

## CHAPTER 13 – VEGETATION

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### 13.1 INTRODUCTION AND RESOURCE OVERVIEW

The vegetation of the Monticello Field Office (FO) Area was classified into one of four major vegetation communities in the current resource management plan (RMP) (BLM 1989): pinyon pine –Utah juniper (*Pinus edulis* - *Juniperus osteosperma*), saltbush (*Atriplex* spp.), sagebrush (*Artemisia* spp.), and blackbrush (*Coleogyne ramosissima*). Although a small part of the FO area, grasslands are now added as a fifth vegetation community. These are further divided into 16 vegetation associations and habitat types. Differences in vegetation composition reflect the environmental diversity across the Monticello FO area found in factors such as soils, elevation, aspect, slope, topography, and precipitation.

Figure 13-1 shows all vegetation types in the Monticello FO planning area (approximately 4.5 million acres). Figure 13-2 shows the five dominant vegetation types of the Monticello Field Office Area (1.8 million acres).

#### 13.1.1 Pinyon-Juniper

These woodlands, dominated by pinyon pine and Utah juniper, cover approximately 746,500 acres (Edwards et al. 1996), or 42 percent, of the Monticello FO. Precipitation ranges from 12 to 18 inches per year and primarily occurs in the winter. Productivity, species composition, and resiliency differ within this type depending on soil depth. As stands mature towards full canopy closure, understory vegetation becomes sparse and forage values decrease. Habitat types and approximate acreage values taken from the current RMP include:

- Pinyon pine, Utah juniper, Blackbrush, galleta grass (*Hilaria jamesii*) (5,270 acres);
- Pinyon pine, Utah juniper, Nuttall's saltbush (*Atriplex nuttallii*), galleta grass, Indian ricegrass (*Oryzopsis hymenoides*) (166,940 acres);
- Pinyon pine, Utah juniper, big sagebrush (*Artemisia tridentata*) (214,630 acres);
- Pinyon pine, Utah juniper, Utah serviceberry (*Amelanchier utahensis*) (429,260 acres);
- Pinyon pine, Utah juniper, mountain big sagebrush (*Artemisia tridentata* var. *vaseyana*), gamble oak (*Quercus gambelii*) (23,850 acres).

This type is further discussed in Chapter 19–Woodland Resources.

#### 13.1.2 Saltbush

Also called desert shrub and semi-desert shrub, these areas receive relatively low annual precipitation (five to ten inches), which translates into very low available soil moisture. The soils that support members of the saltbush zone are also often highly saline. These factors limit this type's ability to recover following disturbance. Drier saltbush areas contain species such as fourwing saltbush (*Atriplex canescens*), shadscale (*Atriplex confertifolia*) and winterfat (*Eurotia lanata*). Greasewood (*Sarcobatus vermiculatus*) dominates in areas where the water table is near the surface (MacMahon 1988). Elevation ranges from 4,000 to 5,400 feet. Approximately 434,700 acres (Edwards et al. 1996), or 24 percent, of the Monticello FO includes the following habitat types (acreage values by habitat type taken from the current RMP):

- Shadscale, Mormon tea (*Ephedra* spp.), blackbrush (47,700 acres);

- Indian ricegrass, galleta grass, shadscale, fourwing saltbush (143,100 acres);
- Shadscale, Mormon tea, blackbrush, pinyon pine, Utah juniper (95,390 acres);
- Fourwing saltbush, Mormon tea, blue grama (*Bouteloua gracilis*), Indian ricegrass, galleta grass (71,540 acres);
- Fourwing saltbush, blue grama, Indian ricegrass, galleta grass, big sagebrush (23,850 acres).

### 13.1.3 Sagebrush

The moderately deep soils and greater amount of precipitation in this zone (11 to 16 inches per year) combine to create these relatively productive vegetation communities. Big sagebrush predominates on the more favorable sites, and black sagebrush (*Artemisia nova*) on the shallow rocky sites. Important associated forage plants include bitterbrush (*Purshia tridentata*), Indian ricegrass, western wheatgrass, (*Elymus smithii*), Sandberg bluegrass (*Poa secunda*), and squirreltail (*Sitanion hystrix*). Elevation ranges from 5,500 to 7,300 feet with little localized relief. This vegetation type occurs across approximately 330,850 acres, or 18 percent, of the Monticello FO area and provides crucial winter range for big game wildlife species. Species combinations and acreage values found in the current RMP include:

- Big sagebrush, pinyon pine, Utah juniper, galleta grass, needle-and-thread grass (*Stipa comata*), blue grama, Indian ricegrass (143,100 acres).

### 13.1.4 Blackbrush

Dominated by blackbrush, this zone occurs near the Utah-Arizona border and northward along the Colorado River between 3,000 and 6,500 feet. Soils are often shallow. Approximately 496,700 acres, or 20 percent of the Monticello FO includes the following blackbrush habitat types and approximate acres taken from the current RMP:

- Pinyon pine, Utah juniper, blackbrush (23,848 acres);
- Shadscale, Mormon tea, blackbrush, galleta grass, Indian ricegrass (524,656 acres);
- Fourwing saltbush, Mormon tea, galleta grass, Indian ricegrass (476,690 acres).

### 13.1.5 Grassland

Grassland communities occur as a unique component of the Monticello FO area. They are similar to salt-desert, sagebrush, and blackbrush types in species composition, but differ in that grasses dominate instead of browse species. The dominant grass species depend on the soil, with species such as saltgrass (*Distichlis stricta*), galleta grass, squirreltail, blue grama, and western wheatgrass occurring on heavy soils. Sandy sites usually support species such as Indian ricegrass, sand dropseed (*Sporobolus cryptandrus*), and needle- and-thread grass. Grassland communities cover approximately 137, 120 acres of the FO area (8 %). Grassland communities occur from 4,000 to 6,000 feet with average precipitation totala of five to 15 inches (Valentine 1961).

### 13.1.6 Other Vegetation Communities

#### 13.1.6.1 Riparian Communities

Riparian areas occur along waterways and water-bodies and are characterized by species such as willows (*Salix* spp.) and cottonwoods (*Populus* spp.). Although riparian and wetland areas represent only 1.6 percent of the FO area, they provide crucial wildlife habitat and contribute greatly to overall vegetation productivity and diversity. Approximately 28,994 acres of wetland and riparian areas exist in the

Monticello FO area. Riparian resource issues are covered in detail in Chapter 12–Riparian and Wetland Resources.

#### 13.1.6.2 Hanging Gardens and Spring-fed Communities

These mesic vegetation communities are rare to the arid and semi-arid environments of the Colorado Plateau. Hanging gardens occur where groundwater seeps through sandstone or limestone substrates, often along overhanging cliffs adjacent to rivers. Plants found in hanging garden communities are often wetland-riparian species endemic to the Colorado Plateau (Spence unpub.). Spring-supported communities often contain riparian woodlands of species such as willow and cottonwood. Some less common, mixed-deciduous woodlands comprised of species such as birchleaf buckthorn (*Rhamnus betulifolia*) are also found in the region.

