

May 28, 2020

Samantha Staley, Forest Planner  
Levi Broyles, District Ranger  
Grand Mesa, Uncompahgre and Gunnison National Forest  
2250 South Main St.  
Delta, Colorado 81416

Re: Special Management Area Proposals for the GMUG Forest Plan Revision

Dear Sam and Levi,

Thank you for meeting with us last month to discuss the conservation management proposals we submitted for consideration in the GMUG Forest Plan revision process. We appreciated the opportunity to share with you some of the values and resources we are most interested in seeing protected in the revised plan, particularly on the Paonia Ranger District.

We are writing to follow up on the conversation we had regarding management of timber harvest in our proposal areas, specifically in the Muddy Country Watershed and Wildlife Conservation Area, Pilot Knob Backcountry Wildlife Conservation Area, and Lamborn Special Interest Area. Our proposals for those three areas recommended a management standard that timber harvest should be prohibited. We would like to clarify that the primary intent of that recommendation is to protect the wildland and wildlife values of those areas from commercial timber harvest (i.e., timber production). We understand some vegetation management projects may be appropriate to improve wildlife habitat or ecosystem health; however, we are also interested in ensuring any type of timber harvest does not impair the values described in our proposals. Therefore, we are providing additional information to explicate our management recommendations for these areas.

We have developed refined language for the plan components that we believe better achieves the outcome of protecting the values of these areas while providing for appropriate vegetation management projects to occur. In addition to the desired conditions we previously articulated in our management area proposals, we recommend the following desired conditions and guidelines apply to the Muddy Country Watershed and Wildlife Conservation Area, Pilot Knob Backcountry Wildlife Conservation Area, and Lamborn Special Interest Area:

*Desired Conditions*

- NFS lands exist as a mostly contiguous land base that best provides for and contributes to management of vegetation and watershed health, wildlife habitat and diversity, and recreation and scenic opportunity.<sup>1</sup>

*Guidelines*

- Management activities should concentrate activities in time and space to reduce impacts to big game species and other wildlife. Timing restrictions, adaptive percent utilizations, distance buffers, or other means of avoiding disturbance should be based on the best available information, as well as site-specific factors (e.g., topography, available habitat, etc.).

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<sup>1</sup> We borrowed this plan component from the Carson National Forest. See USDA, Forest Service, Carson National Forest, Draft Land Management Plan (July 2019) at 176, available at: [https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd631756.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd631756.pdf) (last accessed 5/21/20).

- Vegetation management projects are allowed for the purposes of improving wildlife habitat; restoring ecological health, including ecosystem function, composition, structure and natural processes; and restoring and maintaining desired fire regime condition classes.

We further recommend the following standards for all three areas, rather than our previously recommended standard that timber harvest is prohibited. We note this language is intended to guide timber and vegetation management projects; we continue to advocate for the standards we previously proposed regarding other management activities such as motorized use and rights-of-way.

#### *Standards*

- Timber harvest for the purpose of timber production is prohibited.<sup>2</sup>
- Vegetation management projects (i.e. timber harvest for purposes other than timber production) are subject to the following requirements:
  - No new road construction, including temporary roads.
  - NEPA analysis and public comment are required.
  - Geographic boundaries and project timelines must be specifically delineated.
  - Consultation with CPW is required.

Lastly, we have conceptualized some additional ideas for ensuring vegetation management activities do not impair wildland and wildlife values the conservation management areas are intended to protect, which we are unsure how to encapsulate in plan components. We would like to see an acreage cap on the proportion of each management area that can be treated over a five-year period in order to avoid unacceptable cumulative impacts. We would also like to see vegetation management projects tied directly to the monitoring plan and biannual monitoring evaluation reports required under 36 C.F.R. § 219.12(d), and a requirement that projects cannot be authorized without plan monitoring demonstrating effectiveness of treatments. We appreciate your consideration of these ideas and the best way to address them in the Forest Plan.

We believe incorporating the above plan components into the revised forest plan would best enable the Forest Service to meet the requirement under the 2012 Planning Rule that plan components must ensure timber harvest, whether for the purposes of timber production or otherwise, is “carried out in a manner consistent with the protection of soil, watershed, fish, wildlife, recreation, and aesthetic resources.” 36 C.F.R. § 219.11(d)(3).

Based on the desired conditions we have proposed for these areas, we would expect these areas to be found not suitable for timber production in the revised forest plan. See 36 C.F.R. § 219.11(a)(1)(iii). These areas are also unsuitable for timber production because they are largely comprised of Colorado Roadless Areas. While the Colorado Roadless Rule (CRR) does not expressly require that roadless areas are excluded from the suitable timber base, the CRR is intended to protect roadless areas<sup>3</sup>, and in this regard, it is clear that timber cutting is to be the exception, not the norm. See 36 C.F.R. § 294.42. Logging is allowed, but only under several exceptions to the general prohibition on cutting, sale, and removal of trees from roadless areas.

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<sup>2</sup> We borrowed this plan component from the Carson National Forest. See USDA, Forest Service, Carson National Forest, Draft Environmental Impact Statement for the Draft Land Management Plan (July 2019) at Appendix B, p. 17, available at: [https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd639201.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd639201.pdf) (last accessed 5/21/20).

<sup>3</sup> See 36 C.F.R. § 294.40 (describing the purpose of the Colorado Roadless Rule: “...The intent of this regulation is to protect roadless values by restricting tree cutting, sale, and removal; road construction and reconstruction; and linear construction zones within Colorado Roadless Areas (CRAs), with narrowly focused exceptions. Activities must be designed to conserve the roadless area characteristics listed in § 294.41 ...”).

Thank you for considering this letter, again we greatly appreciate the opportunity to discuss this issue with you. We'd like to reiterate our primary interest is protecting the wildland and wildlife values in the areas we have proposed for conservation management, and we look forward to continuing our engagement in the forest plan revision in pursuit of the most appropriate approach toward that outcome.

Sincerely yours,

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