

**Decision Notice
& Finding of No Significant Impact**

**FOREST PLAN AMENDMENT FOR
GRAND MESA TRAVEL MANAGEMENT**

April 5, 2004

DELTA AND MESA COUNTIES, COLORADO

LEAD AGENCY: U.S.D.A., Forest Service
RESPONSIBLE OFFICIAL: Robert L. Storch, Forest Supervisor,
Grand Mesa, Uncompahgre and Gunnison National Forest

FOR FURTHER INFORMATION CONTACT

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INTRODUCTION

In December 1994, the Forest Supervisor of the Grand Mesa, Uncompahgre, and Gunnison National Forest signed a Decision Notice which changed travel management on the Grand Mesa National Forest (GMNF) from “travel anywhere” to “travel on designated routes only” and identified the routes that were to be open to motorized travel. Some routes were closed to motorized travel as a result of that decision. The 1994 decision was appealed by several individuals and groups, including the Colorado Off Highway Vehicle Coalition (COHVCO).

As required by regulation, informal disposition meetings were held to seek to resolve the appeals. A Settlement Agreement was reached between the Forest Supervisor and COHVCO. The Forest committed to “evaluate re-opening to motorized recreation use: a) 100 miles of the 299 miles of non-system trails closed in the 1994 decision, and b) those water user access roads and trails in the GMNF necessary to access their water facilities.

The Forest Service began the analysis in late 1995. An Environmental Assessment which analyzed reopening 101.7 miles of routes was published in December 1996. The EA was distributed for the 30-day comment period for public review. Upon review of over 600 comments, Forest Supervisor Robert Storch directed the District to complete a comprehensive route-by-route study in 1997.

In late 1999 after two years of working with local motorized groups, water users and citizens, a proposed action that met the spirit of the settlement agreement was sent out for public comment.

Over 100 comment letters were received. The interdisciplinary team then identified key issues and developed additional alternatives to be analyzed. During this time, the team was confronted with several new challenges and policy direction which required new and additional analysis to support a decision. These included the listing of the Canada Lynx in early 2000, FS receipt of appeal and subsequent decision remands in 2001 regarding ‘species viability’ and ‘management indicator species’, lengthening the analysis process.

A second environmental assessment entitled “Environmental Assessment for Grand Mesa Travel Management” was issued in August of 2002 and sent out for public comment.

Following review of public comment received, on December 1, 2003, Forest Supervisor Robert Storch issued a Decision Notice and Finding of No Significant Impact... for ... Grand Mesa Travel Management.

An appeal of this decision was filed by Western Resources Advocates, representing Colorado Mountain Club, The Wilderness Society, and Wildlands CPR. While the August 2002 EA announced the need for a Forest Plan amendment to allow for departure from habitat effectiveness standards in the Forest Plan, the December 1, 2003 decision concluded no amendment was needed. The Appeal Reviewing Officer, and the Appeal Deciding Officer found in favor of appellants in this matter. In his decision dated February 26, 2004, the Appeal Deciding Officers found as follows:

“The Reviewing Officer, based on review of the record, recommended the decision be affirmed with instructions to complete a project-specific amendment to the Forest Plan as described in the EA. The information in the EA supports the rationale to complete a project-specific amendment to the standard for Habitat Effectiveness. The new decision will be subject to appeal under the 1993 215 appeal regulations..... I concur with the Appeal Reviewing Officer’s recommendation.”

This decision notice documents my decision to amend the Forest Plan, consistent with both the direction above, and the recommendations of the August 2002 EA.

DECISION AND REASONS FOR THE DECISION

Following my review of the Forest Plan, the Appeal Reviewing Officer's letter in the above mentioned appeal, and the August 2002 Environmental Assessment, it is my decision to amend the Forest Plan to allow for implementation of the Decision documented in my December 1, 2003 Decision Notice. The actual amendment is a separate document entitled "FOREST PLAN AMENDMENT 04-01 Grand Mesa, Uncompahgre and Gunnison National Forest Land and Resource Management Plan."

Specifically, this amendment allows for departure from the Forest Plan Standard/Guidelines calling for specified objective levels of **Habitat Effectiveness (HE)** for elk. See attached Appendix A of the Plan Amendment for existing Plan direction. A reduction of the level of calculated HE will be the consequence of the reopening of the following routes reopened for motorized use by my December 1, 2003 Decision.

A. Of watersheds currently falling below calculated HE of 40%, three have routes reopened in them, as follows:

Watershed	"100 Mile" route	Water User Routes
14010005171402	#27 (.68 miles)	Route 121
14020005130702		Routes 121, 129
14020005130902	#25 (.26 miles), #30 (.64 miles)	Route 121

Of these routes to be reopened, only the "100 Mile" routes, have any effect on HE, as the Water User Routes 121, and 129 are already Forest Development Roads (FDR) currently open to full-sized motor vehicle use. Adding ATV use to these roads has no effect on HE. Hence, the total miles effecting HE on watersheds falling below 40% is 1.58 miles. Reduction in calculated HE for these areas will be less than a 1% reduction.

