

Colorado Division of Wildlife

Colorado's

Inventoried Roadless

Areas

Petition Comments

**Initially submitted for consideration by
Colorado's Inventoried Roadless Areas Task Force
February 2006**

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Part 2

GMUG

Since the GMUG National Forests are in the final stages of revision, the Individual Inventoried Roadless Areas were summarized. Following are summary statements/ recommendations and individual inventoried roadless area recommendations. These "Field Recommendations" are submitted by Northwest and Southwest Region district and area wildlife managers and the terrestrial, aquatic and species conservation wildlife biologists

San Juan

Since the San Juan National Forest is in final stages of revision, the Individual Inventoried Roadless Areas were summarized. Following is a summary of "Field Recommendations" from Southwest Region district and area wildlife managers and the terrestrial, aquatic and species conservation wildlife biologists.

Pike / San Isabel

Since the Pike / San Isabel Nation Forest Plan is not schedule for revision completion until approximately 2009, **211** Individual Inventoried Roadless Areas were analyzed for wildlife values consistent with the federal requirements. Field Recommendations from Northeast and Southeast Region district and area wildlife managers and the terrestrial, aquatic and species conservation wildlife biologists have been received and are on the CD in this section. Also available for the Colorado Inventoried Roadless Area Taskforce in paper format.

211 IRA's

Arapaho Roosevelt

_____ Inventoried Roadless Areas Brief Descriptions and Recommendations

Routt

_____ Inventoried Roadless Areas Brief Descriptions and Recommendations

Rio Grande

_____ Inventoried Roadless Areas Brief Descriptions and Recommendations

White River/ Manti LaSal

_____ Inventoried Roadless Areas Brief Descriptions and Recommendations

PART 1: General Comments - Specific to all National Forests in Colorado.

This page left deliberately blank for Table of Contents Part 2 description expansion.

PART 1: General Comments - Specific to all National Forests in Colorado.

Executive Summary:

Background: *The Colorado Division of Wildlife is the primary state agency responsible for wildlife and wildlife management in the State of Colorado. The United States Forest Service is responsible for management of Inventoried Roadless Areas on National Forests in Colorado. Inventoried Roadless Areas are not necessarily areas 100% free of roads. Rather they are generally undeveloped areas identified by the Forest Service, in a process beginning in the 1970s and contained in a set of map (ref. 66 Fed. Reg. at page 3250. Some may contain existing roads but still retain a generally undeveloped character. These areas have received special management attention for decades. Two recent significant events have occurred that impact these areas. First, on January 5, 2005, a new final forest planning rule was published. This rule does require a review of roadless areas that might be suitable for wilderness designation when existing forest plans are revised but otherwise does not address management of them. Therefore, although unclear at present, it is a possibility that future regulatory direction for the management of current inventoried roadless areas reviewed and either found not suitable for wilderness designation or not recommended for wilderness designation may result in that roadless area's migration from special recognized status with nationwide protections to potentially having no special status or even separate mention in the new Forest by Forest planning regulations. With these new planning regulations, what future management protections, if any, that may apply to these currently inventoried roadless areas is not clear. The second significant event occurred on May 13, 2005. The final roadless area regulations were published in the Federal Register at 70 Fed. Reg. 25,654. This new rule repealed and replaced the previous rule and established a procedure that permits a Governor of a state to submit a petition to the U.S. Secretary of Agriculture to promulgate a special rule for the management of roadless areas in that state, but it contains no standards by which the Secretary is to review a state's recommendations. Regardless, petitions are required to provide specified information such as (1) description of the particular lands for which a petition is made; (2) particular management recommendations; (3) identification of the circumstances and needs intended to be addressed; (4) information and how recommendations differ from the relevant federal plans and policies; (5) how the recommendations compare to state land policies and management direction; (6) how the recommendations would affect fish and wildlife and habitat; (7) a description of any public involvement efforts undertaken by the state during development of the petition; and (8) a commitment by the state that it will participate as a cooperating agency in any environmental analysis for the rulemaking.*

The purpose of this document is to supply that specified information in those eight sections.

PART 1: General Comments - Specific to all National Forests in Colorado.

