

GUNNISON TRAVEL INTERIM RESTRICTIONS

Decision Notice and Finding of No Significant Impact

Portions of Gunnison, Hinsdale, Delta,
Montrose, and Saguache Counties
Colorado

March, 2001

USDA FOREST SERVICE
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Abstract: An Environmental Assessment was jointly prepared by the Forest Service and the BLM addressing a proposal to restrict motorized and mechanized access on certain public lands. Issues addressed included resource damage caused by unrestricted use, conflicts arising among users, rights of access, and future additional travel management planning needed. Alternatives for interim restrictions were considered. The decision documented in this Decision Notice affects the National Forest System lands within the area considered in the EA. Because Forest Service and BLM have substantially different decision and administrative review processes, the BLM decision will be released separately.

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I. INTRODUCTION

The area affected by this Decision is the portion of the Gunnison National Forest, including the Gunnison and Paonia Ranger Districts, where open travel is currently allowed. Areas where travel is already restricted to designated routes are not affected by this decision. Restrictions for those areas remain in affect. The current visitor map and Travel Availability Guide identify these areas and the restrictions that apply to them.

An EA was prepared jointly by the Forest Service and BLM documenting the environmental analysis which supports this decision. BLM will issue a separate Decision.

Map 1 is a vicinity map and Map 2 generally portrays the area affected. National Forest System lands (managed by the Forest Service) and public lands (managed by BLM) considered were referred to as the Gunnison Travel Analysis Area, abbreviated GTAA. This decision applies to the National Forest System lands within the GTAA.

GTAA:
**Gunnison
Travel
Analysis
Area**

In the last decade, unanticipated increases in motorized use have occurred on these public lands. The popularity of off-highway vehicles (OHVs), including sport-utility vehicles and motorcycles has steadily increased, while the popularity of ATVs (all-terrain vehicles, also known as "four-wheelers") has increased dramatically. Users of these smaller four- and six-wheel ATVs have gained and created access to areas that were until now inaccessible by full-sized 4WD vehicles. The capability of these vehicles to go nearly anywhere, coupled with their increasingly widespread use, has resulted in hiking and game/livestock trails being converted to ATV trails. New routes are being pioneered in places where none have ever existed before. In addition, mountain biking in certain areas has increased dramatically. Riders of these aggressively treaded bicycles are pioneering routes of their own and impacting fragile environments. This proliferation of access is changing the face of public lands.

Conflicts among users have developed. The recreation experience sought by some is incompatible with area-wide access by all. Increased travel and new access to remote areas is altering the recreation experience. It is also affecting wildlife, soil, water, and vegetation resources. Under the current travel management direction, motorized and mechanized use in open travel areas has become increasingly difficult to manage.

While the Grand Mesa, Uncompahgre, and Gunnison National Forests (GMUG) will soon start revising its Forest Land and Resource Management Plan, a decision on this plan may not be reached for several years. Both the public and Forest Service field personnel have expressed a desire for some interim direction to help curb increasing resource degradation and enhance the recreation experience within the GTAA. Decisions made by the Forest Service through this process will be consistent with the existing Forest Plan, and will require no amendment.

The Decision, documented in this Decision Notice (DN), and the new travel management direction for the Gunnison National Forest that it represents, is our attempt to begin to address the need for purposeful management of travel on the National Forest. We have conducted appropriate public