This is in watersheds where actual elk populations are consistently meeting or exceeding Division of Wildlife objectives. The EA at pages 3-24 through 3-38 discuss the effects on elks and elk habitat effectiveness in detail. I conclude that the reduction in HE from the decision amounts to a miniscule real effect on elk and elk habitat.

B. The segments of routes within management areas calling for higher levels of HE than 40% (see EA page 3-28 and 3-34) as an objective are segments of the Alkali Creek Route #04, Dirty George Route #110, and Trickle Park Road #121. The 04, 63 and 110 routes included mitigations to protect either big game winter range (in the case of Route 04) or elk calving periods with a seasonal closure period (in the case of Routes 63 and 110) Refer to Decision Notice, 12/01/2003, Mitigations #6 and #8, pages 7-8.

As it was for routes 121 and 129 above, the Trickle Park and Dirty George roads are already open to full sized motor vehicle traffic. Allowing ATV use on these roads has no effect on HE. Therefore, total miles of increased routes is one mile (Route #04). Reduction in calculated HE from use of this route is less than 1%.

Again, I conclude that there is no real effect on elk populations, and the real effect on habitat is very small. This effect is outweighed and justified by the beneficial effect to the opportunity for motorized recreation that will result.

SIGNIFICANCE OF FOREST PLAN AMENDMENT

Attached to the amendment as Appendix B is a copy of applicable direction for amending Forest Plans. As I review the criteria for determining the significance of an amendment it is clear to me that this amendment is not a significant plan amendment.

Specifically, looking at criteria for significance in the Forest Service Manual (FSM) 1922.51, multiple-use goals and objectives for long-term land and resource management are not affected; there is not adjustment of management area boundaries or management prescriptions; the change to the applicable standard and guideline is very small and limited in application to less than 3 miles of routes.

In terms of direction in the Forest Service Handbook (FSH) 1909.12, the location and size to this change, as discussed above under Rationale, is very small in relation to the overall National Forest. There is no change in goals, objectives, or outputs (goods and services) from the Forest. The introduction of one additional mile of access for motorized use in a 5A management prescription area, does not effect or change that prescription, and there is no possible effect to any other management prescription.

It is my determination that this amendment is a non-significant amendment of the Forest Plan.

FINDING OF NO SIGNIFICANT (ENVIRONMENTAL) IMPACT

As this decision results in no additional environmental impact not already considered the December 1, 2003 Decision Notice and Finding of No Significant impact, a FONSI is not needed for this decision.

PUBLIC INVOLVEMENT/IMPLEMENTATION OF THIS DECISION

Extensive public involvement has been conducted throughout the process of coming to my December 1, 2003 decision. See that Decision Notice, page 9. The EA discusses the potential need for this amendment (see pages 1-4, 2-6). Environmental consequences of the actual decision are well described in the EA.

As relates to public notice for such an amendment as this, FSH 1909.12 Chapter 5.32.4 states:

“If the amendment is determined not to be a significant change to the forest plan, the Forest Supervisor may implement the amendment following appropriate public notification and satisfactory compliance with Forest Service environmental policies and procedures for the project or action.”

And FSH 1909.12 Chapter 5.4.2 states:

“In the case of a change to the forest plan that is determined not to be significant, the Forest Supervisor documents the decision in the appropriate document and at the same time, if the activity is approved, amends the forest plan and implements the project or activity following appropriate public notification. Once the amendment is approved, permanently attach a copy of the amendment to all reference copies (36 CFR 219.6(i)(3)) of the forest plan. This finding is an appealable decision.....”

No further public review of the amendment or of this decision is required.

This decision may take effect 5 days after the end of the appeal filing period, or 15 days after resolution of appeals, if any are received.

ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

This decision is subject to appeal. Only the decision to amend the Forest Plan, as documented in this Decision Notice, is subject to appeal. Decisions documented in my December 1, 2003 Decision Notice, are not revisited here, and are not subject to further administrative review.

The appeal regulation which is applicable to this decision is the version of 36 CFR 215 promulgated in 1993 and amended in 1998. These regulations may be viewed at <http://www.fs.fed.us/emc/applit/includes/93appregs.pdf>. 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: Appeals Deciding Officer
P.O. Box 25127
Lakewood, Colorado 80225

Appeals must meet content requirements of 36 CFR 215.14.

CONTACT PERSONS

For further information from the Forest Service on this decision, contact, Connie Clementson, District Ranger, Grand Valley Ranger District, 2777 Crossroads Blvd., Unit A, Grand Junction, Colorado 81506. Telephone (970) 242-8211, or Jeff Burch, 2250 Hwy 50, Delta, Colorado 81416, Telephone (970) 874-6649.

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

Date