

MEDICINE BOW NATIONAL FOREST

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Revised Land and Resource Management Plan

Final Environmental Impact Statement

# Purpose and Need

## Table of Contents

<b>CHAPTER 1.....</b>	<b>1-1</b>
Changes Between Draft and Final.....	1-1
Introduction.....	1-1
The Planning Unit.....	1-1
The Purpose of and Need for the Action.....	1-2
Need to Change.....	1-3
The Revision Topics .....	1-3
Biological Diversity .....	1-4
Roadless Area Allocation and Management .....	1-5
Timber Suitability and Forest Land Management.....	1-6
Recreation Opportunities .....	1-7
Special Areas.....	1-8
Oil and Gas Leasing.....	1-9
Downstream Threatened and Endangered Species .....	1-9
Significant Issues .....	1-10
Issues and Topics Raised But Not Addressed .....	1-10
Proposed Action.....	1-10
Decisions Made in Forest Plans .....	1-11
The Planning, Environmental Analysis and Decision Process.....	1-11

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## Changes Between Draft and Final

This FEIS has incorporated changes based on public comment on the DEIS. Changes included modifications to the preferred alternative, Forest Plan direction, and analyses. Changes are generally minor in nature, but are all determined to be within the range of alternatives and effects considered in the DEIS.

Key changes between DEIS and FEIS are identified and discussed in the appropriate sections of this document.

## Introduction

This is the Final Environmental Impact Statement for the Revision of the Medicine Bow Land and Resource Management Plan. In December 1992, the Medicine Bow National Forest and Thunder Basin National Grassland began work to revise its 1985 Land and Resource Management Plan. Following public involvement and preliminary analysis and assessment, the Forest published its Purpose and Need/Planning Criteria document in September 1993. In early 1995, the Medicine Bow National Forest and Thunder Basin National Grassland were administratively combined with the Routt National Forest of Colorado. At that time, the Thunder Basin portion of the Forest became part of the Northern Great Plains Management Plans Revision process. In 1995, both the Medicine Bow and Routt National Forests were undergoing revisions of their forest plans. Because the Routt National Forest's Plan Revision was nearer completion, the Medicine Bow Revision was delayed until the Routt Plan Revision was completed in February of 1998. The Notice of Intent to Revise the Medicine Bow Land and Resource Management Plan was published in the Federal Register in October 1999.

## The Planning Unit

The Medicine Bow National Forest lies in southeast Wyoming in the north-south trending Central Rocky Mountains. The Forest includes three distinct mountain ranges: the Laramie Peak Range, the Medicine Bow Mountains, and the Sierra Madre. The Sierra Madre Mountains are bisected by the Continental Divide. The Medicine Bow National Forest is the only National Forest in southeast Wyoming. Elevations range from 5,050 feet in the Laramie Range to 12,013 feet at Medicine Bow Peak in the Snowy Range of the Medicine Bow Mountains. Approximately

80% of the Medicine Bow is forested, and most forest regeneration occurs naturally, rather than by artificial planting or seeding. The Forest includes 1,095,386 acres in five Wyoming counties: Albany, Carbon, Converse, Natrona, and Platte. More than half the state's population lives in the vicinity of the Medicine Bow. The Forest Supervisor's Office and the state's only four year university are in Laramie, which is 50 miles from Cheyenne, the Wyoming state capital.

The Forest includes portions of two major drainage basins. The Green River Basin is the upper portion of the Colorado River system and drains the western section of the planning unit. The Platte River is the upper portion of the Missouri River Subbasin and drains the eastern section of the planning unit.

The Forest is divided into climatic/vegetation zones including high plains, lower montane forest, upper montane forest, subalpine forest and alpine tundra.

