis for describing ecosystem diversity.

The Single-Species Analysis is conducted on those species where there is a known viability concern. The Single Species Analysis is an analysis of particular species and their habitats. These species have been identified as having a need for a more rigorous examination of viability.

Although the vegetation will change with time, the spatial extent of cover types will remain relatively stable. Alternatives F, D DEIS and D FEIS, have a greater predicted occurrence of natural processes.

Alternative F has the least stand replacement disturbance predicted from both natural disturbance and management and would support the most extensive area of older forest over the long-term. Alternative A has the next least amount of stand replacement disturbance. Alternatives C, D DEIS, and E follow with an increasing amount of stand disturbance and fewer acres of older forest. Alternatives B and D FEIS have the greatest amount of stand disturbance and are predicted to support the least older forest over the long-term.

The alternatives with the greatest allocation of land to renewable resources uses in order are Alternatives B, A, C, D DEIS and D FEIS, E, and F. If "extreme" conditions were to occur, or a series of years with "ordinary" conditions but relative high fire occurrence, along with planned harvesting, older forest habitats could become rare on the landscape with respect to HRV. Alternatives E and F have the largest amount of planned wildlife habitat restoration. Alternatives D DEIS and D FEIS have the greatest amount within MA 5.15 that emphasizes restoration activities.

Historically, fire suppression and grazing have altered the non-forested systems on the Forest. While all alternatives restore fire as the primary agent-of-change, Alternatives D DEIS, D FEIS, and E do so to the greatest extent.

While Alternatives A and F have different standards for old growth, all alternatives will meet the minimum standards for old growth retention and management set for the alternative. Alternative F is likely to exceed these minimums.

Alteration of patch sizes will vary by alternative and occur primarily as a result of timber harvesting, road construction, and natural disturbances such as those from

wildfire, insects and disease. Patch sizes will be reduced through timber harvest and road construction most significantly (ordered from high to lower) in Alternatives A, B, C, D FEIS, D DEIS, E and F. Natural disturbance processes will influence patch size most in Alternative F, followed by E, D DEIS, D FEIS, C, B and A.

Changes to levels of snags and coarse woody debris on the Forest varied by alternative and occur primarily as a result of timber harvesting, and natural disturbances such as those from wildfire, insects and disease. Reductions in snag and coarse woody debris levels as a result of harvesting will be highest to lowest (in order) in Alternatives A, B, C, D DEIS, D FEIS, E, and F. Changes based on natural disturbance processes in order from highest to lowest will be Alternatives F, D DEIS, E, D FEIS, C, B, and A.

Alternatives F and E would work to actively alter native ecosystem processes the least while Alternatives D-DEIS, and D-FEIS (in order presented) would have an increasing effect on the extent and frequency of natural disturbance agents. Alternatives A, B, and C would have the greatest potential adverse effects based on the percentage of areas where natural processes could be interrupted.

Occurrence of fire, insect, and disease on the Forest will depend on the amount of pre-suppression measures taken and on climatic factors. Potential occurrence, by alternative, in order from most to least are; Alternatives F, E, D DEIS, D FEIS, C, A and B.

The complete discussion of effects by alternative to elements of biodiversity is located in FEIS, Chapter 3, Biodiversity and Appendix D.

B. Timber Suitability and Management

Identification of lands suitable for timber production is one of the key decisions made in a forest plan. The process to determine timber suitability is found in 36 CFR 219.14, and FSH 2409.13. It is described in detail in Appendix B of the FEIS.

1. Timber Suitability

ROD-Table 6. Timber suitability**.**

	Alt A	Alt B	Alt C	Alt D DEIS	Alt D FEIS	Alt E	Alt F
Tentatively Suitable and Common to all Alternatives	663,557	663,557	663,557	663,557	662,756	663,557	663,557
Suitable Acres	474,828	407,803	370,662	330,561	320,754	290,157	172,455

Source: GIS Data layers.

2. Allowable Sale Quantity

The Allowable Sale Quantity (ASQ) for each alternative was formulated by considering the tentatively suitable timberland base, multiple-use objectives, and the

management requirements in the NFMA regulations. The ASQ is considered a ceiling or upper limit on harvest in each decade. A discussion of the analysis process and use of model constraints is found in Appendix B of the FEIS.

The following figure displays the amount of ASQ for each alternative. The ASQ was remodeled for all alternatives between Draft and Final. ASQ is for the full implementation level.

ROD-Table 7. Allowable sale quantity (ASQ) by alternative.

	Alt A	Alt B	Alt C	Alt D DEIS	Alt D FEIS	Alt E	Alt F
ASQ MMBF/yr	28.9	27.2	25.8	24.2	22.8	20.7	3

In Alternatives B-F, only management area prescriptions 5.11, 5.13, 5.4 and 5.15 contribute towards the ASQ. Timber harvest may be allowed in other management area prescriptions, but only to meet other resource objectives compatible with the management area in question. Harvest in these areas would not contribute towards the ASQ but would contribute towards the total timber sale program level. Alternative A has a variety of additional management area prescriptions that contribute to ASQ. These additional prescriptions are used only because they reflect current management under Alternative A.

As a ceiling on timber sold from suitable timber lands, ASQ has not been a reliable predictor of actual harvest levels. Annual budgets, project appeals, litigation, market conditions, natural disasters, and changes in national policies affecting resource management all have combined historically to influence timber harvest levels on the MBNF. Some of these factors tend to reduce harvest levels, while others increase the levels. ASQ volumes include only sawtimber harvested from suitable timber lands.

3. Total Sale Program Quantity

Timber products other than live sawtimber and salvage of dead timber can be harvested from both suitable and unsuitable timber lands. Fuel treatment in the wildland urban interface is a good example of an activity yielding timber products that generally do not come from suited timber lands. While these products are not counted toward allowable sale quantity, they nonetheless count toward total harvest volumes. The sum of volume from these products, live sawtimber, and firewood for personal use is called Total Sale Program Quantity (TSPQ). For a detailed discussion of TSPQ, see FEIS, Chapter 3, Timber and Appendix B.

ROD-Table 8. Average annual total sale program quantity for first decade (MMBF) by alternative.