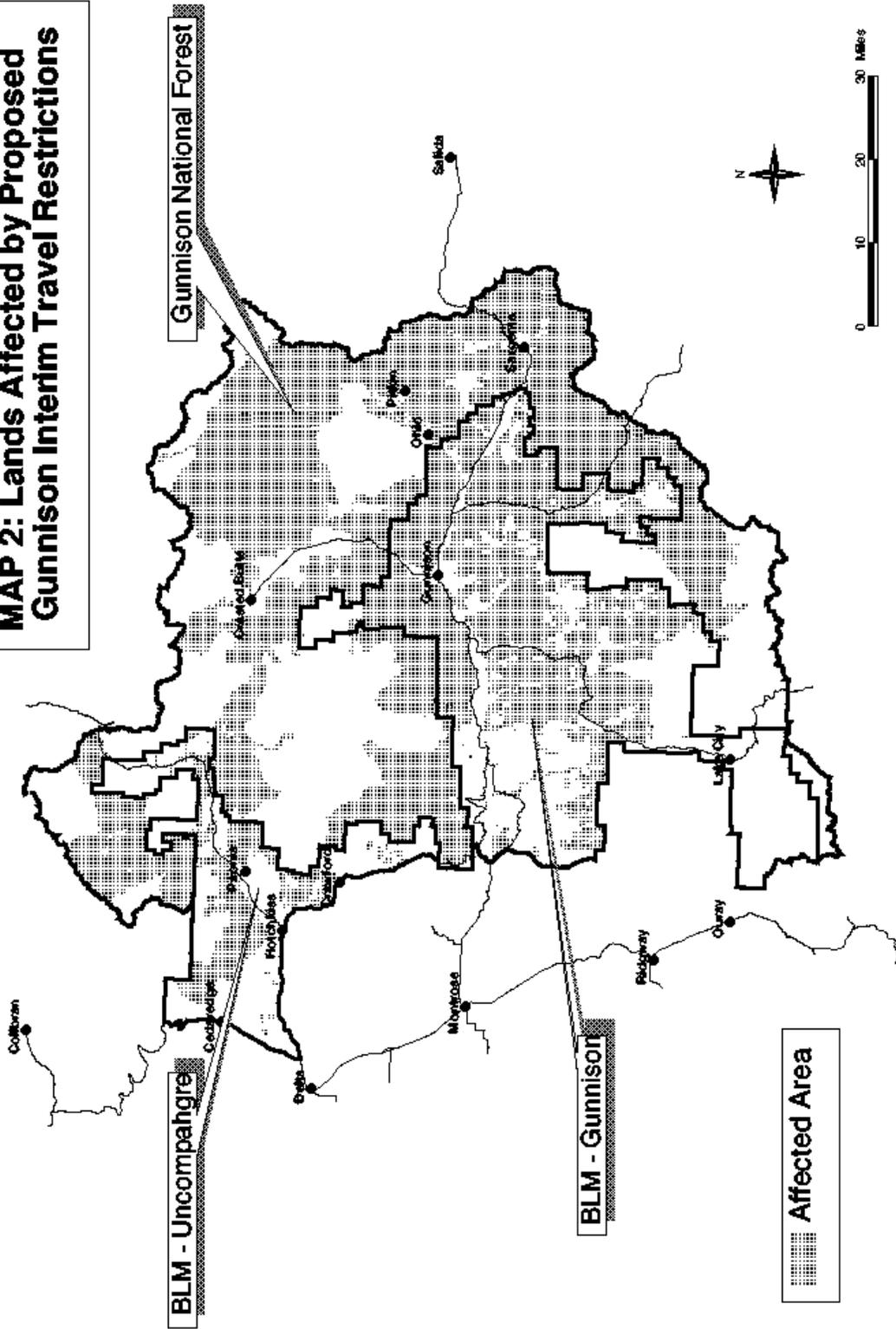
involvement and done comprehensive environmental analysis to support this Decision. This Decision is consistent with our mandates under law, regulation, and policy for managing this National Forest.

The existing National Forest management travel direction is contained within the current Land and Resource Management Plan for the Grand Mesa, Uncompahgre and Gunnison (GMUG) National Forests. The existing Travel Plan consists of: a Gunnison Visitor Map showing roads, trails and area travel regulations; the current Travel Availability Guide (TAG) listing route and area travel regulations not shown on the map; current Forest closure orders; and signs located along Forest routes showing the recommended modes of travel.

The 1983 Forest Plan was replaced in 1991 by an Amended Land and Resource Management Plan for the Grand Mesa, Uncompahgre and Gunnison National Forests (hereinafter referred to as the Forest Plan). Both the 1983 Forest Plan and the current Forest Plan identified a need to refine travel management direction (1983 Forest Plan, page II-74, Forest Plan page II-72), and this analysis is one of several efforts resulting from that direction.

This Decision is concerned only with travel on National Forest System lands within the GTAA, and does not extend to other agency jurisdictions or to private land. Travel on the Grand Mesa NF was dealt with in a separate decision, and travel on the Uncompahgre NF is being dealt with as a separate effort.

**MAP 2: Lands Affected by Proposed
Gunnison Interim Travel Restrictions**



II. DECISION AND REASONS FOR THE DECISION

The public and agency personnel have expressed the need to restrict travel to existing routes. This need and its purpose are articulated in detail in the EA at pages 9 – 11. Representatives of all sides of the motorized versus non-motorized debate have agreed that unrestricted use is causing resource damage and is unacceptably altering the National Forest. The logical and appropriate response is to restrict use at this time to established routes.

It is my decision to implement, on National Forest System lands, the Proposed Action, as it was described and analyzed in the EA. Specifically within the areas described in the Introduction to this DN:

Travel off of established routes using a mountain bike, motorcycle, ATV, full-size vehicle, or any other wheeled vehicle that facilitates human travel is prohibited. Established routes are open to the current modes of travel and legal use as of January 12, 2001. Established routes are defined as roads and trails that:

- exist on-the-ground as of January 12, 2001, as portrayed in respective agency inventories, or
- are easily recognizable on-the-ground as a route, and have been traveled routinely by users as of January 12, 2001. Any routes created after that date without specific agency authorization will be closed to motorized/mechanized use.