## **The Purpose of and Need for the Action**

The development of the revised plan and this accompanying Final Environmental Impact Statement is intended to address new information about the Forest and its uses and satisfy regulatory requirements of the National Forest Management Act. In 1982, instruction to revise forest plans and the basis for revision were detailed in the Code of Federal Regulations at 36 CFR 219. In 2000, the planning regulations were revised. However, the transition to the 2000 regulations was subsequently delayed until newer regulations could be completed. At the current time, regulations have not been finalized so revision of the Medicine Bow Forest Plan will proceed under the 1982 regulations. 36 CFR 219.10g has specific instructions for revising forest plans:

“A forest plan shall ordinarily be revised on a 10-year cycle or at least every 15 years. It also may be revised whenever the Forest Supervisor determines that conditions or demands in the area covered by the plan have changed significantly or when changes in RPA policies, goals, or objectives would have a significant effect on forest level programs. In the monitoring and evaluation process, the interdisciplinary team may recommend a revision of the forest plan at any time. Revisions are not effective until considered and approved in accordance with the requirement for the development and approval of a forest plans.”

The original Medicine Bow National Forest Land and Resource Management Plan was approved on November 20, 1985. As of 2002, it has been amended 18 times. The National Forest Management Act also requires that the basis for the revision be disclosed. The following section describes the need to change the 1985 Plan and the regulatory requirements for the proposed changes.

## Need to Change

Forest plan revision does not usually result in wholesale change of management direction. Accordingly, this revision will address management direction that incorporates new scientific findings, results in improvement or clarity, or is required by new regulations or new Forest Service policy.

Monitoring and evaluation of implementation of the current Medicine Bow National Forest Land and Resource Management Plan has helped identify management concerns, new issues, new information, and better ways to achieve goals and objectives. Inventory information about the Forest's land and water resources is more accurate than it was in 1985 as a result of continued updates. The Forest now has a Geographic Information System (GIS), which greatly enhances the plan revision process. The resource database, Rocky Mountain Resource Information System (RMRIS), has been used to improve use of field data. Knowledge of the physical, biological, and social processes occurring on the Forest has improved and increased during the life of the current plan. This new and emerging information contributes to the need for revision.

The need for revision also comes from new public issues, new desires, and new expectations of public land and resource management. The public has new issues, desires and expectations about Forest access, biodiversity, wildlife habitat, recreation, and timber management.

Finally, newly created or changed laws and policies affect forest plan content and forest management. Examples include the Oil and Gas Leasing Reform Act of 1987, the 1987 Clean Water Act, the Clean Air Amendments of 1993, the Government Performance and Results Act of 1993, Forest Service policies of Ecosystem Management (1992) and the USDA Forest Service Strategic Plan (2000).

## The Revision Topics

Revision topics are subjects in which resource conditions, technical knowledge, or public perception of resource management has created a potential need for change. These changes are generally important enough to:

- ♦ Affect large areas,
- ♦ Change the mix of goods and services produced, or
- ♦ Involve decisions in management direction where there is no public consensus on the best course of action.

There are six major revision topics identified in the Purpose and Need because they meet one or more of the criteria listed above. The revision topics address the central issues to which future management of the Medicine Bow National Forest must respond. Each of the seven forest plan revision alternatives described in Chapter 2 of this document represents a different set of answers to questions raised by the revision topics. The major revision topics are:

- ♦ Biological Diversity
- ♦ Roadless Area Allocation and Management
- ♦ Timber Suitability and Forest Land Management
- ♦ Special Areas
- ♦ Recreation Opportunities
- ♦ Oil and Gas Leasing



### Biological Diversity

Biological diversity is the full variety of life in an area. It includes the ecosystems, plant and animal communities, species and genes, and processes through which individual organisms interact with one another and their environments (USDA Forest Service 1992a).

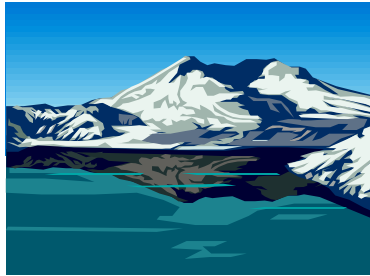
Biological diversity occurs at many scales, from molecular to landscape. Biological diversity at larger scales, such as watersheds and landscapes, includes the diversity of human cultures and lifestyles (Salwasser et al. 1993).