#### 13.1.7 Special Status Species

For BLM management purposes, special status species includes those plant species listed as endangered, threatened, proposed, and/or candidate under the Endangered Species Act, as well as those plant species listed or proposed as sensitive by the BLM. Currently, the BLM is reviewing its sensitive species list, but has adopted the State of Utah sensitive species list in the interim.

Special status arises from habitat degradation and direct disturbance to individuals, often combined with inherently restricted species' distributions. Periodic review of the special status species list allows for additions and/or removals depending on the status of populations, habitat, and potential threats. Twenty-two sensitive plant species are known to occur in the Monticello FO area.

One federally listed plant species is known to occur in San Juan County. Navajo sedge (*Carex specuicola*), listed as threatened, grows only in the wet alcoves of hanging gardens along the San Juan River. All special status plant species with the potential to occur in the Monticello FO area are listed in Tables 13.1a. Those species that have been removed from the special status species list are noted in Table 13.1b.

#### 13.1.8 Invasive and Noxious Weeds

One of the BLM's highest priorities is to promote ecosystem health and one of the greatest obstacles to achieving this goal is the rapid expansion of weeds across public lands. A weed is a plant that interferes with management objectives for a given area of land at a given point in time. A noxious weed is any plant designated by a federal, state or county government as injurious to public health, agriculture, recreation, wildlife or property (Sheley, Petroff, and Borman 1999). Noxious weeds are designated and regulated by various state and federal laws.

In most cases, noxious weeds are also non-native species (BLM 1991). They are capable of invading plant communities and replacing native species, and are particularly successful following a disturbance. The BLM considers plants invasive if they have been introduced to an environment where they did not evolve. As a result, they usually have no natural enemies to limit their reproduction and spread (Westbrooks 1998). These invasive plants can dominate and often cause permanent damage to natural plant communities. If not eradicated or controlled, noxious and invasive weeds could jeopardize the health of the public lands and the myriad of activities that occur on them. Noxious and invasive weed species identified in San Juan County are listed in Table 13.2 and a copy of the Noxious Weed Act is included in as Appendix 13-A.

### 13.1.9 Poisonous Plants

Concentrations of poisonous plants that would cause a significant threat to livestock generally do not occur in the Monticello FO area. However, there have been some losses attributed to poisonous plant species in San Juan County, including, but not limited to copperweed (*Oxytenia acerosa*), locoweed (*Oxytropis* spp.), halogeton (*Halogeton glomeratus*), tall larkspur (*Delphinium barbeyi*), and low larkspur (*D. nuttallianum*) (San Juan County 1996).

### 13.2 SPECIFIC MANDATES AND AUTHORITY

- Federal Land Policy and Management Act 1976 directs that the public lands be managed on the basis of multiple use and sustained yield in a manner that will provide food and habitat for fish and wildlife and domestic animals while protecting the quality of other values (i.e., scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological) of which vegetation is a part.
- Taylor Grazing Act, as amended, 1970 protects rangelands and soils from effects of overgrazing, while providing rangelands for managed use and improvement, and supports the livestock industry dependent on public lands.
- Public Rangelands Improvement Act 1978 provides policy to manage, maintain, and improve the condition of public rangelands to increase productivity in accordance with management objectives and the land use planning process.
- Plant Protection Act (2000) consolidates and modernizes all major statutes pertaining to plant protection and quarantine (Federal Noxious Weed Act, Plant Quarantine Act).
- Federal Noxious Weed Act of 1974 (as amended by Sec. 15, Management of Undesirable Plants on Federal Lands, 1990) authorizes measures to eradicate or control the spread of noxious weeds.
- Endangered Species Act of 1973 protects endangered species and their habitat. Also used as basis to eradicate non-native invasive species which threaten endangered species.
- BLM Manual Section 6840 provides agency-specific guidelines regarding special status species management.
- Executive Order 11987 restricts exotic species introductions by federal agencies and allows for their introduction under specific circumstances.
- Executive Order 13112 (1999) established the National Invasive Species Council and outlines steps to prevent the introduction of invasive species, to provide for their control, and to minimize the economic, ecological, and human health impacts that invasive species cause.
- Seed Act (Utah Code, Title 04, Chapter 16) provides guidelines for the labeling and distribution of seeds, in conjunction with Seed Law (Rule R68-8), which prohibits the sale and distribution of noxious weed seeds.
- Utah Noxious Weed Act, Title 3 Ch. 17, Utah Code, as amended authorizes measures to eradicate or control the spread of noxious weeds.
- Utah Noxious Weed Act (Rule R68-9) designates State of Utah noxious weeds and sources capable of weed dissemination.
- Standards for Rangeland Health and Guidelines for Grazing Management (BLM 1997) sets standards for healthy upland soils, riparian and wetland areas, desired species compositions, and water quality.

- Vegetation Treatment on BLM Lands in Thirteen Western States Final Environmental Impact Statement (FEIS) (1991) and Record of Decision (ROD) for Utah (1991) assessed potential impacts from various methods of vegetation treatments, including burning, biological, mechanical, manual, and chemical, and directs the implementation of an integrated vegetation treatment program. The Utah ROD further prioritizes management actions for BLM-administered lands in Utah. This FEIS provides the required National Environmental Policy Act (NEPA) compliance for assessing impacts from the treatment of undesirable species. The necessity of treatment is to be determined by BLM land use plans.
- The Weed Management Handbook for Montana, Utah, and Wyoming (Bussan, A.J., et al. 2001) and Partners Against Weeds, An Action Plan for the BLM, also provide direction and strategies for achieving weed management goals on BLM lands.

### **13.3 CURRENT MANAGEMENT PRACTICES**

#### **13.3.1 San Juan Resource Area Resource Management Plan**

The current RMP does not address vegetation as a separate resource because most resource programs integrate some vegetation management into their general management guidance. Vegetation manipulation is a tool that can create or restore a particular desired plant community composition and structure, thus meeting the goals of vegetation management and other resource programs. Treatment methods may include manual, mechanical, biological, prescribed burning, and chemical applications. All proposed vegetation treatment projects must adhere to NEPA regulations and special status species protection protocol.

The Rangeland Program incorporates vegetation management objectives of maintaining or improving the vegetative condition for livestock use. Rangeland monitoring measures vegetation change to determine whether use levels are adequate or may require adjustment. Rangeland health and trend studies help to identify any rangeland improvement needs within grazing allotments. The percentage of proper use of key forage species by season and grazing treatment is used to guide annual forage use and determine whether management objectives are being met. Further discussion of grazing and livestock management practices is found in Chapter 8–Livestock and Grazing.

The Wildlife Program manages vegetation to provide forage, cover, water, and space to support major wildlife species Habitat Management Plans direct site-specific wildlife habitat improvement projects (see Chapter 17 – Wildlife). Wildlife habitat improvement projects in the Monticello FO area include rehabilitation projects, treatment maintenance, and exclosure developments. Along with habitat improvements, management also focuses on shrub die-off and seed collection activities.