Type of use of routes is restricted to the type of use/mode of travel consistent with established use. (Example: ATVs are restricted from travel on established single-track trails). This is to prevent the “creep” of route development towards increasingly higher levels of use (larger vehicles and more traffic). A brochure will be developed following this Decision illustrating and explaining what would and would not be considered established routes for various types of use.

Routes that have been signed, blocked, ripped or otherwise show evidence of decommissioning or closure are not considered routes open for motorized/mechanized use unless officially signed otherwise.

This restriction does not override existing travel management decisions; it only changes “open” travel restriction still allows motorized travel 300 feet off of routes for camping and forest product gathering, where currently allowed, as long as that use does not result in resource damage. Motorized vehicles need to stay on established roads and trails to retrieve game.

Administrative uses, including special-use authorizations, are exempt from this restriction. Disabled persons may request authorization for off-route access in restricted areas by contacting the District Ranger.

This restriction does not affect the management of the agency’ existing transportation system, such as road and trail additions, relocations, maintenance and reconstruction, seasonal and permanent closures, and obliteration of some routes (approved through site-specific analysis). This measure in

no way limits the agency's authority to take necessary actions to protect public safety or prevent resource damage.

This decision does not affect over-snow travel or any existing winter use recreation.

Subsequent route-specific travel management analyses will be completed through a separate process to determine whether routes are needed or unneeded and what uses should be allowed on them. Decisions will occur only after further public discussion and environmental analysis. These may be joint FS/BLM efforts to identify and designate specific routes for specific types of use, from hiking only through the range of possible recreation user types, on the basis of resource protection needs, and a balancing of recreation and access needs for these lands.

In the EA under a section entitled Features Common To All Alternatives, Including The No Action Alternative, the following agency positions were articulated, and are repeated here as part of the Decision.

- Access will be provided to private inholders, as required by Section 1323(a) of the Alaska National Interest Lands Conservation Act (P.L. 96-487; 16 U.S.C. 3210). Access will also be regulated, as needed, with permit holders. Access for permitted activities (e.g., livestock operations, mineral exploration and development, outfitter and guide operations, recreation events, etc.) on National Forest System lands is independent of general public access. Individuals or groups with special permits are allowed to conduct their business according to their permits. Permittees have rights of access to their permitted area; however, the agencies can stipulate when and how access is achieved through approval of permits or annual operating plans. It is the responsibility of all permittees to follow the terms of their permits.
- Any Federal, State, local official, or member of a rescue organization or fire-fighting organization, in the performance of an official duty related to emergency search and rescue, and/or fire suppression, will be exempt from travel restrictions, except in Wilderness and Congressionally designated special areas (Title 36 CFR 261.50 (e), Forest Service Manual 2355.32, Region 2 Supplement 2300-93-7).
- Administrative access will be subject to existing policies for such access.
- The Forest Supervisor will continue to implement Special Orders or regulations to restrict public use on roads, trails, and/or areas where unacceptable resource damage is occurring. Title 36 CFR Part 261 prohibits damage to the land, wildlife, or vegetative resources and is the authority under which closures are issued pursuant to 36 CFR 295.
- All Federal and Colorado State laws applying to motorized vehicles are subject to enforcement. Title 36 CFR 261.12 and 261.13 regulate the operation of motorized vehicles on and off Forest Development Roads (FDR), respectively. Additionally, Colorado State Statutes apply to the operation of all motorized vehicles on public lands.
- If funding allows, law enforcement efforts and Agency education and ethics programs regarding travel on public lands will be increased;

III. PUBLIC INVOLVEMENT

Scoping letters detailing the proposed action were mailed to over 800 individuals and interest groups in February 2000. The list included grazing and special-use permittees, outfitter-guides, water users, and private landowners, as well as individuals who had expressed an interest in travel management.

News releases were sent to newspapers in communities surrounding the GTAA. Legal notices of the proposed action were published in the Crested Butte Chronicle and Pilot, the Gunnison Country Times, and the Delta County Independent.

From this initial scoping effort more than 120 comments were received.

In addition, BLM published a Notice of Intent in the Federal Register on March 30, 2000 requesting comments on the proposal. Approximately 55 comment letters and e-mail messages were received.

The Environmental Assessment, which was released in November 2000, was sent to over 250 individuals and interest groups. Seventy-one comment letters were received.

Because of the limited nature of the proposal, no public meetings were held during either the scoping period or after the release of the EA.