The goal of ecosystem management is to produce diverse, healthy, productive, and sustainable ecosystems based on environmental sensitivity, social responsibility, economic feasibility, and environmental principles. Maintaining biological diversity is a key part of ecosystem management. Land use decisions can change the biodiversity of a forest over time.

Conserving biological diversity while managing the land for multiple uses is difficult and controversial. Some people would like natural processes, such as fire, insects, and diseases, to occur with little or no human intervention; others want these processes prevented and suppressed through active management. Some want management to emphasize old growth and blocks of habitat, while limiting human disturbance. Others favor an even distribution of old growth but more acres of young, medium, and mature forests and mitigation of impacts to wildlife habitat.

Many concepts of biodiversity are new and were not addressed in the 1985 plan. The general direction of the 1985 plan, as well as standards and guidelines, goals,

and objectives did not address biological diversity per se, but considered ecosystems as a whole. Information about interactions among forest vegetation, wildlife, and physical features was not available in the 1980s. Therefore, this revision will represent both a scientific and practical advance over the current plan.



## Roadless Area Allocation and Management

Planning regulations (36 CFR 219.17) require the Forest Service to inventory, evaluate, and consider all roadless areas for possible inclusion in the National Wilderness Preservation System.

The Roadless Area Conservation Rule (66 FR 3244 or 36 CFR Part 294) was approved on January 12, 2001, and prohibits road building and timber harvest in inventoried roadless areas except under certain circumstances. During the development of this Forest Plan, the 2001 Rule was temporarily enjoined and the Forest Service operated under Interim Direction for management within inventoried roadless areas. Interim Directive 1920-2001-1 was issued on December 14, 2001, in order to provide some stability to the Roadless Rule.

A preliminary injunction order was issued in the Idaho Federal District Court on May 10, 2001, enjoining USDA and the Forest Service from implementing the January 2001 Rule. This order was appealed to the 9<sup>th</sup> Circuit Court of Appeals and a 2 to 1 split decision was issued on December 12, 2002, reversing the lower court's order. The 9<sup>th</sup> Circuit was requested to review their decision by the plaintiffs in the Idaho case and declined to do so on April 4, 2003. On April 14, 2003, the preliminary injunction was officially lifted. On June 14, 2003, Interim Directive 1920-2001-1 expired. There continues to be uncertainty with the Roadless Area Conservation Rule. In July 2003, US Federal District Court Judge Brimmer of Wyoming issued a permanent injunction against the January 2001 Rule.

This Plan was developed under the 1982 Planning Regulations, 36 CFR Part 219. As directed by 36 CFR 219.17(a), we followed regulation that states, "Unless otherwise provided by law, roadless areas within the National Forest System shall be evaluated and considered for recommendation as potential wilderness areas during the forest planning process as provided in paragraphs (a) (1) and (2) of this section". If the Roadless Area Conservation Rule goes into effect and is implemented, it will override any agency policy and any management area direction in this Plan. The Roadless Area Conservation Rule prohibitions will then apply within the boundaries of the IRA's published in the November 2000 FEIS maps. In addition, the Roadless

## PURPOSE AND NEED

Area Conservation Rule 36 CFR Part 294.14(b) states that this subpart does not compel the amendment or revision of any land and resource management plan.

As part of the revision process, the Medicine Bow used GIS to identify areas that meet the following criteria:

- ♦ Include 5,000 acres or more.
- ♦ Or contain less than 5,000 acres, but are contiguous to an existing wilderness.
- ♦ And contain no classified roads.

The roadless area inventory on the Medicine Bow National Forest, completed in 2000, identified 31 roadless areas on the Forest totaling 319,738 acres, about 29% of the Medicine Bow. In addition to inventoried roadless areas, existing Wilderness Areas total 7% of the Forest.