Fuels reduction and rehabilitation/restoration projects are implemented under the Fire Program. Site-specific activity plans are prepared to be consistent with guidance in the current Fire Management Plan (BLM 1998).

The Woodlands Program guides the harvest and sale of fuelwood, posts and ornamental or medicinal woodland products. Site-specific activity plans categorize all woodlands with respect to the level of woodland product management allowed.

The Mineral Programs (oil and gas, coal, oil shale/tar sand, and mineral materials) address allowable levels of vegetation disturbance by delineating restricted use areas. Two categories, No Surface Occupancy and No Lease, reduce or restrict the amount of surface disturbance.

Conversion of pinyon-juniper stands to grasslands for livestock grazing was a primary vegetation management goal in the 1989 RMP. These areas were to be maintained as grasslands for livestock use. Other resource uses and management practices include firewood, the wildland-urban wildfire interface (WUI), deer, maintenance of past treatments, and pine nut harvesting. Management actions in pinyon-juniper greatly depend on the soil depth. Shallow soils limit the responsiveness of pinyon-juniper communities to some treatments, while deeper soils may be prioritized for treatment.

Saltbush, sagebrush and blackbrush communities are managed for use by both livestock (cattle and horses) and wildlife, though the availability of browse and grass species is often limited by water. Sagebrush communities are valuable for mule deer habitat, especially in the winter, while saltbush communities provide habitat for pronghorn antelope and burrowing owls. Primarily wildlife habitat and special status species determine current management practices in the blackbrush type.

The vegetation, shade, and water found in riparian communities attract livestock and wildlife. The Riparian Program manages these communities, including floodplains and wetlands, to preserve, protect, and restore natural functions. Management practices in these areas follow the BLM Rangeland Health Standard 2. Functional assessment data and management actions and issues specific to riparian areas are further discussed in Chapter 12–Riparian and Wetland Resources.

Special management conditions also apply in riparian and other sensitive areas, such as Areas of Critical Environmental Concern (ACECs) (see Chapter 2). Some of the ACECs within the Monticello FO contain vegetation attributes of importance, such as the relict (historically not grazed by livestock) and near-relict plant communities of Bridger Jack and Lavender Mesas. In general, the special management conditions conserve vegetation by intensively managing types and use levels of other resources.

### **13.3.2 Vegetation Treatment on BLM Lands in Thirteen Western States FEIS (1991) and the Utah ROD (1991).**

Vegetation management guidelines are outlined in Vegetation Treatment on BLM Lands in Thirteen Western States FEIS (1991) and the Utah ROD (1991). The vegetation decision maintains flexibility to use all available vegetation management tools within an integrated management program, which includes: preventive actions to avoid or minimize environmental harm resulting from implementation, biological control (insects, pathogens, and domestic animals), prescribed burning, mechanical and manual practices, and chemical control. Vegetation management objectives specific to the resource area will be used to choose treatment methods. The potential environmental impacts, treatment effectiveness, human health and safety, cost, project longevity, and available technology will also be considered.

Guidelines include: take actions to prevent or minimize the need for vegetation control when and where feasible considering the management objectives for the site; use effective non-chemical methods of vegetation control when and where feasible; and use herbicides after considering the effectiveness of all potential methods or in combination with other methods of control. Chemicals could be used where the benefits would meet or exceed those of other control methods. The application of chemicals shall meet or exceed BLM and label requirements. An herbicide list is provided as Appendix 13-B.

Standard operating procedures and project design features are also included in the Utah ROD. These actions are common to all vegetation management activities. Standard operating procedures cover the following issues: safety, reseeding, prescribed fire, biological control, pre-treatment surveys, cost-benefit analysis, environmental assessment, archeological/historic resources, recreation sites, threatened/endangered species, wildlife, and special management areas. Project design features are included for minimum width buffer strips, herbicide application contact requirements, soil protection, and monitoring and evaluation.

The Utah ROD (1991) estimated an average of 28,450 acres would be treated annually in the state. Approximately 57 percent would be treated with chemicals or prescribed burning initially, unless technology provides new and effective alternative methods.

### 13.3.3 Other BLM Guidance

According to BLM Manual H-1601-1 Land Use Planning Handbook (2000), vegetation management decisions must be based on the desired future condition (DFC) of the vegetation. As defined in BLM Manual H-4100, DFC is the future condition of rangeland resources on a landscape scale that meets particular program management objectives. As such, DFC incorporates both ecological and management considerations and does not assume that the vegetation should or will reach a climax state. Vegetation managers base the DFC on ecological, social, and economic factors. DFC is described using both vegetation status (i.e., desired species composition and age structure) and soil characteristics.

Further vegetation management guidance is provided by Utah's Standards for Rangeland Health, Standard 3. Desired species, including native, threatened, endangered, and special status species, are maintained at a level appropriate for the site and species involved. This standard is indicated by:

- Frequency, diversity, density, age class, and productivity of desired native species necessary to ensure reproductive capability and survival.
- Habitats connected at a level to enhance species survival.
- Native species re-occupy habitat niches and voids caused by disturbances unless management objectives call for introduction or maintenance of non-native species.
- Habitats for threatened, endangered, and special status species managed to provide for recovery and move species toward de-listing.
- Appropriate amount, type, and distribution of vegetation reflecting the presence of 1) Desired Plant Community (DPC), where identified in a land use plan conforming to these Standards; or 2) where the DPC is not identified, a community that sustains the desired level of productivity and properly functioning ecological processes.

### 13.4 INVASIVE, NON-NATIVE SPECIES

Controlling undesirable and non-native species is one of the most difficult challenges, as well as one of the most significant problems, facing vegetation managers. The Monticello FO contracts with San Juan County to control weeds on BLM land. San Juan County surveyed roads within the FO for noxious and invasive plant species in 1997 and 1998. When possible, these surveys are updated annually. Species found in the FO planning area are included in Table 13.2.

Although known as a highly invasive species, without official designation as a problematic species, tamarisk (*Tamarix ramosissima*) eradication has not been mandatory in Utah. Tamarisk and Russian olive have invaded waterways throughout the management area and drastically changed the composition of riparian vegetation communities. Populations of Russian knapweed (*Acroptilon repens*) have also reached high levels in many river corridors with camelthorn (*Alhagi pseudalhagi*) and ravenegrass (*Saccharum ravennae*) following suit.

As stated above, weed eradication methods, such as herbicide spraying, must be consistent with the Vegetation EIS (BLM 1991). The use of certified weed-free hay is one guideline implemented from Rangeland Health Standards and Guidelines to control the spread of noxious weeds (BLM 1997). For

revegetation purposes, the use and perpetuation of native species is a priority, except for instances when non-intrusive, non-native species are more ecologically or economically feasible.

### **13.5 RANGELAND IMPROVEMENT**

The Standards for Rangeland Health and Guidelines for Grazing Management (BLM 1997) identify the priority of sustaining public land health and restoring overgrazed areas. Management directs that livestock grazing allotments be managed for forage production and sustainable grazing objectives, and that allotment management plans be developed (see Chapter 8–Livestock and Grazing for further discussion).