Budget Level	A	B	C	D DEIS	D FEIS	E	F
Experienced Budget Level	15.3	17.6	15.3	15.1	15.1	12.0	4.8

Budget Level	A	B	C	D DEIS	D FEIS	E	F
Desired Budget Level	37.2	35.2	33.5	31.6	30.0	27.4	6.1

4. Timber Supply

Estimating sawtimber volume harvested and processed locally during the first decade of the plan must consider a variety of factors – some that influence timber supply and others that influence mill capacities. While national forest timber has been a relatively low share of total timber harvest in the market area, the balance of timber supplies has been provided by state, private, and other ownerships. It is generally recognized that recent volumes from state and private ownerships are not sustainable in the long run. Estimates of all supply sources are captured in the table below.

ROD-Table 9. Total timbershed sawtimber supply in 2010 by source scenario (MMBF).

	Anticipated Harvest		Anticipated Harvest		Desired Budget Level Harvest	
Alternative	Routt NF	State/Private/ Other	Medicine Bow NF	All Sources	Medicine Bow NF	All Sources
A	18	10	10.7	38.7	29.0	57.0
B	18	10	12.6	40.6	27.3	55.3
C	18	10	10.7	38.7	25.9	53.9
D DEIS	18	10	10.5	38.5	24.3	52.3
D FEIS	18	10	10.5	38.5	22.9	50.9
E	18	10	7.9	35.9	20.8	48.8
F	18	10	1.9	29.9	3.0	31.0

Timber markets have changed dramatically in recent years, and especially since the Forest Plan was first approved. Changes in the industry now come more quickly than in years past. There are three large sawmills around the forest, two of which recently changed ownership or management. Given the complexity and volatility of today's timber industry, it is difficult to forecast future production at any of these facilities. Several scenarios were developed to aid in estimating industry consequences of the alternatives.

Anticipated sawtimber volumes from the MBNF, if experienced budget levels continue throughout the first decade, may add sufficient supplies to satisfy modest industry processing capacity – either 1-shift operations at most mills, including the one at Saratoga, or greater than 1-shift operations at most mills excluding the mill at Saratoga. Because total timbershed volume would fall short of fully utilizing all local industry one-shift capacity, not all mills may be equally viable. Since Alternatives A, C, D DEIS, and D FEIS fall short by 9 MMBF of a combined 1-shift production at all mills, it is uncertain whether all mills would continue operation, some choosing to operate at less than 1-shift, or whether one mill would close. Should budgets and

other factors not limit sawtimber volume, then slightly more than half of the maximum industry capacity would be utilized. (FEIS, Chapter 3, Timber and Appendix B.)

C. Recreation Opportunities

Recreation management means providing a range of recreation opportunities to meet the needs of users and local communities in balance with protection of forest resources. All forest management alternatives provide for continued recreation management, but vary the mix of recreation opportunities.

Recreation use is expected to increase as fast as the population or by approximately 51% by 2050. Most of the increase will occur in pleasure driving, viewing scenery, all winter activities, hiking and walking, and all traditional forest activities (Bowker, et. al. 1999). Use will increase regardless of the Alternative chosen.

The Recreation Opportunity Spectrum (ROS) is a systematic approach to determining the range of opportunities based on access, setting, number of people (density) in one area, and the degree of management an area receives. Management Area prescriptions set the direction for ROS. The following two tables show how summer and winter ROS classes vary by alternative. The higher use areas are classified as Roaded Natural (RN), Rural (RL) and Rural Modified (RM). Semi-primitive non-motorized (SPNM) and semi-primitive motorized (SPM) areas represent less interaction among users than the previous classes.

1. Summer Recreation Opportunity Spectrum

The following table displays the summer ROS for each alternative. Alternative F emphasizes the semi-primitive end of the spectrum, while Alternative B emphasizes the roaded and developed end of the spectrum.

ROD-Table 10. Summer ROS class (acres by alternative).

ROS Class	A	B	C	D DEIS	D FEIS	E	F
SPNM	213,928	181,932	239,463	316,919	286,266	265,054	*433,331*
SPM	264,189	210,322	216,268	199,855	223,056	254,595	*302,892*
RN	277,661	*272,074*	250,461	244,707	257,205	249,466	171,865
RM	292,491	*371,934*	331,590	278,166	274,388	269,853	134,397
RL	36,445	*48,351*	45,344	44,967	43,475	45,647	42,129

2. Winter Recreation Opportunity Spectrum

The following table displays semi-primitive motorized (SPM) and non-motorized (SPNM) ROS classes in the winter. The winter ROS assumes low densities of users in most areas outside roads, staging areas, and inside the developed ski area. For the most part, roaded natural, rural and non-use (Sheep Mtn) remain the same for all alternatives in the winter ROS.

ROD-Table 11. Winter ROS class for SPNM and SPM (acres by alternative).

ROS Class	A	B	C	D DEIS	D FEIS	E	F
SPNM	185,139	180,125	192,909	317,239	342,455	483,411	940,119
SPM	854,159	859,173	846,389	722,058	696,880	555,886	99,179

Alternatives B and C would provide for essentially the same amount of semi-primitive opportunities, both motorized and non-motorized as the 1985 Plan. The remaining Alternatives would increase the SPNM and decrease SPM, progressively from Alternatives C through F.

The ROS class does not necessarily mean opportunities are already available. Opportunities need to be provided, including trail development, and other user conveniences. Winter trails and other facilities are dependent on funding. The State Trails program provides grant that may be available to the Forest in any Alternative. (FEIS, Chapter 3 Recreation and Appendix B.)

D. Roadless Area Allocations and Wilderness Recommendations

To disclose how alternatives vary in consistency with the Court enjoined Roadless Area Conservation Rule (RACR) and to display retention of roadless characteristics, Management Areas were grouped into three categories:

- Category 1 – Permit actions that will not retain roadless characteristics,
- Category 2 – Permit actions that will retain roadless characteristics and are consistent with the prohibitions of the RACR that has been set aside by the Court, and
- Category 3 - Permit actions that retain roadless characteristics but are inconsistent with prohibitions of the RACR that has been set aside by the Court.

The following table displays how each alternative allocates the Inventoried Roadless Areas (IRAs) to Categories 1, 2, and 3.