IV. HOW SELECTED KEY ISSUES WERE CONSIDERED

The following issues expressed during scoping and/or received as comments on the EA were of greatest concern. Other issues are part of the EA and the Response to Comments.

The Proposed Action is biased against motorized use, is too restrictive, and limits personal freedom: Throughout this process the issue of the conflict between motorized and nonmotorized use has been thematic and deserves to be addressed here.

A number of commentators felt, at times quite strongly, that the analysis (and hence, this Decision) is unfairly biased against motorized use of public lands. Our commitment is to manage all uses, in part through this decision and its implementation, in a way that fairly distributes opportunities for all groups seeking use of these public lands.

In the EA the Forest Service acknowledges that hiking, horseback riding, mountain biking, 4-wheel driving, and ATV riding are all appropriate uses of public lands. Each category of use has the right to access portions of the National Forest. However, the recent increases in recreation in general, and in particular the increases in the use of motorized recreational vehicles on the National Forest, are threatening the sustainability of the very natural resources and recreational values that users appreciate and that we are charged to protect.

Hence we are faced with the difficult matter of being responsive to a range of competing interests. The first step in the travel planning for these public lands is this Decision eliminating cross-country travel.

It is understandable that motorized interests feel as though they have the most to lose from this decision, as they are being denied the unlimited access they have had up until now. In meeting our responsibility to all users and to the natural resources, we have weighed the loss of this freedom against the benefit to be gained from imposing these restrictions and we conclude that this Decision, and the restrictions it imposes, are necessary and fair.

The Proposed Action reduces game-retrieval opportunities: We are aware that ATVs provide a convenient way to pack out big game, and that the more traditional ways of packing out game involve horses or backpacking. Counterbalancing this is the difficulty presented by monitoring this type of exception in areas otherwise closed to motorized vehicles. We have considered these factors and conclude that the negative impacts to resources, habitats, and hunters and recreationists experience exceed the positive benefit of off-route ATV use for game retrieval.

The Proposed Action may legitimize as open all non-system routes “easily recognizable on the ground and routinely traveled:”

This issue is responded to in the Response to Comments, and is also addressed under the Roads Analysis section of this Decision Notice.

We were criticized in the comments on the EA for not closing routes that have been created by repeated recreation use (as opposed to routes established by the agencies for specific purposes.) It was suggested that through this Decision we close all such routes. However, we have chosen not to close user-created routes for a number of reasons.

This decision imposes a layer of restrictions on travel, making it illegal to travel off of established routes. These are routes that are already there. The Decision simply restricts use of the areas surrounding these existing routes thereby preventing the creation of more routes.

In the past, a travel route had to be officially within our “system” to qualify for congressionally appropriated funding to manage that route. Adding existing routes to the system was an administrative procedure done at the line officer’s discretion; it did not require public involvement or NEPA analysis. Having a road or trail in the system confers no “special status” to the route regarding future planning and management.

The Green to Yellow Proposed Action does not suggest adding or removing any routes to the “system” or changing the existing status of “classified” or “unclassified” roads. This decision in no way legitimizes these routes as permanent, classified routes. In fact, we do not, by this decision, accept user-created routes as legitimate parts of the permanent transportation system. These decisions will be made in the more specific route-by-route analysis and designation to follow. In the interim motorized and mechanized vehicles are prevented from traveling cross-country, preserving the status quo, and preventing additional damage. This is a matter of sequenced decision-making.

It is our intention, with the route-specific planning which will follow, to examine each route and determine the appropriateness of its location and use. Some user-created routes are in appropriate places and serve legitimate purposes. Others have been created in inappropriate locations or may be redundant in terms of function, or may in fact be illegal, such as motorized routes into the edges of Wilderness. However, just because routes are created by users should not automatically disqualify their acceptance if they are appropriate.

We are committed to working with the users of these lands to make choices about the necessity of routes and the types of use appropriate to each route. That process will require an environmental analysis with public involvement, and will involve an extensive effort to cover the area affected by this Decision. For a further explanation of the new roads analysis process that we will use in the route-by-route analysis see the discussion that begins on page 16 of this Decision Notice.

Absent these detailed examinations, it is our choice not to close all “user-created routes” at this time. User-created routes are in many instances indistinguishable on the ground from system routes. To make the decision at this time to close these routes would arbitrarily attempt to close many routes that are in common use, are appropriate for such use, and meet all criteria for accepted routes. Such a broad-scale closure would be arbitrary and unworkable. We prefer instead an orderly examination of routes followed by sensible implementation that everyone can understand.

I believe there is a very real need, well articulated in Chapter I of the EA, for this action. Also from the EA, it is clear that this first step will go a long way towards needed protection of resources on these public lands. This is a first step, an interim action, until we can complete the route-by-route analysis.