Summation of Field Comments:

Regardless of the unclear future management direction and/or protections to be afforded Inventoried Roadless Areas, and recognizing the extreme diversity of potential demands on these areas, the professional field managers and biologists believe that it is in the state's overall best interests that every Inventoried Roadless Area reviewed in Colorado to date should be managed to best meet the Colorado legislative mandate found at 33-1-101, our mission, and our strategic plan; therefore, it is the consensus opinion based on science, local expertise and sound knowledge that all Inventoried Roadless Areas in Colorado should be protected, preserved, enhanced, managed and maintained in a manner that provides the maximum benefit for wildlife and wildlife habitat, and that in-turn can then provide significant return benefits to local and distant citizens and to forest visitors.*

This Colorado Division of Wildlife Petition Content Worksheet is a document in progress that will continue to grow size and scope with the Inventoried Roadless Area Task Force Process until the last official Task Force meeting. It chronicles the field's general and specific comments specific to the eight listed requirements in the Federal Register and mentioned in summary above. This document is presented in two Parts, a General Part 1 that applies in general to all of Colorado's USFS Inventoried Roadless Areas and a more Specific Part 2 that discusses explicit characteristics of specific roadless areas.

We appreciate the efforts of the Task Force members to deliberate on these important and diverse options. We believe that land stewardship, protecting ecosystems, and providing quality habitat for the range of wildlife species that exist on Colorado's Inventoried Roadless Areas will result in the conservation of our state's valuable assets, and so benefit every citizen.

CLARIFICATION:

For the convenience of those reading this document, note this clarification:

Please allow any mention of the Colorado Division of Wildlife, (or any reference of "we," "our," etc.) to refer specifically to our Field Operations Branch personnel, (District, Area, Assistant and Regional Wildlife Managers) and the Wildlife Protection Branch biologists (representing terrestrial, aquatic and conservation sections), as well as the designated Inventoried Roadless Area Project Manager. Comments and recommendations contained herein are based on the agency mandate, mission and internal guiding plans; they are founded in science, and represent an earnest effort to support this process.

PART 1: General Comments - Specific to all National Forests in Colorado.

Color Key: The petition requirements as listed in the Federal Register are herein presented in **black** ink.
Specific "Formal Instructions" given to the *Colorado Inventoried Roadless Area Task Force* on October 6, 2005 to complete the petition requirements are herein presented in **red** ink.
The petition requirement recommendations from the Colorado Division of Wildlife are herein presented in **blue** ink.
Addendums to sections are presented in **orange** ink.
Literature Cited and Relevant Supporting Literature applicable for each section/ topic are presented in **green** ink.
Supporting information is attached at the end of various sections on colored paper stock.

Colorado Division of Wildlife Petition Content Worksheet
PART 1 – GENERAL PETITION INFORMATION SPECIFIC TO ALL COLORADO IRA'S

REVIEW OF DIRECTIONS:

NOTE:

The contents requested in this form constitute an information collection requirement as defined by 5 CFR Part §1320. It has been assigned Office of Management and Budget control number 0596-0178. (The information requested is pursuant to 36 CFR Part § 294.14 Subpart B State Petitions - Petition Contents)

§ 294.10 Purpose:

The purpose of these administrative procedures is to set forth the process for state specific rulemaking to address the management of inventoried roadless areas in areas where the Secretary determines the regulatory direction is appropriate based on the petition from the affected Governor.

§ 294.11 Definition:

Inventoried roadless areas - areas identified in the set of inventoried roadless area maps, contained in the Forest Service Roadless Area Conservation Final Informal Impact Statement, Volume Two, Dated November 2000, and any subsequent update or revision of those maps to the land management planning process.

§294.12 State petitions:

Governor of any State or territory that contains National Forest System lands may petition the Secretary of Agriculture to promulgate regulations establishing management requirements for all or any portion of National Forest System *inventoried roadless areas* within that State or territory. Any such petition must be submitted to the Secretary of Agriculture not later than November 13, 2006.

§294.13 Petition process:

reviewing consideration of petitions made pursuant to §294.12, shall be accomplished as follows:
(1) Review: the Secretary shall review petitions and may request additional information from a petitioner before deciding whether to accept the petition. If the Secretary request additional information from a petitioner, the petition will be considered complete with a petitioner provides the additional information.
(2) Disposition -- the Secretary or the Secretary's designee shall respond to the petition within 180 days of receipt of a completed petition. Respond shall accept or decline the petition to initiate a state specific rulemaking.

§294.14 Petition Contents

Note - Formal Instruction: "USDA propagated a new rule at 36 CFR part 294 subpart B. title State petitions for inventoried roadless area management. This rule was effective on May 13, 2005, and establishes a petitioning process that provides governors an opportunity to seek establishment of or adjustment to management requirements for national Forest System inventoried roadless areas within their State. This opportunity for submitting State petitions is available until November 13, 2006. If the Secretary accepts a petition, the state specific rulemaking will be initiated that addresses the proposed changes to the management requirements for inventoried roadless areas put forth in the petition. Section 294.14 of the regulation describes the required components to be included in a petition. Each petition is expected to be unique and address circumstances, issues, perspectives specific to the situation. Listed below are the individual petition required elements from the regulation and specific thoughts on what might be included in the petition."