ROD-Table 12. Inventoried Roadless Areas: Acres Allocated to Categories 1, 2, and 3 for each Alternative

Category	Acres/ Percent	Alt A	Alt B	Alt C	Alt D DEIS	Alt D FEIS	Alt E	Alt F*
1	Acres	110,206	101,048	56,599	10,696	17,075	4,113	5,076
	Percent	34	32	18	3	5	1	2
2	Acres	8,709	126,078	205,451	232,397	220,370	134,910	312,576
	Percent	3	39	64	73	69	42	98

Category	Acres/ Percent	Alt A	Alt B	Alt C	Alt D DEIS	Alt D FEIS	Alt E	Alt F*
3	Acres	200,818	92,607	57,683	76,640	82,280	180,710	2,081
	Percent	63	29	18	24	26	57	<1

Source: GIS (ARC/Info), roadless inventory and allocation layers
**Alt F contains public-proposed recommended wilderness acres that are not part of the FS Inventoried Roadless Areas. Under Alt F, Those additional 17,000 acres on the four subunits of the Forest are Consistent with the set aside RACR or fall into Category 2.*

The Forest Service evaluated each of the 31 IRAs to determine its suitability as potential wilderness. Alternatives A, B, and C, have no acres or areas assigned from IRAs to MA 1.2, Recommended Wilderness. Five individual IRAs showing clear evidence of current and future public need for wilderness were allocated to Management Area 1.2 in Alternative D DEIS. Those areas are Little Snake, Huston Park Addition, Encampment River Addition, Rock Creek and Laramie Peak IRAs.

Alternative D DEIS recommends 60,836 acres from five IRAs for wilderness designation. Alternative D FEIS recommends 27,963 acres from four IRAs. Alternative E recommends 4,553 acres from two IRAs. Alternative F recommends 254,497 acres from 30 agency IRAs and an additional 16,860 acres from NFS lands not included in the agency inventory of roadless areas. Those additional acres not included in the agency inventory occur on the following mountains: Sierra Madre (7,006 acres), Medicine Bow Mountains (2,373), Sherman Mountains or Pole Mountain (7,026), and Laramie Peak Unit (579 acres). (FEIS Chapter 3, Roadless and Appendix C.)

E. Special Areas

1. Special Interest Areas

Designating SIAs will preserve and protect areas of local interest. SIAs are managed to protect their unique values and to develop areas for public education and to provide interpretative opportunities, where appropriate. Many uses are allowed in SIAs, including recreation, livestock grazing, mineral leasing, and road construction, but only if such uses do not degrade the characteristics for which these areas are designated. (FEIS Chapter 3, SIAs and Appendix K.)

The following table shows potential SIAs by alternatives and approximate acreages:

ROD-Table 13. Acres of Special Interest Areas by Alternative.

SIAs	Alt A	Alt B	Alt C	Alt D DEIS	Alt D FEIS	Alt E	Alt F
Number	6	11	8	15	13	15	5
Acres	4,304	17,725	1,776	29,763	18,708	24,135	7,892

2. Research Natural Areas

A principle purpose of the Research Natural Area System is to provide a representative range of relatively undisturbed sites for research, monitoring, biodiversity protection and as reference areas for management activities throughout the National Forest System lands. A variety of uses are allowed in RNAs as long as the activity or uses do not become a threat to the values for which the RNA was proposed and as long as RNA management plan direction is followed.

Every alternative retains the Snowy Range RNA. (FEIS Chapter 3, RNAs and Appendix F.)

The following table displays the potential number of RNAs, acres included in each alternative, and acres included in designated Wilderness Areas.

ROD-Table 14. Acres of RNAs by alternative.

Research Natural Area	Alt A	Alt B	Alt C	Alt D DEIS	Alt D FEIS	Alt E	Alt F
Number	1	1	1	2	6	7	10
Total Acres	749	749	749	4,229	15,476	38,575	33,825
Acres in Wilderness	0	0	0	3,480	10,043	11,856	0

Source: GIS

3. Wild and Scenic Rivers

See FEIS, Chapter 3, Wild and Scenic Rivers and Appendix E. The following table displays miles of recommended Wild or Scenic River by Alternative:

ROD-Table 15. Recommendation for wild or scenic river by alternative (miles).

	Alt A	Alt B	Alt C	Alt D DEIS	Alt D FEIS	Alt E	Alt F
Total Wild Miles	0.0	27.20	23.47	23.47	23.47	27.20	41.20
Total Scenic Miles	0.0	4.21	2.91	4.21	4.21	22.18	26.18
Total Combined Miles	0.0	31.41	26.38	27.68	27.68	49.38	67.38

F. Oil and Gas Leasing

Approximately 25% of the MBNF has low or moderate potential for oil and gas development. Approximately 75% has no potential. Only those areas with oil and gas potential were analyzed since these areas are considered for potential leasing in the future. The following table displays the total amount available for leasing and the associated leasing stipulations by alternative.

ROD-Table 16. Oil and gas resource potential acres by category by alternative.

	Alt A	Alt B	Alt C	Alt D DEIS	Alt D FEIS	Alt E	Alt F
Total Federal mineral estate	272,524	272,524	272,524	272,524	272,524	272,524	272,524
Acres not available for leasing	272,524	7,226	7,226	7,226	7,226	7,226	7,226
Acres available for leasing	0	265,298	265,298	265,298	265,298	265,298	265,298
Acres open for leasing with stipulations							
No Surface Occupancy (NSO)	NA	0	97,411	105,200	98,943	74,742	193,745
Timing Limitation (TL)	NA	0	896	529	4,276	326	1,976
Controlled Surface Use (CSU) and Timing Limitation (TL)	NA	0	20,505	19,253	18,173	54,623	17,537
Controlled Surface Use (CSU)	NA	0	67,742	78,162	80,723	81,214	19,414
Standard Lease Terms (SLT)	NA	265,298	78,744	62,153	63,182	54,392	32,625
Total	NA	265,298	265,298	265,298	265,298	265,298	265,298

Projected activity levels for conventional oil and gas (2 wells drilled, none expected to be productive) will be affected by the number of acres not available for leasing or available with NSO stipulations in areas identified as having potential for oil and gas occurrence.

ROD-Table 17. Effects of alternatives on the number of projected wells based on the reasonably foreseeable development scenario.

	Alt A	Alt B	Alt C	Alt D DEIS	Alt D FEIS	Alt E	Alt F
Wells Eliminated, Conventional	2	0	0	1	1	0	2
Total	0	2	2	1	1	2	0

Alternative A and F would have the most wells eliminated by the proposed Plan and stipulations, followed by Alternatives D DEIS and D FEIS. Alternatives B, C, and E would have the fewest wells affected or eliminated by the stipulations.

(See FEIS, Chapter 3, Oil and Gas and Revised Plan, Appendix E.)

G. Other Revision Topics

A comparison of alternatives for other revision topics can be found in Chapter 2 of the FEIS.