Management of inventoried roadless areas continues to be controversial due to varying public desires and resource demands for the roadless areas. Some people favor additional allocations of inventoried roadless areas to be recommended for wilderness designation, while others prefer to see the areas allocated to non-wilderness uses. The 1985 forest plan allocates a number of roadless areas to prescriptions that allow road building. As a result of this analysis, the Regional Forester will decide if any roadless areas are to be recommended for wilderness designation and how other roadless areas are to be managed.



### Timber Suitability and Forest Land Management

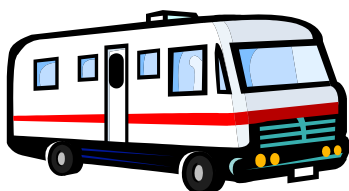
The forest plan revision process requires identification of areas suitable and available for timber harvest (36 CFR 219.14) and the Allowable Sale Quantity (ASQ), which is the maximum timber harvest allowed from those suitable and available lands. The 1985 Forest Plan allocates approximately two-thirds of the tentatively suited lands in seven management area prescriptions to timber management. Timber management in the suitable and available lands is practiced across these seven management areas with different emphases and objectives. The 1985 plan set the ASQ at 284 million board feet of sawtimber for the first 10 years of the 1985 plan. Between 1986 and 2001, the Forest sold an average annual timber volume of 12.6 million board feet, which is less than half of the ASQ.

Internal reviews, regulations, and public concern have identified the following conditions:

- ♦ Questions regarding the appropriate level of ASQ.
- ♦ NFMA required reevaluation of tentatively suited lands.



- ♦ Controversy over allocation of roadless areas to timber management prescriptions.
- ♦ Conflicts of including timber harvests which contribute to the Allowable Sale Quantity in areas with wildlife or recreation management prescriptions.
- ♦ The need for treatments based on current conditions for products other than sawlogs.
- ♦ Lack of demand for small diameter products other than logs, but the need to remove them from the forest to promote sawtimber growth and to reduce risks from wildfire.
- ♦ The need to define long-term sustainability of timber harvest within the context of multiple-use objectives and the need to maintain biological diversity.



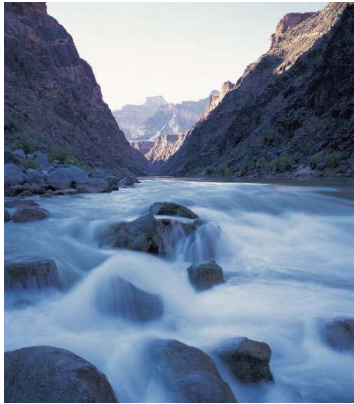
### **Recreation Opportunities (Travel Management is discussed, but is not a major topic)**

Since the current plan was released in 1985, recreation use of the Medicine Bow has increased, and the types of recreation have changed. Regional population growth and new technologies have contributed to the increase in year-round recreation, both motorized and nonmotorized.

The Medicine Bow has become a popular destination for snowmobiling and skiing, both downhill and cross-country. Mountain biking and off-road-vehicle (ORV) uses have grown in popularity, as have traditional uses, such as horseback riding, hunting, camping, and fishing. In addition, the greater number of Forest users and their improved means of mobility cause more environmental impacts than were observed when the 1985 plan was prepared. As a result, conflicts between motorized and non-motorized recreationists have increased.

Many people have expressed concerns about the mix of motorized and nonmotorized use of the Forest. Some have said there is generally enough motorized access, but specific areas are deficit, while other areas are not accessible. Others have said there is too much motorized access and some areas should be converted from motorized to non-motorized. Some people are concerned about the impacts of motorized recreation on wildlife, vegetation, soil, and water resources. Other users would like to see enhanced motorized opportunities.

