

UNITED STATES DEPARTMENT OF AGRICULTURE
Forest Service – Rocky Mountain Region
Pike & San Isabel National Forests, Cimarron and Comanche National Grasslands
Chaffee, Custer, Douglas, El Paso, Jefferson, Lake, Park, and Teller Counties, Colorado

DECISION MEMO
Recreation Residence Use of National Forest System Lands

Decision

It is my decision to continue recreation residence use, with any necessary modifications, for 204 lots/tracts as noted below. Any authorizations not included here will be addressed in separate documents. This decision is made to include 204 of the currently issued recreation residence special use term permits, located on the Pike & San Isabel National Forests, Cimarron and Comanche National Grasslands (PSICC), which will expire on December 31, 2008. All recreation residence permits on the PSICC currently have a common expiration date as required under Forest Service Manual (FSM) 2721.23(a)(4).

The 204 recreation residence lots noted in this document are all located in designated tracts (group or individual); and the total area of National Forest System lands authorized for this use by permit is approximately 105 acres. Recreation Residence tracts (both group and individual) maps are available in the project file which is located at the Forest Supervisors Office, Pueblo, CO. A brief description of the tracts on each District follows:

Leadville Ranger District: There are 15 recreation residence lots located in two separate tracts (groups) that are located in two geographical areas due west of Clear Creek Reservoir along CR390 in Chaffee County, Colorado. Both tracts are located in and associated with the Clear Creek Historic Mining District. Included in these tracts are the following designated lots:

Winfield SHG: Lots A,B,C, E,G,J,K,N & M	Vicksburg SHG: Lots 4,5, 6,7 & 8
--	----------------------------------

Salida Ranger District: There are 11 recreation residence lots/tracts located in two separate tracts (groups), and 4 isolated lots/tracts located in three individual geographical areas; one adjacent to Fox Lake, one adjacent to Cottonwood Lake, one individual lot/tract is located on South Cottonwood Creek near Fox Lake and two individual lots/tracts along the old Chalk Creek Road (the lots/tracts located along the old road are adjacent one to the other), one individual lot located just west of Mt. Princeton hot springs directly adjacent to Chalk Creek, all in Chaffee County, Colorado. Included in these tracts are the following designated lots:

Fox Lake SHG: Lots A,C & H	Cottonwood Lake SHG: Lots C,J,K,M,N,P,S & U	Chalk Creek: Jennings (Lot)
Chalk Creek: Riley (Lot)	South Cottonwood Cr.: Salassa (Isolated Lot)	Chalk Creek: Harrison (Isolated Lot)

San Carlos Ranger District: There is 1 remaining recreation residence lot located on an individual lot/tract situated in a geographical area adjacent to the Rainbow Trail Lutheran Camp (also on NFS lands) and Lake Creek Campground (a Forest Service developed campground) just west of the town of Hillside in Custer County, Colorado. Included at this area is the only designated lot:

DECISION MEMO
Recreation Residence Use of National Forest System Lands

Rainbow Trail: Malsom (Isolated Lot)		
--	--	--

Pikes Peak Ranger District: There are 55 recreation residence lots located on seven tracts (groups) situated in seven separate geographic areas; the Crystola tract (group) is located just west of State Highway 24 between Colorado Springs and Woodland Park in Teller County, Colorado. The Clyde tract (group) is located near the old town of Clyde along the upper portion of the Gold Camp Road southwest of Colorado Springs in Teller County, Colorado. The Beaver Lakes tract (group) is located southwest of Monument off of the Mt. Herman Road in El Paso County, Colorado. The Midland tract (group) is located northeast of Cripple Creek and east of Muller State Park in Teller County, Colorado. The Rock Creek tract (group) is located southwest of Colorado Springs off the Old Stage Road in El Paso County, Colorado. The Stage Road tract (group) is located off of Old Stage road southwest of Colorado Springs in El Paso County, Colorado. The Palmer Lake tract (only lot occupied in the original group) is located at the southwestern edge of the town, of Palmer Lake in El Paso County, Colorado. Included in these tracts are the following designated lots:

Beaver Lakes SHG: Lots A-1,B-2,C-1,D-1,D-2 & D-3	Clyde SHG: Lots A,B & L	Crystola SHG: Lots 1,2,3,4,5,6,7,8,9,11,12,13, 16,17,18,19,21,22,25,27,28, 29,30, 31,32,33,34 & 35
Midland SHG: Lots 1,2,3,4,5 & 7	Rock Creek SHG: Lots A with modification, G with modification, I with modification	Stage Road SHG: Lots 2,3,4,6,7,8,10 & 12
Palmer Lake SHG: Lot 6 (Hannum)		

South Park Ranger District: There are 15 recreation residence lots located in two separate tracts (groups) situated in two geographical areas; The Weston Pass tract (group) is located southwest of Fairplay along the Weston Pass Road (CR22) in Park County, Colorado. The Sleeping Tom tract (group) is located south of Lake George along the 11 Mile Canyon Road in Park County, Colorado. I Included in these tracts are the following designated lots:

Weston Pass SHG: Lots 1,3,4,5,6,7,8,9 & B	Sleeping Tom SHG: Lots A,B,C,F,G & L
---	--------------------------------------

South Platte Ranger District: There are 99 recreation residence lots located in ten separate tracts (groups) situated in ten geographical areas and 4 individual lots/tracts located in two additional geographic areas. The Bell Rock tract (group) is located just northwest from the town of Westcreek in Douglas County, Colorado. The Fourmile tract (group) is located just southwest of the town of Deckers along CR75 in Douglas County, Colorado. The Happy Top tract (group) is located southwest just outside the town of Bailey in Park County, Colorado. The Jackson Creek tract (group) is located southwest of the town of Shamballah on Forest System Road (FSR507) in Douglas County, Colorado. The Lazy Gulch tract (group) is located just west of the town of Deckers off State highway 126 in

DECISION MEMO
Recreation Residence Use of National Forest System Lands

Douglas County, Colorado. The Nighthawk tract (group) is located just north of the town of Deckers in Douglas County, Colorado. The Payne Creek (a.k.a. Payne Gulch) tract (group) is located southwest of the town of Bailey in Park County, Colorado. The Redskin tract (group) is located southwest of the town of Buffalo Creek in Jefferson County, Colorado. The Tramway tract (group) is located southwest of the town of Buffalo Creek in Jefferson County, Colorado. The Roark Gulch tract (group) is located southwest of the town of Bailey in Park County, Colorado. Three of the isolated lots/tracts are located along the South Platte river just north of Deckers in Douglas County, Colorado and the last isolated lot/tract is located just south of Buffalo Creek in Jefferson County, Colorado. Included in these tracts are the following designated lots:

Bell Rock SHG: Lots A,B,D,E,G & H	Fourmile SHG: Lots 3,4, & 6	Happy Top SHG: Block A – Lots 1,3,9,10,13, & 18 Block B –Lots 24,28,30, 33,37,46,49,50,51,53, 54,55,56 & 57
Jackson Creek SHG: Group 1 –Lots A,B,C,E,G,K,M & N	Lazy Gulch SHG: Lots B,C,F,G & H	Nighthawk SHG: Lots 1, 1-A,2,3 & 4
Payne Creek (a.k.a. Payne Gulch) SHG: Lots A-1,C-10,D-1, D-2,D-3,D-4,D-5,D-6,D-7,D-8,D-9,D-10,D-11,E-1,F-1,F-2,F-3,F-4,F-7,F-8, F-10,F-11,F-12,F-13,F-14,G-1 & G-2	Redskin SHG: Lots 2,6,7,8,9,10 & 11	Roark Gulch SHG: Group 1- Lots B-1,B-2,D-1 &D-2 Group 2- Lots C,D & E
Tramway SHG: Lots A,B,D,E & G	South Platte River : Voldrich (Isolated Lot)	Buffalo Creek: Adams (Isolated Lot)
South Platte River: Sharp (Isolated Lot)	South Platte River: Garrison (Isolated Lot)	

Recreation residences are a valid use of National Forest System lands, and are an important component of the overall National Forest recreation program. It is Forest Service policy to continue recreation residence use and to work in partnership with holders of these permits to maximize the recreational benefits of these residences (FSM 2347.1). On the PSICC, the recreation residence program was established in approximately 1911 with the first tract being surveyed in 1915. The last recreation residence tract was established in 1956 and the last new permit was issued on the PSICC in 1968. Nationally, no new recreation residence lots/tracts have been established since the 1960's.

Resource protection measures have been incorporated into the recreation residence special use permit. These measures will be implemented by including them on the face page of the permit or by

DECISION MEMO
Recreation Residence Use of National Forest System Lands

incorporating them into the individual Recreation Residence Operations and Maintenance Plans (O&M Plan) which will be attached to and become a part of each individual permit. Compliance will be monitored by PSICC personnel to ensure protection of environmental resources. Specific resource protection measures for each tract (if any) are described in the attached Appendix A.

Categorical Exclusions (CE)

I have determined that this proposal may be categorically excluded (CE) from the requirement to prepare in an Environmental Assessment (EA) or Environmental Impact Statement (EIS) as provided by the National Environmental Policy Act (NEPA) (40 CFR 1508.4).

The proposed action fits the category of action identified in Forest Service Handbook (FSH) 1909.15, Environmental Policy and Procedures Handbook, Section 31.2 (15), *“Issuance of a new special use authorization for a new term to replace an existing or expired authorization when the only changes are administrative, there are no changes to the authorized facilities or increases in the scope or intensity of authorized facilities, and the applicant or holder is in full compliance with the terms and conditions of the special use authorization.”*

This determination was also based on consideration that no extraordinary circumstances exist with respect to the following resource conditions (FSH 1909.15, 30.3):

- a. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species.
- b. Flood plains, wetlands, or municipal watersheds.
- c. Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas.
- d. Inventoried roadless areas.
- e. Research natural areas.
- f. American Indians and Alaska Native religious or cultural sites.
- g. Archaeological sites, or historic properties or areas. Refer to Archeological Reconnaissance Report, and the Programmatic Agreement among the U.S.D.A. Forest Service, Pacific Southwest Region; and California State Historical Preservation Officer, and Advisory Council on Historic Preservation regarding Management of Historic Recreation Residence Tracts.