IX. Comments Submitted by the Public

Issues, concerns, and comments on the DEIS and Draft Revised Plan received particular consideration in the decision-making process. The environmental

consequences of Alternative D FEIS and the other alternatives have been studied thoroughly. Alternatives are described and compared in Chapter 2 of the FEIS. Environmental consequences are discussed in Chapter 3. Responses to DEIS comments are provided in Appendix L of the FEIS. The following are some of the major comments provided to the FEIS and Final Plan.

Old Growth—The Forest received many comments on the amount and distribution of old growth forest, where it should be allocated, and how it should be allocated. The Forest responded to these comments by revising the minimum old growth percentages for spruce/fir, lodgepole and aspen, providing provisions for recruitment old growth, and including an objective for mapping and managing old growth stands within the first three years of plan implementation. An adequate inventory to allocate old growth into discrete management areas is not available and I believe that allocating old growth into discrete management areas will reduce flexibility of managers to provide for old growth and replacement old growth as natural disturbances occur that might change the amount and distribution of these important habitats. (FEIS, Chapter 3, Biodiversity and Appendix D, and Revised Plan, Chapter 1, Biological, Biological Diversity.)

Protection of Bighorn Sheep—The Forest received comments from the public and state agencies about this issue. As a result, more protections were included in the Revised Plan at the Geographic Area level for Geographic Areas on Laramie Peak and the Snowy Range within and adjacent to known ranges of Bighorn Sheep herds, especially regarding protections to reduce the risk of disease transmission from domestic sheep to bighorns and to improve habitat quality. (FEIS, Chapter 3, Wildlife, and Revised Plan, Chapter 2 MA 3.58, and Chapter 3.)

Theme and Desired Conditions of MA 5.15—Commentors cited confusion over the theme and desired conditions of MA 5.15 as it related to or differed from MA 5.13. Notable changes were made between Draft and Final Revised Plans to address how management toward restoring HRV conditions would occur. Changes were made in the MA 5.15 direction to allow management of age classes toward HRV conditions, to provide for security areas and linkages between secure habitats, and to provide for created openings that better reflected natural disturbance conditions for size and configuration of disturbed areas. (Revised Plan, Chapter 2, MA 5.13 and MA 5.15.)

Economics of Changes to Snowmobile Use on local communities—Many commentors worried that changes in snowmobile use areas on the Forest would create unacceptable economic impacts to local communities for which snowmobiling is an important tourism component. As a result of these comments, changes were made in management area prescriptions and configurations of management areas to retain important snowmobile areas on the Forest while providing for the protection of wildlife and habitats and while providing important areas for non-motorized winter recreation. New recreation use data were used in the FEIS analysis for use and economics. (FEIS, Chapter 3, Communities.)

Economic Impacts of Timber Supply—Some commentors worried that the DEIS ASQ was reduced and what the effects of a reduction in ASQ would be on effects to the economy of Carbon County, especially since the mill in Saratoga had just closed. As stated earlier in this decision, timber analysis was revised between DEIS and FEIS, as well as the resultant economic and social analyses associated with timber sale levels. (FEIS, Chapter 3, Communities.)

Fire and Fuels Management—Many commentors stated their concern for making sure management prescriptions allowed for active vegetation and fuels management treatments and fire suppression, especially adjacent to communities at risk and adjacent private lands. In many cases changes in Management Area boundaries were adjusted to allow for management prescriptions that allowed vegetation management in these interface areas. (FEIS, Chapter 3, Fire and Fuels, and Revised Plan, Chapter 1, Biological, Disturbance Processes-Fire and Fuel Treatment.)

Fire, Insects and Disease—Many commentors stated concerns about having too much of the Forest in management prescriptions that allowed natural processes to occur. Concerns were stated about how vegetation, drought, and insect conditions can lead to extensive losses of resources including water quality, amounts of old growth, values of intermingled and adjacent state and private lands, and timber resources. In some cases management area boundaries and prescriptions were changed to provide some increased protection in some areas of the Forest. Insect and disease analysis was revised between DEIS and FEIS. (FEIS, Chapter 3, Insects and Disease and Revised Plan, Chapter 1, Biological, Insects and Disease.)

Laramie Peak Recommended Wilderness—Many commentors stated concerns about recommending Laramie Peak for wilderness designation. Concerns included: wilderness designation may increase use and create conflicts with local landowners that surround the area; the Laramie Peak electronic site at the top of the peak detracts from wilderness values; adverse impacts to hunters and outfitters and guides may occur from potential wilderness designation; 33% of National Forest System lands in Wyoming are already wilderness. Based on public comments and those from the State of Wyoming, Laramie Peak was changed from MA 1.2 Recommended Wilderness to MA 1.31 Backcountry Year-round Non-motorized and MA 2.1 Special Interest Area for the Ashenfelder Basin. (FEIS, Chapter 3, Roadless, Appendix C, Revised Plan, Chapter 2, MA 2.1)

Mountain Bike Use in Rock Creek Recommended Wilderness—Commentors either favored or opposed designation of Rock Creek as recommended Wilderness. Many commentors, including the State of Wyoming, who favored making Rock Creek recommended wilderness, were worried about the exclusion of mountain bicycle use on the trails. In response to these comments, the Revised Plan allows mountain bike use of the trails as long as that use does not change the physical character of the area that makes it suitable for wilderness designation. (FEIS, Appendix C; Revised Plan, Chapter 2, MA 1.2; Chapter 3, Snowy Range, Eastern Front)

Inventoried Roadless Area Management—Commentors either favored retaining roadless character in these areas or allowing multiple uses in these areas. The Forest and Cooperators considered roadless areas with potential for timber production and remapped additional timber production MAs within roadless areas. For the most part, however, the vast majority of roadless area acres will retain roadless character.

X. Identification of the Environmentally Preferred Alternative

National Environmental Policy Act (NEPA) regulations require agencies to specify the alternative or alternatives which were considered to be environmentally preferable [40 CFR 1505.2(b)]. Forest Service policy (FSH 1909.15, Section 05) defines environmentally preferable as:

> "An alternative that best meets the goals of Section 101 of NEPA. … Ordinarily this is the alternative that causes the least damage to the biological and physical environment and best protects, preserves, and enhances historical, cultural, and natural resources."