The Decision should close all routes not posted as open immediately: This was suggested by a number of commentors. This policy is in effect on many Colorado National Forests. It is our intent to eventually arrive at just such a policy here. However, there are currently miles of routes within the GTAA which are not posted in this manner. Prior to additional or new posting, we must complete the public involvement and analysis and decision-making described above. That route-specific planning and implementation will follow, but cannot be included in our decision at this time.

Distance allowed for off-route travel is too great: We were told that the 300-foot distance is too great and would lead to increased resource damage and that the proposal would lead to law enforcement problems and the creation of new user-created roads and trails. It is our belief that 300 feet distance from roads is a reasonable distance for dispersed campers to want to go. In many situations there are actually very few places where the terrain or forest vegetation allows access to dispersed camping sites. The 300-foot does not create unacceptable impact, and will make this Forest’s policy consistent with the remainder of the GMUG and other Forests within Colorado. This consistency is better practice in terms of public understanding and enforcement.

Effect of decision on local economies: Discussions and analysis reported in the EA relating to the impact of this Decision on local economies suggest that there may be an impact on some jobs and local income, or there may not. We received comments from motorized users claiming that restriction of motorized use would cause loss of recreation, and consequent loss of income, locally. We received comments from non-motorized users claiming that the removal of motor vehicles from

areas of the Forest would attract non-motorized recreation use, and therefore produce a positive economic benefit. It is difficult, at best, to determine the correct answer, in this regard. We have acknowledged this in the EA and in responses to comments. We have displayed and considered the potential for job and income loss.

These effects, whether positive or negative, are small. However, I believe the benefit to the natural resources we are managing, and to the long-term recreation resource we are attempting to provide on the Forest, far overshadow any of these economic effects.

Wildlife effects of motorized access: This Decision will significantly improve habitat conditions in terms of both the physical environment (prevention of damage to habitat), and disturbance factors (motorized access).

Travel effects in Inventoried Roadless Areas: Motorized use is allowed in many of the roadless areas inventoried in RARE II but not designated as Wilderness. The Decision will allow motorized use to continue on established routes, and is not in conflict with existing law and regulation. See elsewhere in this DN for how route-by-route planning will occur.

V. ALTERNATIVES

The following alternatives were considered in the EA.

PROPOSED ACTION: Restrict motorized and mechanized vehicle use to existing routes (i.e., eliminate cross-country, off-route travel)

The Proposed Action is described above under “THE DECISION” and, to save space, is not repeated here.

ALTERNATIVE 1: No Action - Existing travel management direction would remain unchanged

Under the No Action alternative, Forest Service and BLM travel management direction would not be revised. Areas open to off-route motorized and mechanized travel would remain open. Existing travel restrictions would remain in place in areas currently restricted to off-route motorized travel.

ALTERNATIVE 2: Allow use of off-road vehicles for big game retrieval

All aspects of the Proposed Action would apply to Alternative 2. In addition, under Alternative 2, ATVs and motorcycles would be allowed to travel off of existing roads and trails during the big-game hunting season for the purpose of downed game retrieval. Off-route motorized travel would be allowed for big game retrieval only, providing resource damage does not occur. Game retrieval would be allowed from 10:00 a.m. until 2:00 p.m. Only one vehicle per downed animal could be used for game retrieval.

ALTERNATIVE 3: Reduce off-route travel restriction from 300 feet to 100 feet

All aspects of the Proposed Action would apply, except under Alternative 3, wheeled travel off of existing routes for such activities as firewood gathering, camping, and picnicking would be reduced from 300 feet to 100 feet, providing that resource damage does not occur.

ALTERNATIVE 4: Restrict wheeled-vehicle use on only portions of the GTAA (i.e., a mix of open and restricted areas)

It was proposed by some that instead of restricting off-route travel on the entire GTAA, a part of the area be left open. The areas to be left open would be identified on the basis of suitability for such use and/or resistance to the impacts of such use.

This alternative was eliminated from further study because the purpose and need described in Chapter I applies across all lands in the GTAA, and the ID Team was unable to identify any one area over another that would be suited to off-route use. Leaving selected areas open would concentrate this type of use and amplify the impacts we are seeking to reduce.

ALTERNATIVE 5: Restrict the use of motorized vehicles off of existing routes differently during the big game hunting season.

This alternative would restrict the use of motorized vehicles off of existing routes during the big game hunting season, but would allow such use during the remainder of the year.

This alternative seems to selectively discriminate against hunters in particular. Neither agency felt that it was appropriate to selectively regulate one single group of users. Neither did we feel that such regulation was reasonably enforceable. Hence, it was eliminated from detailed study.