The 1985 plan emphasizes roaded recreation opportunities, which are accommodated by an extensive road system. Many roads have been temporarily closed but not obliterated or returned to pre-roaded conditions in order to allow their use in future management activities. In 2000, the Forest Supervisor approved Phase I of a travel management decision, which restricts summer (snow-off season) motorized use to designated roads and trails. Designated roads and trails are generally those roads and trails managed by the Forest Service for motorized purposes. Prior to this decision, motorized use was evident off designated roads and trails. Phase II of the travel management decision will decide the future status of all elements of the Forest transportation system through site-specific analysis. Phase II is underway and is expected to be completed by 2007. Site-specific road and transportation decisions will not be part of this forest plan revision, but are influenced by the overall direction in the plan.



### Special Areas

Some areas of the Medicine Bow National Forest are being considered for a variety of special designations based on their unique or outstanding features, environmental values, or social significance. These designations include Wild and Scenic Rivers, Research Natural Areas, and Special Interest Areas.

Evaluation of rivers for inclusion in the national Wild and Scenic Rivers System is a requirement during forest planning. In the 1985 plan, there is no management designation specifically for Wild and Scenic Rivers. Six streams on the Medicine Bow are considered in one or more alternatives. Portions of some of the rivers recommended for Wild and Scenic designation lie within wilderness areas; therefore their unique qualities are safeguarded by wilderness standards and guidelines.

Research Natural Areas include relatively undisturbed areas that represent important natural ecosystems and environments. RNAs provide opportunities for scientific study and maintain representative and key elements of biological diversity. In 1993, the Rocky Mountain Regional Forester directed Forests in the region to expand the RNA system and make a concentrated effort to identify potential RNAs in forest plan revisions. Thirteen potential RNAs were considered in this revision process.

Special Interest Areas (SIAs) protect or enhance areas with unusual characteristics. Special interests may be botanical, historical, scenic, paleontological, or zoological. They can be managed to protect elements of biological diversity or for emotional

significance, scenery, or public popularity. Twenty-one potential SIAs were considered in this revision process

Public opinions about additional special interest areas on the Medicine Bow vary greatly. Some people want additional areas allocated to special designation, while others want little or no additional allocation of the Forest to special designations.



## Oil and Gas Leasing

Oil and gas leasing is a major revision topic, as required by the 1987 Federal Onshore Oil and Gas Leasing Reform Act. In 1990, the Forest Service developed regulations to implement that law.

Oil and gas leasing is a two-stage process. In a forest plan revision, lands are made administratively available for oil and gas leasing. The decision for site-specific leasing will be made in this plan revision decision.

The amount of area available and resource protection lease stipulations vary among the forest plan alternatives described in Chapter 2 of this document. Some members of the public are very concerned about potential environmental impacts of development of oil and gas leases on the national forest. Other people want the Forest to be available for oil and gas leasing.

There are no areas with high oil and gas occurrence potential. Approximately 272,000 acres have low or moderate potential.

## Downstream Threatened and Endangered Species

In addition to the major revision topics, a recent court ruling is actively considering management techniques that could potentially increase water in the North Platte River and thereby promote recovery of selected threatened and endangered species.

A recent 10<sup>th</sup> circuit court ruling (August 7, 2002) in the *Coalition for Sustainable Resources v U.S. Forest Service* case states that the Forest Service has not yet rejected the possibility of implementing the Coalition's proposed water yield management techniques so the agency action is not yet final. The water yield discussion and the biological assessment of downstream threatened and endangered species can be found in Chapter 2 and Appendix I, respectively. The U.S. Fish and Wildlife Service has provided the Forest with a list of downstream species for analysis.

## Significant Issues

Significant issues are areas of concern which are generally addressed through the alternative development process. Many other issues are important to address in the Forest Plan, but can generally be solved by developing standards and guidelines. In this document, the major revision topics represent the significant issues.

The focus of this forest plan revision is on multiple-use objectives. Each alternative emphasizes specific land and resource issues and de-emphasizes others. Because the alternatives reflect different preferences expressed by a diverse public, they contain trade-offs between competing desires and outcomes. Identification of the preferred alternative is based on the judgment that it provides the best resolution to the six revision topics as a whole.