The goals of Section 101 of NEPA are:

1. Fulfill the responsibilities of each generation as trustees of the environment for succeeding generations.
2. Assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings.
3. Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences.
4. Preserve important historic, cultural, and natural aspects of our natural heritage and maintain, wherever possible, an environment, which supports diversity and variety of individual choice.
5. Achieve a balance between population and resource use, which will permit high standards of living and a wide sharing of life's amenities.
6. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

Given these criteria, Alternative D FEIS has been identified as the environmentally preferred alternative. This ROD has discussed the decision process and the comparisons of the alternatives through a deliberative process. That process, described in the previous section, included the evaluation of net public benefit, attributes and advantages. Although Alternative F would allow the fewest ground-disturbing activities (the traditional measure of the environmentally preferred alternative), it does not meet the six criteria as well as Alternative D FEIS.

It is my assessment that Alternative D FEIS best meets the goals and the substantive requirements of Section 101 of NEPA. It will ensure the future health of the land by

providing appropriate opportunities for active management to work in concert with natural ecological processes. The maintenance of forest health and the physical resources is attained while securing the viability of plant and animal species into the future.

Opportunities for quality visitor experiences are plentiful. Alternative D FEIS provides for a wide range of beneficial uses. Standards and guidelines within the Revised Plan will prevent undesirable and/or unintended outcomes.

Alternative D FEIS management area allocations preserve historic and natural aspects of the Forest and they provide for the expression of a variety of individual preferences. I believe that Alternative D FEIS also achieves a balance between sustainable resource use and ecological sustainability that will best satisfy a variety of public needs and uses. This alternative provides for high-quality, sustainable resource management. Enhancing forest health while providing sustainable resource production and recreation opportunities will continue to contribute to the vitality of local communities.

XI. Findings Required by Other Laws

I have considered the statutes governing management of the Medicine Bow National Forest, and I believe this decision represents the best possible approach to both harmonizing and reconciling the current statutory duties of the Forest Service.

A. Clean Air Standards

As discussed in Chapter 3 of the FEIS, Air Resources, all lands managed by the Forest are currently in attainment with the National Ambient Air Quality Standards. Compliance with air quality statutes is directed in the Revised Plan, Chapter 1, Physical, Air.

All areas of the MBNF including all the wilderness areas on the Forest currently meet air quality standards and show no degradation to visibility or other air-quality-related values. Compliance with local, state, and federal air quality regulations will ensure that future forest management activities under any of the alternatives will continue to protect air resources on the forest and not contribute to air quality degradation off the forest. Planned activities will be mitigated to prevent cumulative effects from having unacceptable impacts to air resources. The State of Wyoming has the regulatory authority for controlling emissions throughout the State of Wyoming, including those emissions with the potential to adversely impact resources on the Forest.

B. Clean Water Act

The Revised Plan contains direction to ensure all projects comply with the requirements of the Clean Water Act. This direction is found in the Revised Plan, Chapter 1, Physical, Water and Aquatic. A watershed condition assessment was completed to show the current condition of streams and watersheds on the Forest. This information is found in the FEIS, Chapter 3, Aquatic Resource.

The Rocky Mountain Region Watershed Conservation Practices Handbook, released on December 26, 1996 (amended on December 18, 2001, R2 amendment number 2509.25-2001-1), provides direction for protection of soil, aquatic and riparian systems. Implementation of the Revised Plan is expected to contribute to protecting or restoring the physical, chemical and biological integrity of water of the United States in accordance with the Act.

C. National Historic Preservation Act

In accordance with a Memorandum of Understanding with the Advisory Council on Historic Preservation, Forest Plans are not undertakings under the National Historic Preservation Act. Consultation pursuant to Section 106 of the Act is **not** required at the Forest Plan level. As discussed in the Heritage Resource section of Chapter 3 of the FEIS, activities in the Revised Plan will be in compliance with the Act. Conformance with the Act is directed in the Revised Plan in Chapter 1, Social, Heritage. Additional direction is found in FSM 2360.

D. Endangered Species Act (ESA)

The Revised Plan addresses the potential effects of forestwide programmatic direction rather than site-specific projects. Projects developed under the direction of the Land and Resource Management Plans require additional NEPA analysis that address effects to ESA species and require that all projects comply with ESA. A Biological Assessment, FEIS, Appendix L, was prepared to evaluate the potential effects of the proposed Revised Forest Plan on federally listed species and their habitats. The MBNF Revised Plan complies with the ESA in several ways. First, the Plan is designed to conserve federally listed species and helps achieve USFWS Recovery Plan goals. This Revised Plan also incorporates management direction to minimize or avoid adverse effects to federally listed species and their critical habitat. In their December 23, 2003 Biological Opinion (BO), the USFWS concurred that the proposed action would have no effect on the black-footed ferret or Wyoming toad, and is not likely to adversely affect the bald eagle, Ute's ladies' tresses, or Colorado butterfly plant.

"No Jeopardy" Finding for the Canada lynx

The BA prepared by the Forest Service concluded that the proposed action would result in "may affect, not likely to adversely affect" the Canada lynx. However, on December 26, 2002, the District Court in the District of Columbia (*Defenders of Wildlife, et. Al. v. Gale Norton*) enjoined the USFWS from issuing written concurrences until such time as critical habitat is designated for the lynx. Therefore, the USFWS addressed the lynx in their Biological Opinion and concluded (BO page 27) the proposed action is not likely to jeopardize the continued existence of the Canada lynx. No critical lynx habitat has been designated at the time of the FEIS and plan development. The Biological Opinion anticipated that impacts of the proposed action on habitat for the Canada lynx would be insignificant or discountable. If the USFWS designates critical habitat on the MBNF, we will review the Revised Plan to

determine if any changes are warranted, and will consult on any actions that may modify critical habitat.

Since no incidental take is anticipated for Canada lynx, no Reasonable and Prudent Measures or Terms and Conditions were deemed by the USFWS to be necessary.

"No Jeopardy" Finding for the Preble's Meadow Jumping Mouse

In their Biological Opinion, the USFWS concluded that the proposed action is not likely to jeopardize the continued existence of Preble's (BO page 45).

Status of Preble's Meadow Jumping Mouse Critical Habitat

Critical habitat was designated by the USFWS on June 23, 2003 (*Federal Register* 50 CFR Part 17, Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Preble's Meadow Jumping Mouse (*Zapus hudsonius preblei*); Final Rule). Two of the designated habitat drainages include land on the MBNF: Cottonwood Creek on Laramie Peak and Lodgepole Creek on Pole Mountain. The Biological Opinion concluded that the proposed action is not likely to adversely modify critical habitat of Preble's (BO page 45).