Alternately, some commented that off-route use should be allowed ONLY DURING the hunting season. This would facilitate access for hunters of all ages and abilities. The same concern about the selective regulation of one group applied in the elimination of this alternative. Also, the bulk of the impacts to the resource, and to wildlife would not be addressed under this scenario of management. Therefore, this idea was not studied in detail.

ALTERNATIVE 6: Restrict the Use of Motorized Vehicles to Forest Service and BLM System Routes only.

Some people commented during scoping that making any decision allowing use of the numerous user-created routes would be affirming and legitimizing those routes, when in fact they were not planned or intended to be permanent transportation facilities. The suggestion was to consider limiting all motorized and mechanized use to designated, Forest Service and BLM System roads and trails. System roads and trails are either intentionally designed and built by the agency, or formally accepted as part of the official system.

This alternative was eliminated from detailed consideration because route-by-route decisions are not being made in this process. See “Decisions to be Made” in Chapter I. The proposed action would not legitimize these routes. Individual road and trail decisions will be made in separate processes to

follow. The decision to be made through this environmental analysis (this EA) focuses on off-route/cross-country travel.

The most immediate need to which this proposed restrictions are responding is to stop the proliferation of new routes and the “creep” of existing routes to higher levels of use. A decision to restrict use to Agency routes would result in closure of many existing routes to current motorized/mechanized use. A more in-depth analysis that considers the entire system of travel routes is needed to make these decisions. Such detailed analysis is beyond the scope of the current process. Both agencies recognize the need for more detailed route-by-route analysis.

VI. FINDINGS REQUIRED BY OTHER LAWS

Consistency with/Amendment of the Forest Plan: We have reviewed the Forest Plan and find that this action, and the restrictions involved, are consistent in all respects with direction it contains. No amendment or modification to the Plan is needed.

The Endangered Species Act: Section 7 of the Endangered Species Act requires all Federal Agencies to ensure that their actions are not likely to jeopardize the continued existence of any threatened or endangered species or result in the destruction or modification of critical habitat. Consistent with agency procedures for compliance with this Act, a biological assessment was prepared, and it is our finding, that this Decision will not jeopardize the continued survival of any listed threatened or endangered species.

Clean Water Act: No specific provisions of the Clean Water Act apply to this Decision. Wetlands or waters of the U.S. that may be affected by this Decision are not proposed for dredge, fill, or any direct site-specific disturbance.

National Historic Preservation Act: Consultation is also required by Section 106 of the National Historic Preservation Act with the Advisory Council on Historic Preservation and the State Historic Preservation Officer. Section 106 requires special review of any undertaking that could affect historic properties that are included or eligible for inclusion in the National Register of Historic Places.

Actual survey of routes has not been done. Travel management affects large areas. This decision does not address specific routes. Also, these restrictions to be implemented result in less area-wide travel.

Once route-specific planning is completed for given areas, compliance will be assured through a Memorandum of Agreement (MOA) among the Advisory Council on Historic Preservation, the State Historic Preservation Officer, and the Forest Service, for a set of survey sampling procedures and a schedule for this survey. In the instance of this decision, there is a net benefit to cultural and historic properties in that motorized and mechanized use is prevented from area-wide travel which may inadvertently impact these properties.

Clean Air Act: There are no effects on any aspect of air quality covered by the Clean Air Act or associated regulations from the Decision.

Executive Order 12898 (Environmental Justice): Since the early 1970's, there has been increasing concern over disproportionate environmental and human health impacts on minority populations and low-income populations. Executive Order 12898 (February 11, 1994, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations) directs each federal agency "to make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low income populations."

In July of 1999 the EPA issued its "Final Guidance for Consideration of Environmental Justice in Clean Air Act Reviews." The concepts explained in this guidance are applicable well beyond Clean Air Act reviews.

Concepts and "tests" of this guidance have been applied to the public, analysis and decision processes used in coming to this Decision. It is my conclusion that no minority or low-income population is negatively affected by the Decision (either proportionately or disproportionately), and that any and all people that might fall into these categories were able to fully participate in the public, analysis and decision processes. The Decision, and the processes that support it, comply fully with Executive Order 12898.

Required Permits, Licenses, Grants or Authorizations: No additional permits, licenses, grants or authorizations are required to implement this Decision.

VII. ROADS ANALYSIS PROCESS

On January 12, 2001 the "Final Rule on Administration of the Forest Development Transportation System and Associated Policy" were published in the Federal Register. This new direction changed the way the Forest Service manages roads and requires that we use a science based analysis process for evaluating the effects of roads.