Public Involvement

The proposed action has been included in the quarterly PSICC Schedule of Proposed Actions (SOPA), which was posted to the forest website in October of 2004. The SOPA was also mailed to approximately 600 people for comment.

As part of the public involvement process, on September 13, 2004, the PSICC mailed 212 scoping letters to all recreation residence permit holders. In September of 2004, a link was added to the PSICC web page to included information on the issuance of new recreation residence permits and the proposed action. The web page address is:

http://www.fs.fed.us/r2/psicc/recreation/rec_residence/index.shtml.

DECISION MEMO
Recreation Residence Use of National Forest System Lands

Copies of any public letters and a copy of the PSICC Standards and Guidelines for Recreation Residences (2004) are included in the project file. Using the comments from the public (if any), other agencies, and resource specialists, the individual ranger district teams identified that there were no significant issues to address.

Findings Required by Other Laws

1. National Forest Management Act (NFMA):

I have determined that the 23 recreation residence tracts (groups) and 9 individual lots/tracts (isolated sites) on the Pike & San Isabel National Forests, Cimarron and Comanche National Grasslands are consistent with the direction, management prescriptions, standards, and guidelines contained in the Pike & San Isabel National Forests Land and Resource Management Plan. Consistency was determined on a tract-by-tract (individual lot/site) basis. Refer to the Consistency Review and Findings.

2. Endangered Species Act (ESA):

The Endangered Species Act requires that federal activities do not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered, or result in adverse modification to such species' designated critical habitat. These facilities have been in existence for many years. No additional habitat change will occur under this authorization, and populations existing in the area would not be subject to additional effects in the foreseeable future. (See Appendix A for protection measures)

3. National Historic Preservation Act (NHPA) Section 106:

The Pike & San Isabel National Forests has not completed Section 106 Compliance Reviews. All Recreation Residence lots/tracts (individual sites not groups) will be managed as if they are eligible for the National Register.

The decision to continue the lots/tracts for a 20-year period does not authorize any changes or activities to the current use, and will have no potential to affect significant heritage resources (36 CFR § 800.3 (a) (1)). Subsequent Section 106 reviews under the National Historic Preservation Act may be necessitated by an individual undertaking of proposed cabin modification.

4. Clean Water Act:

The Clean Water Act compliance will be achieved through the administration of the recreation residence special use permits within the established tracts in conjunction with the federal, state, county and local laws, regulations, policy, ordinances, etc.

Implementation of the Decision

The Decision is to continue recreation residence use with modifications. In order to implement this decision, the Pike & San Isabel National Forests, Cimarron and Comanche National Grasslands (PSICC) will authorize new Recreation Residence Term Special Use Permits with modifications as necessary for 203 lots/tracts. Current permits expire on December 31, 2008. New permits will be authorized and issued to permit holders who are in compliance with the current permit and any direction which has been provided by the Forest Service concerning compliance related issues, by January 1, 2009 with an expiration date of December 31, 2028.

DECISION MEMO
Recreation Residence Use of National Forest System Lands

Appeal Opportunity and Implementation Date

This decision is not subject to appeal pursuant to 36 CFR 215.12(f) and may be implemented immediately.

For further information, please contact David Crumley, Realty Specialist, at the PSICC Forest Supervisor's Office, 2840 Kachina Drive, Pueblo, Colorado at (719) 553-1501 or the District permit administrator at the Ranger District where any individual permit was issued.

Robert J. Leaverton
ROBERT J. LEAVERTON
Forest Supervisor
Pike & San Isabel National Forests
Cimarron and Comanche National Grasslands

12/29/2006
DATE

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, natural origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.

DECISION MEMO
Recreation Residence Use of National Forest System Lands

APPENDIX A

Resource protection measures have been incorporated onto the proposed project:

Pikes Peak Ranger District - Rock Creek Summer Home Group (T15S, R67W, Section 21, El Paso County) Lots A, G & I:

This Resource Protection Measure shall be added to the permit face page:

“Rock Creek SHG is located in critical and suitable Mexican Spotted Owl Habitat – if a tree 9 inch or greater in Diameter Breast High (DBH) is to be removed on any lots in this tract (group), the Pikes Peak Ranger District wildlife biologist will initiate Section 7 consultation with US Fish & Wildlife Service.”

It is important that the Permit Administrator alert the permit holders of the requirements being put in their permit. This can be completed when sending the new permit to the holder for their signature by writing a separate paragraph in the cover letter stating the protection measures or mitigation measures are necessary for their permit and they are listed in their O&M Plan.