Reasonable and Prudent Measures for Preble's Meadow Jumping Mouse

The USFWS believes that the following Reasonable and Prudent Measures are necessary and appropriate to minimize impacts of incidental take:

> RPM 1. The USFS shall implement measures at the individual project level to eliminate or minimize potential adverse effects to Preble's and its critical habitat.
>
> RPM 2. The USFS shall ensure implementation of all relevant conservation measures identified and committed to as part of the Action (BO, Appendix I).
>
> RPM 3. The USFS shall ensure direct Preble's habitat disturbance does not exceed that discussed in the Final Assessment and evaluated in the Biological Opinion. Through minimization and monitoring of direct habitat disturbance, indirect disturbances to the species will be minimized.

Terms and Conditions for Preble's Meadow Jumping Mouse

In order to be exempt from the prohibitions of Section 9 of the Act (ESA), the USFS must comply with the following terms and conditions, which implement the reasonable and prudent measures described above and outline required reporting/monitoring requirements. These terms and conditions are non-discretionary and are incorporated into this decision as referenced.

T&C 1. As per Section 7 of the Act, the USFS will conduct site-specific consultation with the USFWS prior to authorization of any actions described in the revised MBNF LRMP which "may affect" Preble's or its critical habitat. These future consultations will provide a means for site-specific analysis and documentation of levels of "take" of Preble's.

T&C 2. Activities and habitat alterations that may harm Preble's will be planned to minimize any potential adverse effects to Preble's.

T&C 3. Following burns in suitable habitat within the range of Preble's on site surveys will be conducted using methods developed in concert with the USFWS to determine if vegetation has recovered.

T&C 4. In watersheds containing Preble's, allow activities and uses within the 100-year floodplain plus an additional 100 meters extending outward from the outer edge of the 100-year floodplain of perennial or intermittent streams only if on-site analysis shows that long-term hydrologic and riparian function, channel stability, riparian and stream habitat will be maintained or improved.

T&C 5. In the event a dead or injured Preble's is observed, USFWS Wyoming Field Office (307) 772-2374 and the Service Law Enforcement Office (307) 261-6365 will be notified within 24 hours of the discovery.

T&C 6. The USFS will monitor and restrict, when and where necessary, authorized or casual use activities that may impact Preble's or their habits including, but not limited to, prescribed burning or developed recreation activities. Monitoring results should be considered in the design and implementation of future projects.

To monitor the impacts of site-specific projects described in the LRMP, that are likely to adversely affect Preble's and its critical habitat, the USFS shall prepare a report describing the progress of each such site-specific project, including implementation of the associated reasonable and prudent measures, and impacts to the Preble's (50 CFR 402.14[i][3]). The report, which shall be submitted annually to the USFWS Wyoming Field office by January 1 beginning after first full year of implementation of the Proposed Action, shall list and describe:

1. adverse effects resulting from activities of each site-specific project; and
2. results of annual, periodic monitoring which evaluates the effectiveness of the reasonable and prudent measures as implemented by site-specific projects. Include items such as:
    a. assessment of whether implementation of each site-specific project is consistent with that described in the BA;
    b. compliance with terms and conditions; and
    c. documentation of sightings of listed species during activities of each site-specific project.

When a site-specific formal consultation occurs and a BO and Incidental Take Statement are issued, the USFS will report when and if the level of anticipated incidental take is approached (as allowed by that site-specific Incidental Take Statement) and when and if the level of anticipated take is exceeded.

The reasonable and prudent measures, with their implementing terms and conditions, are designed to minimize the impact of incidental take that might otherwise result from the activities described in the LRMP. If, during the course of the activities, any level of incidental take has exceeded that as permitted by site-specific formal

consultations for Preble's, such incidental take represents new information requiring re-initiation of consultation and review of the reasonable and prudent measures provided. The USFS must immediately provide an explanation of the causes of the taking and review with the USFWS the need for possible modification of the reasonable and prudent measures.

Actions Affecting Platte River and Colorado River Flows

The potential for increased water yield in the Platte River and Colorado River Basins include timber harvest, fuel treatments, wildfire, and mortality resulting from insects and disease. In their Biological Opinion, the USFWS found that these activities and processes would benefit federally listed species downstream in the Platte River and Colorado River Basins.

The USFWS has consistently taken the position in its section 7 consultations that Federal agency actions resulting in water depletions to the Platte River system may affect, and are likely to adversely affect, one or more federally-listed threatened or endangered species and their critical habitat. Federal agency actions resulting in water depletions are likely to adversely affect whooping crane and designated critical habitat, interior least tern, piping plover and designated critical habitat, pallid sturgeon, bald eagle, Eskimo curlew, and western prairie fringed orchid.

While the proposed LRMP does not authorize projects leading to depletions in the Platte River Basin, it identifies existing ditches and reservoirs that result in major depletions (>25 acre-feet). Future maintenance or expansion of these ditches or reservoirs will require formal section 7 consultation for effects of depletions to downstream federally listed species of the Platte River and their designated critical habitat.

The proposed LRMP also identifies several potential new projects that would result in minor (<25 acre-feet) depletions to the Platte River. The LRMP does not authorize these projects. Implementation of these new projects or any other projects leading to depletions to the Platte River will require section 7 consultation for effects of depletions to downstream federally listed species of the Platte River and their designated critical habitat.

A Recovery Implementation Program for Endangered Fish Species in the Upper Colorado River Basin was initiated on January 22, 1998. The Recovery Program was intended to be the reasonable and prudent alternative to avoid jeopardy to the endangered fish by depletions from the Upper Colorado River. Federal agency actions resulting in water depletions to the Colorado River system may affect the bonytail, Colorado pikeminnow, humpback chub, and razorback sucker and their designated critical habitat downstream in the Colorado River system.

While the proposed LRMP does not authorize projects leading to depletions in the Colorado River Basin, it identifies existing ditches that result in major depletions (>100 acre-feet). Future maintenance or expansion of these ditches will require

formal section 7 consultation for effects of depletions to downstream federally listed fishes of the Colorado River and their designated critical habitat.

The proposed LRMP also identifies several potential new projects that would result in minor (<100 acre-feet) depletions to the Colorado River. Implementation of these new projects or any other projects leading to depletions to the Colorado River will require section 7 consultation for effects of depletions to downstream federally listed fishes of the Colorado River and their designated critical habitat.