Rehabilitation projects occur following a fire, a vegetation treatment such as chaining, or to maintain a previously seeded area. Vegetation managers obtain seed from the federal seed warehouse in Idaho or through a private contractor. The seed warehouse maintains general supplies as well as provides more site-specific mixes as requested by field offices at the end of each year. Following large fire seasons, as in 2002, contracting with a private supplier on a region-wide basis may be necessary to meet seed demand. As a rule, eight to 12 pounds of seed are applied per acre.

Primitive areas within a designated ACEC in the current RMP (see Chapter 2–Areas of Critical Environmental Concern [ACECs]) require the use of native seed. Its use is preferred for all other areas, but non-native species may be used if economically necessary or ecologically more viable.

Eight prescribed fires have occurred in previously seeded areas since publication of the current RMP. All wildfire rehabilitation seedings have occurred in pinyon-juniper woodlands on the eastern side of the Monticello FO planning area near Eastland, Utah. Other seeding projects involve sagebrush restoration for deer winter range and sage grouse habitat improvement. Seeding projects have been prioritized and are included in Table 13.3.

### **13.6 SEED AND PLANT COLLECTION**

Private individuals may collect seed and plants after acquiring a permit, which includes a list of stipulations. The public may collect seed on BLM-administered lands during non-drought years from a seed source that has been verified as being in good vegetative condition (vigor, viable seed, etc.). Popular species for seed collection include fourwing saltbush, globemallow (*Sphaeralcea* spp.), rabbitbrush (*Chrysothamnus* spp.), winterfat, and needle-and-thread grass. For seed, collectors are charged ten percent of market value.

Collection of individual plants is allowed for scientific purposes only. Federally protected plant species may not be collected, but BLM-listed sensitive species may be collected if the population is sufficiently large as to not be affected. Before collecting plant specimens, the local BLM FO must be notified. A list of species collected and a copy of the herbarium labels produced for each specimen must be submitted to the BLM Utah State Office at the end of collection season.

### **13.7 FUELS REDUCTIONS**

Vegetation treatments are often used to meet fire management objectives. Treatment projects, such as seeding maintenance and hazardous fuels reduction, may receive both mechanical and prescribed burning treatments. Details regarding the fuels reduction are discussed further in Chapter 5–Fire Management.

### 13.8 SPECIAL STATUS SPECIES

A mandatory evaluation of environmental characteristics in the area of a proposed project is the first step in BLM protocol for special status species protection. If factors such as geology, soils, vegetation community type, elevation, or aspect are likely to support a known special status species, a qualified specialist must complete a survey. If the survey is contracted, a BLM specialist must approve the results.

A Biological Evaluation is prepared if a BLM-listed species could be affected by a proposed action. Determination of impacts to individuals, populations, or habitat of a BLM-listed sensitive species is based on whether the proposed action would lead to federal listing. The US Fish & Wildlife Service is consulted if the potentially affected species is under their consideration as special concern for future listing.

If a federally listed, proposed, or candidate species could potentially be affected by a proposed action, a Biological Assessment is prepared. The BLM must manage these species to prevent further habitat degradation or population loss. If the proposed action is found to not result in impacts to federally listed, proposed, or candidate species, a “no affect” determination is indicated and USFWS consultation is not necessary.

Recovery plans, special management area designations and special management conditions can protect special status species. BLM’s Standards and Guidelines for Healthy Rangelands also provide habitat protection.

Vegetation across the Monticello FO planning area has been identified using Utah Gap Analysis data (Edwards et al. 1996), which was developed using multispectral satellite imagery in conjunction with image processing and classification software. The relationship between spectral signatures and vegetation types was further refined through the development of models that incorporated a variety of topographic and distributional information for a given vegetation type. Utah Gap vegetation data were designed to be used for depicting the distribution of the state’s various vegetation types at scales of 1:100,000 or smaller. Thus, while adequate for characterizing vegetation over large areas, this data is less accurate when viewed for smaller project areas. Gap coverage data was used to display the land cover types that exist in the Monticello FO planning area (Figure 13-1).

### 13.9 RESOURCE DEMAND AND FORECAST

Forage demands from wildlife are anticipated to continue at present rate, as the trend appears stable - deer and antelope numbers are down and elk numbers are stable. Forage demand from livestock is also anticipated to continue at the present rate.

Public interest in the Monticello FO planning area continues to grow. Recreationists are increasing in numbers and they are seeking new destinations, as well as continuing to visit popular areas such as the San Juan River and Grand Gulch/Cedar Mesa.

Seed collection is becoming more popular and should experience an increase in demand, whereas firewood and pine nut collection by private individuals are anticipated to continue at present rates.

Invasive species and noxious weeds will continue to pose one of the greatest challenges to resource managers, requiring continual surveying and monitoring. There is a increased risk of the spread of noxious weeds as more visitors travel throughout the Monticello FO planning area and seek new destinations.

Although difficult to predict, other factors, including drought, disease, and insect infestations, will continue to impact desirable vegetation through decline in vegetative productivity.

### **13.10 CONSISTENCY WITH NON-BUREAU PLANS**

The San Juan County Master Plan (1996) includes direction for weed control. It calls for continued cooperation between the county and state and federal agencies on noxious weed eradication programs.

As stated in *Vegetation Treatment on BLM Lands in Thirteen Western States ROD* (BLM 1991), the BLM will cooperate with states' noxious weed management acts to the extent of available funding.

As stated in the *Manti-La Sal National Forest ROD* (1986), vegetation may be treated to disrupt succession for the benefit of resources such as recreation, range, wildlife, watershed, and timber management. Vegetation type changes include aspen/fir to aspen, pinyon-juniper to grassland, sagebrush to forb-grass, and grass to tall forb. Silvicultural methods include selective tree removal and shelterwood harvests. Aspen and pinyon-juniper may be treated in areas exceeding 40 acres. Riparian areas are managed for protection and enhancement. The *Manti-La Sal National Forest* controls noxious weeds through cooperation with county weed control agencies.

Management of special status species on U.S. Forest Service (USFS) lands is consistent with BLM policy, in that they are managed to prevent species and habitat loss, and further listings. The USFS is responsible for the protection of federally listed and USFS Region 4 sensitive species. Management is guided by USFS sensitive species policy in *Forest Service Manual 2670*. The Regional Forester must identify sensitive species, defined as those species for which population viability is a concern based on known populations and habitat conditions, and manage them to prevent the need for further protection under federal listing. According to *Forest Service Manual Title 2600*, the Regional Forester examines the following sources as possible candidates for listing as sensitive species: USFWS species of concern and candidates for federal listing, State databases of endangered, threatened, rare, endemic, unique, or vanishing species, and other sources as appropriate.