Because this Decision does not address specific roads and trails we have concluded that the Roads Analysis would need to be applied to route-specific planning rather than to this Decision. The following discussion outlines the various levels of Roads Analysis under the new rule and points out where this route-by-route planning will occur.

Direction in the new roads policy requires each National Forest to complete a forest-scale roads analysis by January 13, 2003. The forest-scale roads analysis will use existing data on classified roads, and will focus on the higher standard roads (the graveled and paved roads). Topics considered at the forest-scale will include:

- environmental and social issues related to roads and road access across the entire Forest,
- rights-of-way acquisition needs,

- relationship of the Forest transportation system to roads under other jurisdictions (i.e. counties, State, Tribal or other Federal agencies),
- investments needed to manage the Forest transportation system,
- current and likely future funding levels for Forest roads management.

The forest-scale roads analysis will identify the key routes needed to access the National Forest and any coordination needed with other government agencies and jurisdictions to manage these key routes. It will also display funding needed to manage these routes compared to the actual funding levels received. This will be used to prioritize where the limited road management dollars should be spent. Based on the issues identified in the roads analysis, specific areas may be identified where a closer look may be needed, or where more data is needed to determine the effects of roads. The Forest-scale roads analysis will put road management in the context of managing all forest resources. Over time, a forest-scale roads analysis will be modified as activities, access needs or issues change.

As part of the forest plan revision process on the GMUG, we will divide the Forest into geographic areas based on a combination of geology, watersheds and communities. Approximately four to six of these areas are anticipated. We will be doing local analyses (called Sub-basin Reviews) to evaluate existing conditions and determine desired conditions, with public help. As part of these Sub-basin Reviews, we will be taking a closer look at all the roads and trails within each of these geographic areas. We anticipate completing these Sub-basin Reviews in the next two to three years. These assessments will document the results of the nine-step process for initiating Forest Plan Revision as described in the new planning rule (36 CFR 219.9).

Some of Sub-basin Review work will be concurrent with the Forest-scale roads analysis. Depending on the timing, information from the Forest-scale roads analysis will either be used to refine issues and data needs for the roads analysis in a Sub-basin Review or results from Sub-basin roads analyses will be incorporated in the forest-scale roads analysis.

A third level, or scale, of roads analysis may also be ongoing during both the Forest-scale roads analysis and the Sub-basin Reviews – watershed- or project-level roads analysis. The determination of where to do a watershed roads analysis first may be made through either the Forest-scale or Sub-basin roads analyses, or it could be determined by local public and/or resource issues. In either case, it is through a watershed roads analysis that needed and unneeded roads are identified.

Watershed-scale roads analysis will also describe:

- roads with environmental or public safety risks,
- site-specific priorities or opportunities for road improvements or decommissioning, (These can be taken forward into NEPA project proposals.)
- areas of special sensitivity or resource values,
- specific information that may be needed to support a project decision.

The watershed-scale roads analysis is intended to be done prior to initiating NEPA. It will help us focus our efforts on areas with the greatest resource concerns. Roads analysis is an assessment process; it does not result in new decisions on travel management. Any decisions to improve or

decommission a road or trail will be done through the NEPA process using information gathered in a roads analysis.

VIII. ENVIRONMENTALLY PREFERRED ALTERNATIVE

Alternative 3 is the environmentally preferred alternative. This alternative would impose the greatest restriction on motorized use. While some people may disagree, it is our conclusion that motorized vehicle use, ATVs in particular, is having a significant negative environmental impact on lands and resources within the GTAA. This is supported by our own observations, and by the large number of comments and complaints we receive from users.

This alternative was not selected for reasons articulated earlier. However, the proposed action, and this Decision, depart from this environmentally preferred alternative only in that access to dispersed sites is allowed up to 300 feet from roads instead of 100 feet. All other elements of the environmentally preferred alternative are incorporated in my Decision.

IX. SITE-SPECIFIC IMPLEMENTATION, FURTHER TRAVEL MANAGEMENT PLANNING

Implementation: Specific actions will be required to implement this Decision. A Forest Supervisors Order will be written and placed in effect codifying the restrictions decided here. Information will be included with the Gunnison Basin Area Visitor Map to update it to include requirements of the Decision. A brochure, mentioned in “The Decision and Reasons for the Decision” above, will be widely distributed. Agency personnel will be erecting signs on certain routes that are showing faint signs of developing into new routes or are creeping toward higher vehicle type use, indicating either closure or restrictions to use consistent with criteria for use of routes articulated in this Decision. We will continue efforts at public education with regard to appropriate uses of public lands, including travel.

X. FINDING OF NO SIGNIFICANT IMPACT

Sec. 1508.27 of 40 CFR defines significantly. It is on this basis that the determination whether to prepare an Environmental Impact Statement is made. Below are direct quotes from the regulation in italics, each followed by discussion of the Gunnison Travel decision in standard text.