Section 7 (a)(1) Consultation for the Platte River Basin—In response to *Coalition for Sustainable Resources v. USFS (D.C. No. 98-CV-174-B)*

Approximately 943,000 acres of the MBNF lie within the Platte River Basin. In *Coalition of Sustainable Resources v. USFS* (10th Cir., Aug. 7, 2001), the Coalition alleged the MBNF failed to achieve timber harvest to increase the amount of water in the North Platte River to a level they alleged would promote recovery of threatened and endangered species utilizing that habitat. The district court dismissed the case as not yet ripe for review, and also found the Coalition had failed to state a claim upon which relief can be granted because the Endangered Species Act does not require federal agencies to adopt particular conservation measures. The court expects the forest plan revision process for the MBNF to address effects on downstream T&E species. The State of Wyoming is also interested in increasing water yield in the North Platte River to meet downstream obligations, particularly in drought years. In addition to consulting with the USFWS on downstream listed species as described in previously, the MBNF submitted a letter (October 8, 2003) to the USFWS describing how the proposed action balanced conservation and recovery of species that reside and/or breed on the Forest along with those species that reside and breed downstream.

In a December 9, 2003 letter from the USFWS they stated "On a number of occasions in the past, the [USFWS] has recognized the important participation and contributions of the Forest Service in the development of the Platte River Cooperative Agreement and Recovery Implementation Program. We believe that these efforts, and those programs identified in your letter, demonstrate a vigorous commitment by the Forest Service to carry out its obligations under section 7(a)(1) of the ESA by proactively assisting in the conservation and recovery of the Platte River ecosystem..……Additionally, the MBNF has identified several sub-goals and strategies to be implemented in the MBNF Revised Plan that support the recovery of federally listed species within the MBNF and the Platte River Basin. Some examples include: protecting and improving ecological conditions of the watershed to maintain water quality, water quantity, and soil productivity; identifying water use facilities that result in water quality and quantity that is incompatible with healthy aquatic and stream-dependent resources; and cooperating with the Service to develop and implement strategies to conserve and recover federally listed, proposed or candidate species under the ESA. We commend the MBNF, once again, for proactively demonstrating its strong commitment to carrying out responsibilities under section 7(a)(1) of the ESA."

E. Healthy Forests Restoration Act

On December 3, 2003 the Healthy Forests Restoration Act (HFRA) was signed into law by the President of the United States. A review of the HFRA against the Revised Plan management direction, done in accordance with Section 102 (e)(3)(B) of the Act, showed we are in compliance with all portions of this law and will not need to undertake any amendments to the Revised Plan, once signed, to be in compliance with any provisions of the HFRA. Specifically, with regard to Section 102(e)(2) of the Act, the Revised Plan provides management direction that allows the Forest "to maintain or contribute toward the restoration of, the structure and composition of old growth stands according to the pre-fire suppression old growth conditions characteristic of the forest type, taking into account the contribution of the stand to landscape fire adaptation and watershed health, and retaining the large trees contributing to old growth structure." (Review of HFRA against Revised Plan direction can be found in the Administrative Record.)

The Revised Plan management direction achieves the purposes of the HFRA to reduce the risk to communities, municipal water supplies, and other at-risk Federal lands by encouraging collaborative planning, prioritizing, and implementation of hazardous fuel reduction projects, by enhancing efforts to protect watersheds and address threats to forest and rangeland health, including catastrophic wildfire across the landscape, and by protecting, restoring, and enhancing forest ecosystem components to promote the recovery of threatened and endangered species, to improve biological diversity, and to enhance productivity.

F. Other Laws and Executive Orders

We have also determined in the EIS that the selected alternative, D FEIS, is in compliance with the following laws and executive orders:

- Executive Order for Environmental Justice.
- National Forest Management Act of 1976, as amended.
- Mineral Leasing Act as amended.
- Federal Onshore Oil and Gas Leasing Reform Act.
- Mining and Minerals Policy Act.

XII. Implementation

The approved plan shall not become effective until at least 30 days after publication of the Notice of Availability of the FEIS in the Federal Register, to comply with [NFMA] 16 USC 1604(d) and 1604(j). 36 CFR 219.10(c)(1)

A. Application to Contracts, Permits and Special Use Authorizations

Under NFMA, "permits, contracts, and other instruments for the use and occupancy" of National Forest System lands are required to be "consistent" with the current Land and Resource Management Plan. However, this requirement is not absolute. In the plan revision context, NFMA specifically qualifies the requirement in three ways: 1) these documents must be revised only "when necessary," 2) these documents must be revised "a soon as practicable," and 3) any revisions are "subject to valid existing rights."

In developing this Revised Plan, implementing pre-existing decisions and the associated effects of that implementation were considered part of the baseline against which the alternatives were evaluated. Because we considered these earlier decisions in our effects analysis, their implementation is not in conflict with the Revised Plan.

I have determined that it is not "necessary" to apply the Revised Plan's standards and guidelines retroactively, and I find that NFMA does not require revision of these pre-existing use and occupancy authorizations. However, I have also determined that I have the discretion, on a case-by-case basis, to modify pre-existing authorizations if they are not consistent with newly established standards, including the standards and guidelines in the Revised Plan. Use and occupancy agreements, which might require modification of pre-existing authorization, include those for timber harvesting, livestock grazing and farming.

Use and occupancy agreements are for a substantial term. For example, grazing permits are generally issued for a ten-year term. My discretionary decision is to require grazing permits to comply with the Revised Plan's standards and guidelines. The case law is clear that grazing permits are privileges rather than rights, and they are subject to modification by their terms and under the grazing regulations. The Forest is presently under a separate statutory mandate (Rescission Act, Public Law 104-19, Section 504; July 27, 1995) to schedule and complete NEPA analysis for all grazing allotments. The Forest has scheduled the required analyses, and I find that applying the Revised Plan's standards and guidelines through this process will meet the "as soon as practicable" provision.

Other classes of "use and occupancy" agreements will be reviewed to determine whether or when the Forest Supervisor should exercise his/her discretion to bring them into compliance with the Revised Plan.

The Forest will undertake many management activities to implement the Revised Plan. Unlike the programmatic decisions listed above, these activities are site-specific and require analysis and disclosure of effects under NEPA. These site-specific analyses will be done during implementation of the Revised Plan.

Site-specific analysis of proposed activities will determine what can be accomplished. The outcomes specified in the Revised Plan are estimates and projections based on

available information, inventory data, and assumptions. More information on the difference between programmatic and site-specific projects can be found in the planning record (Overview of Forest Planning and Project Level Decision-making, Gippert, OGC, June 2002, **http://www.fs.fed.us/forum/nepa/decisionm/index.html**) that is incorporated into this ROD by reference.