The National Park Service (NPS) manages the adjacent *Glen Canyon National Recreation Area*, *Rainbow Bridge National Monument*, and *Canyonlands National Park*. *NPS Guideline No. NPS-77, Ch. 2* guides NPS sensitive species policy. The NPS manages to protect the same federally listed and other special status species as identified for the BLM. The NPS also addresses weed management through *Park, Regional and National Integrated Pest Management Programs*.

Under the *Strategic Plan for Glen Canyon NRA and Rainbow Bridge NM* (2000), weed management plans aim to contain tamarisk, Russian olive, and knapweed. Of the 76 known invasive species, 14 are considered serious, and 5 are considered uncontrollable. The *Strategic Plan* also includes direction to complete threatened and endangered species inventories. The *Grazing Plan Environmental Assessment (EA)* (1998) directs managing for potential natural communities (PNC).

*Canyons of the Ancients National Monument* is administered by the BLM. The RMP planning process is currently underway, and interim management directs for continued grazing of existing permits and continued noxious weed control. Vegetation treatments that cause substantial surface disturbance (i.e., chaining, riling), which would threaten archeological resources, are not permitted.

The BLM *Grand Junction FO, Colorado*, administers *Colorado Canyons National Conservation Area*. With the RMP revision process underway, the existing *Ruby Canyon/Black Ridge Integrated RMP* (1998) currently guides resource management. Vegetation is managed to protect and restore native ecosystems in

an eco-regional context. Desired plant communities (DPC), similar to DFC, have been described by ecological sites, which are areas of like soils, climate, and topography.

### **13.11 ISSUES OR CONCERNS**

Vegetation management of all vegetation types within the Monticello FO is driven by the goal of achieving a particular DFC. In addition, each one of the five major vegetation zones possesses unique management issues that also guide decisions. However, wildlife and special status species habitat, livestock use, and invasive non-native species encroachment, are management concerns common to all vegetation types.

#### **13.11.1 Pinyon-Juniper**

Unhealthy pinyon-juniper stands are evident across the Monticello FO area, especially on sites with shallow soils. Pinyon mortality, attributed to the combination of drought, Ips beetle, and root disease, is estimated at 20 to 30 percent in the FO area. Pinyon is a valuable resource for other programs such as woodlands (firewood harvest) and wildlife habitat management. It also provides pine nuts for human collection and consumption. The increase in dead wood has led to an increase in fuel loading and area fire hazards, though may also temporarily support firewood collection needs.

On the other hand, pinyon-juniper encroachment on sites with deep soils is continuing. More sagebrush communities and understory vegetation are lost as this occurs, resulting in an increase in soil erosion.

#### **13.11.2 Saltbush**

Issues in this community type are localized and will be dealt with administratively in other programs.

#### **13.11.3 Sagebrush**

Sagebrush stands are declining due to drought, insects (army cutworm), pinyon-juniper encroachment, motorized off-road travel, and lack of seedling recruitment. Large amounts of decadent plants (older age class) are evident, with a lack of age class diversity. The loss of sagebrush communities threatens wildlife habitat and species diversity across the Monticello FO area.

#### **13.11.4 Blackbrush**

Issues in this community type are localized and will be addressed administratively in other programs.

#### **13.11.5 Grasslands**

Pinyon-juniper and shrub encroachment, along with that of invasive annuals such as cheatgrass (*Bromus tectorum*) and Russian thistle (*Salsola iberica*), are the main issues of concern for this community type.

#### **13.11.6 Special Status Species**

Other competing resource uses could impact these species, which are protected by law.

### 13.11.7 Invasive, Non-Native Species

The spread of invasive species across the management area continues as a primary concern. Tamarisk and Russian olive infestations are found in many waterways and have resulted in vegetation compositions far removed from native plant communities. New species occurrences threaten existing vegetation communities, species diversity, and habitats of special status species.

Effects of the current drought are evidenced by reduced plant productivity. Unfavorable climactic conditions also predispose vegetation to insect infestations. Public interest in visiting the Monticello FO planning area continues to grow, and with this comes a greater risk of disturbance to native plant communities and special status species. Activities such as seed collection have become more popular as the demand for drought-tolerant plants increases. Recreationists are seeking new areas, as well as continuing to visit popular destinations such as the San Juan River. Increased human visitation exposes new areas to disturbance and increases the chance for outbreaks of undesirable weeds.

### 13.12 MANAGEMENT OPPORTUNITIES AND LIMITATIONS

The following items reflect opportunities for the new resource management plan.

- Designate roads and trails and/ or change off-highway vehicle (OHV) categories to help mediate impacted areas.
- Evaluate recreation areas such as dispersed camping sites to help mediate impacted areas.
- Evolve the way in which vegetation is managed by identifying and incorporating DFC. This will strengthen the decision-making process and result in more ecologically based vegetation management.
- Manage seed collection activities by designating areas and times for collection based on range condition and drought restrictions.
- Incorporate evaluation priorities found in Utah ROD (Vegetation Treatment on BLM Lands in Thirteen Western States) for choosing those sites to begin treatment project implementation.

### 13.13 REFERENCES

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**Table 13.1a Special Status Plant Species With The Potential To Occur In The Monticello Field Office San Juan County, Utah.**

<i>Scientific Name</i> Common Name	Habitat	Status (with date if only on one list)	Area of Potential and/or Known Occurrence
<i>Carex specuicola</i> Navajo sedge	Seasonally wet, seeps, springs, hanging gardens in Navajo sandstone. 3,770-5,980'.	Threatened	San Juan County
<i>Allium geyeri</i> var. <i>chatterleyi</i> Chatterley's onion	Moist pinyon-juniper and sagebrush sites.	Sensitive (2002)	San Juan County (Abajo Mountains endemic)
<i>Asclepias cutleri</i> Culter milkweed	Sand dunes.	Sensitive (1991)	San Juan County
<i>Astragalus cronquistii</i> Cronquist milkvetch	Cutler formation (Comb Wash), Morrison formation (Aneth), Mancos shale in Colorado.	Sensitive	San Juan County
<i>Astragalus preussii</i> var. <i>cutleri</i> Copper Canyon milkvetch	Warm desert shrub. 3,805'. Copper Canyon.	Sensitive (1991)	San Juan County endemic
<i>Cymopterus acaulis</i> var. <i>parvus</i> Skull Valley spring-parsley	Deposits of wind-blown sand.	Sensitive (2002)	San Juan County
<i>Cymopterus beckii</i> Pinnate (Beck's) spring-parsley	Sandy soil of Navajo sandstone origin. Crevices and ledges of slickrock. Mid-high elevation in Abajo Mountains.	Sensitive	San Juan County—Eight occurrences
<i>Dalea favescens</i> var. <i>epica</i> Hole-in-the-Rock prairie clover	Sandstone bedrock and sand in blackbrush and mixed desert shrub. 4,690-5,000'.	Sensitive	(1991, San Juan County) Southwest San Juan County and east Garfield endemic
<i>Echinocereus triglochidiatus</i> var. <i>inermis</i> Spineless hedgehog cactus	Blackbrush, ephedra, sagebrush, pinyon-juniper mountain brush, aspen communities. 3,200-8,400'.	Sensitive (1991)	San Juan County. Spineless variety is a neotype from San Juan County
<i>Epilobium nevadense</i> Nevada willowherb	Talus slopes, crevices.	Sensitive (2002)	San Juan County (Washington, Iron, and Millard counties)
<i>Erigeron kachinensis</i> Kachina daisy	Seasonally wet seeps, hanging gardens on sandstone outcrops.	Sensitive	San Juan County Colorado Plateau endemic (Natural Bridges National Monument Dark Canyon and Elk Ridge)
<i>Eriogonum racemosum</i> var. <i>nobilis</i> Redroot buckwheat	Sagebrush and pinyon-juniper. 5,000'.	Sensitive (2002)	San Juan County