"Significantly" as used in NEPA requires considerations of both context and intensity:

(a) Context. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant.

The context of this Decision is the Gunnison National Forest located within the National Forests and Public Lands of the south-central Rocky Mountains. Many surrounding Forests already have established the very policies that have been proposed here. The change in the actual use of these lands by recreationists will change very little. Use will continue but will be restricted to existing routes. The environmental effects of such restrictions are consistent with the management of surrounding lands and with the purposes for which these lands are to be managed (as indicated in current Forest Plans). This Decision is in no way an anomaly or out of context with management policies and practices in the surrounding area, or within the Gunnison National Forest itself.

Also important to defining the context of this Decision is the fact that these are interim restrictions. Future plans and decisions, including the route-by-route planning and the Forest Plan revision, will address issues that are beyond the scope of this decision.

(b) Intensity. This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity:

1. Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.

While effects documented in the EA are clearly beneficial to the environment over the long term, the increment between current conditions and expected future condition of the Forest is very small. Observable differences on the ground will amount to the prevention of the creation of more user-created routes, and the prevention of the expansion of existing routes to larger vehicle routes (OHV routes becoming jeep routes).

2. The degree to which the proposed action affects public health or safety.

Public health and safety was not raised as a significant issue. It is of concern in any decision affecting these lands. However, this Decision has little effect in this regard. This Decision addresses itself more to needed environmental protection.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

None of these features are substantially affected. Historic and cultural resources are addressed at pages 58-61 of the EA. There are no park lands or prime farmlands within the project area. Nor are there any rivers classified as wild and scenic. Neither are there any areas specifically classified as ecologically critical areas. The effects of this Decision on any such areas would not be significant.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

There are two interpretations of this criterion. One is whether the project decision is controversial. In this case, while there is some disagreement among members of the public with

regard to the proposed action and possible alternatives, this does not rise to the level of significant controversy. The second interpretation is that there is disagreement among experts regarding the predicted environmental effects of an action considered in the analysis. An example would be if the effects of the proposed action were not fully understood and the subject of debate among academicians examining the issue. This is clearly not the case for this travel decision. The EA does a good job of articulating various environmental effects anticipated.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

This criterion is related to number 4 above, but emphasizes the uncertainty of effects. The travel management effects documented in the EA are well understood and reasonably predictable using existing concepts and methods of disclosure.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

No precedent is established by this Decision. It is consistent with the policies already in place on the majority of Colorado and Wyoming National Forests.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

Each section of Chapter III of the EA addresses direct indirect and cumulative effects. There are cumulative effects of this action, when considered with other past, present, and future actions on the Forest. However, these do not cumulatively amount to significant impacts not already documented in the FEIS for the Forest Plan. In fact, the positive effects of this action may in a small way offset some of the effects from other actions on the Forest over time. Considered cumulatively, these effects are not significant.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

As documented in the EA at pages 58-61 none of these features or resources are affected by the proposed action or alternatives.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

The EA at pages 54-58 addresses TE Species and habitats. Of the six species considered in the EA only Southwestern willow flycatcher and lynx show any response to the proposed action or alternatives. These effects are very small and would be positive, and are not significant.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

This Decision is consistent with all applicable Federal State and local laws. The purpose and need met by this Decision clearly advances the goals set out laws and requirements established for the protection of the environment.

Based on these findings, it is my determination that there will be no significant effect on the quality of the human environment from implementing this Decision, and that an environmental impact statement need not be prepared.

XI. ADMINISTRATIVE REVIEW, IMPLEMENTATION

This decision is subject to appeal pursuant to 36 CFR 215.7. A written Notice of Appeal must be submitted within 45 days after publication of the notice of this Decision in the Grand Junction Daily Sentinel. Appeal Notice must be sent to:

USDA, Forest Service, Rocky Mountain Region
Attn: Tom Thompson, Appeals Deciding Officer
P.O. Box 25127
Lakewood, Colorado 80225

Appeals must meet content requirements of 36 CFR 215.14. If no appeal is received, implementation of this decision may occur on, but not before, five (5) business days from the close of the appeal filing period.

XII. CONTACT PERSONS

For further information from the Forest Service on this decision, contact, Jim Dawson, Project Leader/District Ranger, Gunnison Ranger District 216 N. Colorado Avenue, Gunnison, CO 81230, 970-641-0471, or Jeff Burch, 2250 Hwy 50, Delta, Colorado 81416, Telephone (970) 874-6600.

ROBERT L. STORCH
Forest Supervisor
Grand Mesa, Uncompahgre and Gunnison National Forests

Date