All activities, many of which are interdependent, may be affected by annual budgets. However, the desired future conditions, goals, objectives, standards and guidelines, and management area prescriptions described in the Revised Plan may not change unless the plan is amended.

XIII. Potential Amendments or Adjustments to the Revised Plan

The Revised Plan can be amended or revised to adjust to changing circumstances. The amendment process provides the flexibility to adapt the decisions made today to the realities of tomorrow.

If monitoring indicates that something in the plan is not working as anticipated, we may consider a specific amendment to adapt and improve the plan may be considered. These amendments may be "one time" or permanent amendments, depending on the circumstances. The Forest Service will involve interested people and organizations in all amendment processes.

A. Roadless Area Management

Currently enjoined by the U.S. District Court of Wyoming, the Roadless Area Conservation Final Rule, 66 FR 3244 (Roadless Rule), was signed by former Secretary of the U. S. Department of Agriculture Dan Glickman on January 12, 2001. The RACR, codified at 36 CFR 294 Subpart B (2001), would have prohibited new road construction and timber harvest in inventoried roadless areas subject to exceptions.

The RACR has been the subject of nine lawsuits in Federal district courts in Idaho, Utah, North Dakota, Wyoming, Alaska, and the District of Columbia. On May 10, 2001, the Idaho District Court granted the preliminary injunction requested in *Kootenai Tribe of Idaho v. Veneman* and *State of Idaho v. U.S. Forest Service*, enjoining the Forest Service from implementing "all aspects of the RACR." This action was appealed to the Ninth Circuit Court of Appeals by interveners in the Idaho cases. On December 12, 2002, the Ninth Circuit Court of Appeals issued a split (2-1) decision on the appeal of the Idaho District Court's preliminary injunction reversing and remanding that action. Plaintiffs in the Idaho cases requested that the Ninth Circuit reconsider this decision utilizing the full ten-judge panel. The Ninth Circuit declined this request on April 4, 2003, and issued its mandate to the Idaho District Court reversing and remanding the lower court's action on April 14, 2003.

On July 14, 2003, the U.S. District Court for the District of Wyoming issued a permanent injunction and set aside the RACR. The court found that the RACR was promulgated in a manner that was illegal, both procedurally and substantively. The court ruled against the government on five of six claims under NEPA, and also found that the RACR violated the Wilderness Act of 1964 because the timber harvest and road construction prohibitions constitute establishment of de facto wilderness (only Congress can designate wilderness areas). This decision has been appealed to the U.S. Court of Appeals for the Tenth Circuit.

The revision process began in October 1999, prior to the adoption of the RACR. As a part of the EIS process, an inventory of areas essentially roadless in character was completed for the planning unit. For each area, the FEIS contains a description of the affected environment along with a capability analysis, availability analysis, and an evidence of need for wilderness analysis (see FEIS, Appendix C). In addition, roadless areas were allocated to various management areas by alternatives. Roadless areas were considered for management areas that varied from Management Area 1.2 Recommended for Wilderness to Management Area 5.15 (see FEIS, Appendix C). In so doing, this plan revision process fully met the intent and direction of NFMA to consider the protection and management of roadless areas appropriately through forest planning.

There continues to be uncertainty with the roadless issue. Until further legal decisions are rendered, the Forest Service will manage inventoried roadless areas in compliance with the direction in the Revised Plan.

B. Southern Rockies Lynx Amendment

The Southern Rockies Lynx Amendment (SRLA) process is currently underway. The SRLA proposes to modify Forest Plan direction to conserve lynx and their habitat on seven southern Rockies national forests; this includes six national forests in Colorado and the MBNF in Wyoming. This amendment is intended to apply to approximately 51% of the 12.3 million acres across the seven planning units. The DEIS analyzes four alternatives and is planned for release in early 2004, after the MBNF Revised Forest Plan decision is approved. This MBNF decision approves Plan direction that conserves lynx habitat according to the Lynx Conservation Assessment Strategy (LCAS) published in 2000. Alternative B of the SRLA represents LCAS direction. The SRLA Final EIS and decision are expected to be published in the summer or fall of 2004. The SRLA process is proceeding according to 1982 Planning regulations (36 CFR 219.6 – Public Participation and 36 CFR 219.10 – Forest Planning–General Procedures (f) Amendments). The MBNF and Routt NF are managed under one administrative unit. In an effort to manage lynx consistently across both units, this amendment will continue to include the MBNF Plan within the scope of the project. If the SRLA decision is not consistent with the Revised MBNF Plan, an amendment to the Revised Plan will be issued.

XIV. Appeal Opportunities

This decision is subject to administrative review pursuant to 36 CFR 217. Any appeal of this decision must be fully consistent with 36 CFR 217.9, and be filed in duplicate with the Chief within 90 days of the published legal notice. Appeals should be sent to the following address:

USDA Forest Service
Attn: NFS-EMC Staff (Barbara Timberlake)
Stop Code 1104
1400 Independence Avenue, SW
Washington, D.C. 20250-1104

Any notice of appeal must include at a minimum:

- A statement identifying the document as a Notice of Appeal pursuant to 36 CFR Part 217.
- The name, address, and telephone number of the applicant.
- Identification of the document in which the decision is contained, by title and subject, date of the decision, and name and title of the Deciding Officer.
- Identification of the specific portion of the decision to which the appeal is being made.
- The reason(s) for appeal, including issues of fact, law, regulation, or policy.
- Identification of the specific change(s) in the decision that the appellant seeks.

For questions concerning the appeal process, contact:

USDA Forest Service
Attn: Ecosystem Management Staff
P.O. Box 96090
Washington, DC 20090-6090
(202) 205-1066

For questions concerning the Revised Medicine Bow National Forest Plan, contact:

Mary Peterson, Forest Supervisor
Medicine Bow-Routt National Forests
and Thunder Basin National Grassland
2468 Jackson Street
Laramie, Wyoming 82070
(307) 745-2300

XV. Conclusion

I am pleased to announce this decision and bring this phase of the MBNF plan revision to completion. The challenge that remains before all of us is to work together. Together we can meet the challenges, realize the opportunities, and achieve the goals and objectives of this Revised Plan.

The Revised Plan is our strategic plan for ensuring the long-term health of the land. We will use adaptive management as we work to implement it. We will carefully monitor our activities, the condition of the land, the goods and services produced, and the effectiveness of the resource protection measures included in the Revised Plan to ensure a healthy forest for future generations.

/s/ *Rick D. Cables* *12/29/2003*

RICK D. CABLES **Date**
REGIONAL FORESTER