**Table 13.1a Special Status Plant Species With The Potential To Occur In The Monticello Field Office San Juan County, Utah.**

<i>Scientific Name</i> Common Name	Habitat	Status (with date if only on one list)	Area of Potential and/or Known Occurrence
<i>Gilia latifolia</i> var. <i>imperialis</i> Cataract Canyon gilia	Mixed warm and cool desert shrub communities.  3,280-5,215'.	Sensitive (2002)	San Juan County (type from Cataract Canyon) Utah Endemic
<i>Habenaria zothecina</i> Alcove bog orchid	Moist streambanks, seeps, hanging gardens, in mixed desert shrub, pinyon-juniper, and oakbrush. 4,360-8,690'.	Sensitive (2002)	San Juan County, Grand County (type) Utah endemic
<i>Lomatium latilobum</i> Canyonlands lomatium (C. biscuitroot, or C. desert-parsley)	Slot canyons between Entrada sandstone 'fins' formed from expanded fractures and erosion. Sandy soil or crevices in sandstone. (Sand Flat and Mill Creek it's found in Navajo sandstone that weathers like Entrada.) Prefers the sheltered, cool habitat on all slopes and aspects.	Sensitive	San Juan County, Grand County (Wilson Mesa) Southeastern Utah (and adj. Mesa County Colorado) endemic. Thirteen occurrences
<i>Ostrya knowltonii</i> Western hophornbeam	A small tree at bases of monoliths, hanging gardens of sandstone. 4,000-5,600'.	Sensitive (1991)	San Juan County
<i>Pediomelum aromaticum</i> var. <i>tuhyi</i> Paradox breadroot	Pinyon -juniper and mixed desert shrub. 5,020'.	Sensitive (2002)	San Juan County (This variety differs from more widespread variety by size of flowers.)
<i>Perityle specuicola</i> Alcove rock-daisy	Drier crevices in seasonally wet hanging gardens, alcove communities at 4,000'. Navajo and Windgate sandstone and Rico Formation, but habitat not substrate specific.	Sensitive	San Juan County, Grand County (type north of Moab). Narrowly endemic to Colorado Plateau (from confluence of Colorado River with the Dolores and Dark Canyon)
<i>Phacelia howelliana</i> Howell scorpionweed	Salt and warm desert shrub, pinyon-juniper. 3,690-5,000'.	Sensitive (1991)	San Juan County (type from Bluff). Colorado Plateau endemic
<i>Phacelia indecora</i> Bluff phacelia	Salt desert shrub. 4,500'.	Sensitive (2002)	San Juan County (type from Bluff) Endemic
<i>Proatriplex pleiantha</i> Mancos shadscale	Salt desert shrub in Morrison Formation.	Sensitive (1991)	San Juan County (southeast) Navajo Basin endemic
<i>Sphaeralcea janaeae</i>	Sandy soils of weathered white rim and	Sensitive (2002)	San Juan County (type near White Rim

**Table 13.1a Special Status Plant Species With The Potential To Occur In The Monticello Field Office San Juan County, Utah.**

<i>Scientific Name</i> Common Name	Habitat	Status (with date if only on one list)	Area of Potential and/or Known Occurrence
(or <i>S. leptophylla</i> var. <i>janeae</i> ) Jane's Globemallow	Organ Rock members of Cutler Formation. Warm and salt desert shrub. 4,000-4,600'.		road), Grand County (questionable) Canyonlands endemic

**Table 13.1b Plants Removed from Special Status Species List**

<i>Scientific Name</i> Common Name	Habitat	Status	Occurrence
<i>Astragalus monumentalis</i> Monument milkvetch	Rimrock, slickrock in pinyon-juniper and mixed desert shrub. 4,035-6,135'.	Removed from Sensitive to Watch status	San Juan County (type from White Canyon). Also in Garfield County Endemic status
<i>Eriogonum clavellatum</i> Comb wash buckwheat	Shadescale and blackbrush. 4,350-5,510'.	Removed from Sensitive to Watch status	San Juan County (type from Bartons Range) Colorado Plateau endemic
<i>Eriogonum humivagans</i> Spearleaf buckwheat		Removed from Sensitive	

**Comment [j1]:** What's the common name?

Sources: Draft BLM Sensitive Plant Species List for Utah August 2002  
Utah Endangered, Threatened, and Sensitive Plant Field Guide Atwood et al. 1991.

**Table 13.2 Invasive and Noxious Weeds of San Juan County, Utah.**

<i>Scientific Name</i>	<b>Common Name</b>
<i>Aegilops cylindrica</i>	Jointed goatgrass <sup>C S</sup>
<i>Alhagi pseudalhagi</i>	Camelthorn <sup>C</sup>
<i>Asclepias subverticillata</i>	Western whorled milkweed <sup>C</sup>
<i>Cardaria draba</i>	Whitetop/Hoary cress <sup>S</sup>
<i>Carduus nutans</i>	Musk thistle <sup>S</sup>
<i>Centaurea diffusa</i>	Diffuse knapweed <sup>S</sup>
<i>Centaurea maculosa</i>	Spotted knapweed <sup>S</sup>
<i>Centaurea repens</i>	Russian knapweed <sup>S</sup>
<i>Centaurea squarrosa</i>	Squarrose knapweed <sup>S</sup>
<i>Cirsium arvense</i>	Canada thistle <sup>S</sup>
<i>Convolvulus arvensis</i>	Field bindweed <sup>S</sup>
<i>Cynodon dactylon</i>	Bermudagrass <sup>S</sup>
<i>Elaeagnus angustifolia</i>	Russian olive
<i>Elytrigia repens</i>	Quackgrass <sup>S</sup>
<i>Isatis tinctoria</i>	Dyer's woad <sup>S</sup>
<i>Lepidium latifolium</i>	Tall whitetop/Perennial pepperweed <sup>S</sup>
<i>Linaria genistifolia</i>	Dalmatian toadflax
<i>Onopordum acanthium</i>	Scotch thistle <sup>S</sup>
<i>Solanum elaeagnifolium</i>	Silverleaf nightshade <sup>C</sup>
<i>Sorghum halepense</i>	Johnsongrass (Perennial Sorghum) <sup>S</sup>
<i>Solanum rostratum</i>	Buffalobur <sup>C</sup>
<i>Tamarix ramosissima</i>	Tamarisk (saltcedar)
<i>Tribulus terrestris</i>	Puncturevine