## Issues and Topics Raised But Not Addressed

The public and other agencies identified a number of issues that were not addressed in the alternatives. These issues are summarized in Appendix A of the FEIS. There are several reasons why some issues were not addressed in the alternatives, including:

- ♦ The issues are outside the authority and jurisdiction of the Forest Service, such as grazing fee levels, global warming, or hunting regulations.
- ♦ The issues were addressed in standards or guidelines, management area prescriptions, or forest-wide goals and objectives.
- ♦ The issues are related to project implementation.

Some issues were not considered, because the 1985 plan adequately addressed them and there is no need for change. Direction that applies to these issues will be carried over into the revised plan. Finally, some issues need to be addressed by changes in law, regulation, national or regional policy, or by other agencies.

## Proposed Action

The Forest Service proposes to revise the 1985 Land and Resource Management Plan (forest plan) for the Medicine Bow National Forest. The revised forest plan will be used to guide all natural resource management activities on the forest to meet the objectives of federal law, regulation, and policy.

## Decisions Made in Forest Plans

The following is a list of key forest plan decisions for long-term management of national forests:

- ♦ Establish forest wide goals and objectives, desired condition and outputs, 36 CFR 219.11(b).
- ♦ Establish forest wide standards and guidelines, 36 CFR 219.13 to 219.27.
- ♦ Establish management area prescriptions and associated standards and guidelines, 36 CFR 219.11(c).
- ♦ Designate suitable timber land and establish the allowable sale quantity (ASQ). Designate lands suitable for grazing and browsing. Identify lands available for oil and gas leasing. 36 CFR 219.14, 219.16, 219.20, and 228.102(d).
- ♦ Establish monitoring and evaluation requirements, 36 CFR 219.11(d).
- ♦ Document that we will/will not recommend any additional wilderness areas. 36 CFR 219.17

## The Planning, Environmental Analysis and Decision Process

The USDA Forest Service Medicine Bow National Forest is the lead agency for preparation of this FEIS. The state of Wyoming (including Carbon and Converse Counties under the Memorandum of Understanding with the state), seven Conservation Districts that border the Medicine Bow National Forest and USDI – Bureau of Land Management (BLM) are cooperating agencies according to 40 CFR 1508.5. The state of Wyoming and seven Conservation Districts have special expertise they provided to the process. The BLM has legal jurisdiction for leasing federal minerals under National Forest System lands.

The Land and Resource Management Plan Record of Decision will document the decision of the Regional Forester and will set a course of action for management of the Medicine Bow National Forest for the next 10-15 years. The Forest Service Planning Handbook (FSH 1909.12) provides for systematic stepping down from the overall direction provided in the Plan when making project level decisions:

“Planning for units of the National Forest System involve two levels of decisions. The first is the development of a Forest Plan that provides direction for all resource management programs, practices, uses, and protection measures. The second level of planning involves the analysis and implementation of management practices designed to achieve the goals and objectives of the Forest Plan. This level involves site-specific analysis to meet NEPA requirements for decision-making. FSM 1922, 53 CFR 26807, 26809 (July 15, 1988).”

Environmental analysis will need to occur for specific project-level activities that carry out the direction in the Plan. A good example of this is travel management. The Plan contains direction to restrict travel to existing roads and trails, but a site-specific analysis and decision will have to be made for each area to determine which travelways should be closed or left open. This process is called “staged decision-making” because a series of decisions will be necessary to carry out projects as specific details, locations, and conditions become more apparent. Project-level decisions must include a determination that the project is consistent with a management Plan.

Copies of the Final Environmental Impact Statement, Revised Land and Resource Management Plan, Record of Decision and other associated documents can be obtained at 2468 Jackson Street, Laramie, WY 82070-6535. Documents are also available on the Internet at [www.fs.fed.us/r2/mbr](http://www.fs.fed.us/r2/mbr).