§ 294.14 (a) (1)

Any petition made pursuant to § 294.12 shall provide the following: the location and description of the particular land for which the petition is being made, including maps and other appropriate resources in sufficient detail to enable consideration of the petition.

Note – Formal Instruction: “Petitions may include proposed changes to management requirements for all or any portion of the IRA’s in the state. A formal legal description of land (e.g. township/range) is not necessary. Appendix C. of existing land management plan EIS’s usually include a separate map and write-up for each inventoried roadless area and would be a likely sample or reference point. Petitions can certainly rely on existing Forest Service

§294.14 (a) (2)

The particular management requirements recommended for the land and any exceptions:

Note – Formal Instruction: This petition element may be very detailed or more generic in form, depending on what changes are being proposed. It may include **blanket management requirements** that apply to all affected areas, or unique management requirements for specific areas. It may adjust the existing management requirements by adding removing some requirements, or may completely replace existing management requirements with entirely new ones. The management requirements sought may be procedural in nature (coordination, notice, etc.) or substantive land management direction (prohibitions or other limitations).

§294.14 (a) (3)

Identify the circumstances and needs intended to be addressed by the petition, including conserving roadless area values and characteristics; protecting human health and safety; reducing hazardous fuels and restoring essential wildlife habitats; maintaining existing facilities such as dams, or providing reasonable access to public and private property or public and private the owned facilities; and technical corrections to existing maps such as boundary adjustments to remove existing roaded areas;

Note – Formal Instruction: Formal Instruction: This petition element is essentially a discussion of the reasons and rationale behind the proposed changes in management requirements. Again this may be very detailed or a more general discussion, depending on the level of detail of the proposed changes.

§294.14 (a) (4)

A description of how the recommended management requirements identified in paragraph § 294.14 (a) (2) of this section differ from existing applicable land management plan(s) or policies related to IRA management, and how they would comply with applicable laws and regulations:

Note – Formal Instruction: The existing management requirements for inventory roadless areas should already be disclosed and discussed in the existing land management plan and EIS. All current plans and plan revisions were developed following the 1982 planning regulations and applicable Forest Service planning directives. Chapters #4 and #7 of the planning handbook (FSH 1909.12 in effect prior to March 23, 2005) specify the discussion and disclosure requirements for inventoried roadless area. This petition element is a description of how the proposed management requirements differ from this existing information. This discussion may be very detailed or not, depending on the proposed changes to the existing management requirements.

PART 1: General Comments - Specific to all National Forests in Colorado.

§294.14 (a) (5)

A description of how the recommended management requirements identified in paragraph (a) (2) of this section compare to existing State and local land conservation policies and direction set forth in any applicable State or local land and resource management plan(s):

Note – Formal Instruction: This petition element simply provides a discussion of how the proposed management requirement(s) change(s) for inventoried roadless areas compare with how State and local public lands are managed.

§294.14 (a) (6)

A description of how the recommended management requirements identified in §294.14 (a) (2) would affect the fish and wildlife that utilize the particular land in question and their habitat;

Note – Formal Instruction: There should be information for each inventoried roadless area in the existing land management plan and EIS concerning wildlife species, populations, and management needs. Existing planning documents should also discuss management alternatives considered for each inventoried roadless area and the effects of these alternatives on various resources and the wilderness attributes of the area. The discussion in this petition requirement should address the possible effects of the proposed changes in management requirements on the fish and wildlife resource. Much of this discussion should be able to come directly from information in existing planning documents that has already been estimated and disclosed

§294.14 (a) (7)

A description of any public involvement efforts undertaken by the petitioner during development of the petition, including efforts to engage Tribal and local governments, and persons with expertise in fish and wildlife biology, fish and wildlife management, forest management, outdoor recreation, and other important disciplines;

Note – Formal Instruction: This petition element documents the public involvement, collaboration, and expert consultation undertaken in the development of the proposed management requirement changes.

§294.14 (a) (8)

A commitment by the petitioner to participate as a cooperating agency in any environmental analysis for a rulemaking process.

Note – Formal Instruction: This petition element refers to the Council on Environmental Quality (CEQ.) regulations at 40 CFR sections 1501.6 and 1508.5 for designating nonfederal cooperating agencies in the preparation of analysis and documentation required by the National Environmental Policy Act (NEPA). State specific rulemaking will include publishing a proposed rule for public review and comment and preparing the appropriate NEPA analysis and documentation for the proposed changes to the management requirements put forth in the petition. The extent of the environmental analysis required will in part depend on the extent and effect of the proposed changes. The State and the Forest Service should meet as soon as possible after the Secretary directs a State-specific rulemaking to agree on the level of involvement by the State as a cooperating agency.