<sup>C</sup> San Juan County Listed Noxious Weed

<sup>S</sup> State of Utah Listed Noxious Weed

(Designations adapted from the "Noxious Weed Field Guide for Utah" J. Merritt, N.D. Belliston, and S.A. Dewey. 2000. Cache County Weed Department, Logan, UT)

**Table 13.3 Existing Seedings (listed by priority for maintenance\*)**

<b>Project #</b>	<b>Seeding</b>	<b>Allotment</b>	<b>Acreage</b>
0730	Shay Mesa	Harts Draw	2100
0761	Little Baullies	Comb Wash	1600
0205	Bug Point	Bug Squaw	2450
4011	Horse Flats	White Canyon	7645
0705	Table Top	Monument Canyon	1800
0523	East Mesa-Horse Bench	White Canyon	600
4289			
4290	Horse Pasture Point	Montezuma Canyon	1060
0679	Dark Canyon Plateau	Indian Creek	5440
0141	Bull Hollow	Montezuma Canyon	200
0759	Peters Point	Peters Point	870
0441	Squaw Point	Cross Canyon	700
0147	Point Lookout	Slickhorn	640
0546	Coalbed Fire	Monument Canyon	1200
0559	Spring Creek	Spring Creek	260
0291	Spring Creek	Spring Creek West	80
0177	Boulder Point	Little Boulder	340
U6-R-106	Shumway	Johnson Creek	80
0085	Johnson	Little Boulder	100
0405	Racetrack	Bulldog	150
0416	Dalton	Montezuma Canyon	200
5234	Dalton	Montezuma Canyon	280
0548	Recapture Fire	Bulldog	300
4181	Big Canyon	Comb Wash	300
0741	Long Canyon Point	Montezuma Canyon	975
0401	Gyman	Bulldog	40
0367	Stevens	Stevens	50
5049	Nielson	Spring Creek	30
0076	Butt	Summit Canyon	80
4119	Butt	Summit Canyon	35
4318	Harts Draw	Harts Draw	200
	Dry Farm	Dry Farm	100
U6-4-7	Adams	White Mesa	50
0027	Harris	Dodge Point	40

**Table 13.3 Existing Seedings (listed by priority for maintenance\*)**

<b>Project #</b>	<b>Seeding</b>	<b>Allotment</b>	<b>Acreage</b>
6069	Coalbed Fire Rehab.	Monument Canyon	350
5819	Pearson Fire	Little Boulder	270
4521	Iron Canyon Point	South Canyon	260
0759B	Peters Point Burn	Peters Point	500
0007	Cyclone	Slickhorn	2000
0438	Mustang Mesa	White Mesa	1200
0521	Deer Flat	White Canyon	1900
0313	Maverick Point	Slickhorn	600
0679	Dark Canyon Plateau	Indian Creek	1200
0523	East Mesa-Horse Bench	White Canyon	300
0005	Alkali Point	Alkali Point	1400
0005B	South Alkali Pt Seeding Burn	Alkali Point	227
0005C	Alkali Point Seeding Burn	Alkali Point	188
0313	South Alkali Point	Alkali Canyon	1700
0552	Woodenshoe	White Canyon	1000
0449	Lower Westwater	White Mesa	1575
4011	Horse Flats	White Canyon	600
0446	Upper Westwater	Tank Bench-Brushy Basin	825
0655	North Slickhorn	Slickhorn	3950
0622	Muley Point	Texas-Muley	1360
0741	Long Canyon Point	Montezuma Canyon	525
0049	Brushy Basin	Tank Bench- Brushy Basin	1280
0049B	Brushy Basin Seeding Burn	Tank Bench- Brushy Basin	
0692	Pearson Point	Pearson Point	600
3512	Salt Creek Mesa	Indian Creek	1920
	Horse Fire Rehab	Monument Canyon	1000

\*Prioritization based on condition of seeding. Some seedings are listed twice as part of the seeding may have been maintained since initial implementation, therefore, the need for maintenance is lower on that maintained segment.

**APPENDIX 13-A. NOXIOUS WEED CONTROL ACT S 144 ES**

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S 144 ES

108th CONGRESS  
2d Session  
**S. 144**

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**AN ACT**

To require the Secretary of Agriculture to establish a program to provide assistance to eligible weed management entities to control or eradicate noxious weeds on public and private land.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. NOXIOUS WEED CONTROL AND ERADICATION.**

The Plant Protection Act (7 U.S.C. 7701 et seq.) is amended by adding at the end the following new subtitle:

*Subtitle E--Noxious Weed Control and Eradication*

**SEC. 451. SHORT TITLE.**

This subtitle may be cited as the Noxious Weed Control and Eradication Act of 2004'.

**SEC. 452. DEFINITIONS.**

In this subtitle:

(1) INDIAN TRIBE- The term Indian Tribe' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) WEED MANAGEMENT ENTITY- The term weed management entity' means an entity that--

(A) is recognized by the State in which it is established;

(B) is established for the purpose of or has demonstrable expertise and significant experience in controlling or eradicating noxious weeds and increasing public knowledge and education concerning the need to control or eradicate noxious weeds;

(C) may be multijurisdictional and multidisciplinary in nature;

(D) may include representatives from Federal, State, local, or, where applicable, Indian Tribe governments, private organizations, individuals, and State-recognized conservation districts or State-recognized weed management districts; and

(E) has existing authority to perform land management activities on Federal land if the proposed project or activity is on Federal lands.

(3) FEDERAL LANDS- The term Federal lands' means those lands owned and managed by the United States Forest Service or the Bureau of Land Management.

**SEC. 453. ESTABLISHMENT OF PROGRAM.**

- (a) In General- The Secretary shall establish a program to provide financial and technical assistance to control or eradicate noxious weeds.
- (b) Grants- Subject to the availability of appropriations under section 457(a), the Secretary shall make grants under section 454 to weed management entities for the control or eradication of noxious weeds.
- (c) Agreements- Subject to the availability of appropriations under section 457(b), the Secretary shall enter into agreements under section 455 with weed management entities to provide financial and technical assistance for the control or eradication of noxious weeds.

**SEC. 454. GRANTS TO WEED MANAGEMENT ENTITIES.**

- (a) Consultation and Consent- In carrying out a grant under this subtitle, the weed management entity and the Secretary shall--
  - (1) if the activities funded under the grant will take place on Federal land, consult with the heads of the Federal agencies having jurisdiction over the land; or
  - (2) obtain the written consent of the non-Federal landowner.
- (b) Grant Considerations- In determining the amount of a grant to a weed management entity, the Secretary shall consider--
  - (1) the severity or potential severity of the noxious weed problem;
  - (2) the extent to which the Federal funds will be used to leverage non-Federal funds to address the noxious weed problem;
  - (3) the extent to which the weed management entity has made progress in addressing the noxious weeds problem; and
  - (4) other factors that the Secretary determines to be relevant.
- (c) Use of Grant Funds; Cost Shares-
  - (1) USE OF GRANTS- A weed management entity that receives a grant under subsection (a) shall use the grant funds to carry out a project authorized by subsection (d) for the control or eradication of a noxious weed.
  - (2) COST SHARES-
    - (A) FEDERAL COST SHARE- The Federal share of the cost of carrying out an authorized project under this section exclusively on non-Federal land shall not exceed 50 percent.
    - (B) FORM OF NON-FEDERAL COST SHARE- The non-Federal share of the cost of carrying out an authorized project under this section may be provided in cash or in kind.
- (d) Authorized Projects- Projects funded by grants under this section include the following:
  - (1) Education, inventories and mapping, management, monitoring, methods development, and other capacity building activities, including the payment of the cost of personnel and equipment that promote control or eradication of noxious weeds.
  - (2) Other activities to control or eradicate noxious weeds or promote control or eradication of noxious weeds.
- (e) Application- To be eligible to receive assistance under this section, a weed management entity shall prepare and submit to the Secretary an application containing such information as the Secretary shall by regulation require.
- (f) Selection of Projects- Projects funded under this section shall be selected by the Secretary on a competitive basis, taking into consideration the following:
  - (1) The severity of the noxious weed problem or potential problem addressed by the project.

- (2) The likelihood that the project will prevent or resolve the problem, or increase knowledge about resolving similar problems.
  - (3) The extent to which the Federal funds will leverage non-Federal funds to address the noxious weed problem addressed by the project.
  - (4) The extent to which the program will improve the overall capacity of the United States to address noxious weed control and management.
  - (5) The extent to which the weed management entity has made progress in addressing noxious weed problems.
  - (6) The extent to which the project will provide a comprehensive approach to the control or eradication of noxious weeds.
  - (7) The extent to which the project will reduce the total population of noxious weeds.
  - (8) The extent to which the project promotes cooperation and participation between States that have common interests in controlling and eradicating noxious weeds.
  - (9) Other factors that the Secretary determines to be relevant.
- (g) Regional, State, and Local Involvement- In determining which projects receive funding under this section, the Secretary shall, to the maximum extent practicable--
- (1) rely on technical and merit reviews provided by regional, State, or local weed management experts; and
  - (2) give priority to projects that maximize the involvement of State, local and, where applicable, Indian Tribe governments.
- (h) Special Consideration- The Secretary shall give special consideration to States with approved weed management entities established by Indian Tribes and may provide an additional allocation to a State to meet the particular needs and projects that the weed management entity plans to address.

#### **SEC. 455. AGREEMENTS.**

- (a) Consultation and Consent- In carrying out an agreement under this section, the Secretary shall--
- (1) if the activities funded under the agreement will take place on Federal land, consult with the heads of the Federal agencies having jurisdiction over the land; or
  - (2) obtain the written consent of the non-Federal landowner.
- (b) Application of Other Laws- The Secretary may enter into agreements under this section with weed management entities notwithstanding sections 6301 through 6309 of title 31, United States Code, and other laws relating to the procurement of goods and services for the Federal Government.
- (c) Eligible Activities- Activities carried out under an agreement under this section may include the following:
- (1) Education, inventories and mapping, management, monitoring, methods development, and other capacity building activities, including the payment of the cost of personnel and equipment that promote control or eradication of noxious weeds.
  - (2) Other activities to control or eradicate noxious weeds.
- (d) Selection of Activities- Activities funded under this section shall be selected by the Secretary taking into consideration the following:
- (1) The severity of the noxious weeds problem or potential problem addressed by the activities.
  - (2) The likelihood that the activity will prevent or resolve the problem, or increase knowledge about resolving similar problems.
  - (3) The extent to which the activity will provide a comprehensive approach to the control or eradication of noxious weeds.

- (4) The extent to which the program will improve the overall capacity of the United States to address noxious weed control and management.
  - (5) The extent to which the project promotes cooperation and participation between States that have common interests in controlling and eradicating noxious weeds.
  - (6) Other factors that the Secretary determines to be relevant.
- (e) Regional, State, and Local Involvement- In determining which activities receive funding under this section, the Secretary shall, to the maximum extent practicable--
- (1) rely on technical and merit reviews provided by regional, State, or local weed management experts; and
  - (2) give priority to activities that maximize the involvement of State, local, and, where applicable, representatives of Indian Tribe governments.
- (f) Rapid Response Program- At the request of the Governor of a State, the Secretary may enter into a cooperative agreement with a weed management entity in that State to enable rapid response to outbreaks of noxious weeds at a stage which rapid eradication and control is possible and to ensure eradication or immediate control of the noxious weeds if--
- (1) there is a demonstrated need for the assistance;
  - (2) the noxious weed is considered to be a significant threat to native fish, wildlife, or their habitats, as determined by the Secretary;
  - (3) the economic impact of delaying action is considered by the Secretary to be substantial; and
  - (4) the proposed response to such threat--
    - (A) is technically feasible;
    - (B) economically responsible; and
    - (C) minimizes adverse impacts to the structure and function of an ecosystem and adverse effects on nontarget species and ecosystems.

#### **SEC. 456. RELATIONSHIP TO OTHER PROGRAMS.**

Funds under this Act (other than those made available for section 455(f)) are intended to supplement, not replace, assistance available to weed management entities, areas, and districts for control or eradication of noxious weeds on Federal lands and non-Federal lands. The provision of funds to a weed management entity under this Act (other than those made available for section 455(f)) shall have no effect on the amount of any payment received by a county from the Federal Government under chapter 69 of title 31, United States Code.

#### **SEC. 457. AUTHORIZATION OF APPROPRIATIONS.**

- (a) Grants- To carry out section 454, there are authorized to be appropriated to the Secretary \$7,500,000 for each of fiscal years 2005 through 2009, of which not more than 5 percent of the funds made available for a fiscal year may be used by the Secretary for administrative costs.
- (b) Agreements- To carry out section 455 of this subtitle, there are authorized to be appropriated to the Secretary \$7,500,000 for each of fiscal years 2005 through 2009, of which not more than 5 percent of the funds made available for a fiscal year may be used by the Secretary for administrative costs of Federal agencies.'

#### **SEC. 2. TECHNICAL AMENDMENT.**

The table of sections in section 1(b) of the Agricultural Risk Protection Act of 2000 is amended by inserting after the item relating to section 442 the following:

**Subtitle E--Noxious Weed Control and Eradication**

- Sec. 451. Short title.
- Sec. 452. Definitions.
- Sec. 453. Establishment of program.
- Sec. 454. Grants to weed management entities.
- Sec. 455. Agreements.
- Sec. 456. Relationship to other programs.
- Sec. 457. Authorization of Appropriations.!

Passed the Senate October 10, 2004.

Attest:

Secretary.

108th CONGRESS  
2d Session  
**S. 144**  
**AN ACT**

To require the Secretary of Agriculture to establish a program to provide assistance to eligible weed management entities to control or eradicate noxious weeds on public and private land.

*END*