

**DECISION NOTICE
and
FINDING OF NO SIGNIFICANT IMPACT**

ROCK OF AGES TRAIL PROJECT

USDA Forest Service
Norwood Ranger District
Grand Mesa, Uncompahgre, Gunnison National Forests

San Miguel County, Colorado

BACKGROUND

An Environmental Assessment (EA) has been prepared for the proposed Rock of Ages Trail Project. The project area is located on National Forest System lands in the vicinity of Silver Pick Basin about ten miles southwest of Telluride, Colorado in T48N R10W Sections 19, 30, 31, and 32. The project area lies entirely within San Miguel County, Colorado.

In July of 2003, landowner Rusty Nichols closed his private lands in and adjacent to Silver Pick Basin to public access. This action closed a segment of the Silver Pick Trail which was the shortest, most popular approach to Wilson Peak, a popular 14,000-foot peak in the Lizard Head Wilderness.

In October of 2007, the Trust for Public Lands purchased 230 acres of the landowner's properties in Silver Pick Basin, Rock of Ages Saddle, and on the southwest ridge of Wilson Peak. Although this was an important first step toward restoring access, the private landowner retained three private claims in the lower Basin that continue to be closed to the public. A new route would need to be established to fully restore public access through the Basin.

PURPOSE AND NEED

The primary purpose of the proposed action is to restore public hiking access through Silver Pick Basin to the Rock of Ages Saddle. In addition there is an opportunity to: 1) improve parking facilities at the trailhead and along the access road to the trailhead to accommodate both standard vehicles and stock trailers; 2) address resource damage and safety issues on the Forest Service Road #645; 3) discourage public trespass on private lands in the area; and 4) adjust the travel management designations on Trail #407, Trail #407.1A, and FSR #622 in response to the loss of public access through the Basin.

DECISION

I have reviewed the EA and Project Record, including the Response to Comments, Biological Evaluation, the Biological Assessment, and the Cultural Resource Report. It is

my decision, based on consideration of the EA and public comments, to proceed with implementation of Alternative 3.

The primary consideration in the design of the Proposed Action and the alternatives was the need to restore public hiking access through Silver Pick Basin to the Rock of Ages Saddle.

Under Alternative 3, the designation of the Rock of Ages Trail and the construction of a new trailhead facility, dispersed camping area, and secondary parking area would greatly improve the recreation experience for trail users. In addition, this alternative would expand hiking opportunities in Silver Pick Basin with the additional designation, signing, and maintenance of 1.0 mile of the Burro Trail. This trail melts out earlier than would sections of the proposed Rock of Ages Trail and has much less snow overall. Consequently, it would potentially serve as an early season climbing route to Wilson Peak.

The potential for public trespass of private lands in the Basin would be greatly reduced under this alternative. The availability of improved, reliable trailhead access on FSR 645; quality parking and dispersed camping facilities; and well-maintained and signed trails to the Rock of Ages Saddle would meet the needs of trail users. There would be no reason for the public to trespass through private lands in the Basin.

This alternative would address resource and safety issues on FSR #645. Standard maintenance work to improve drainage, repair and fill in ruts, and apply spot gravel would be conducted. In addition, vegetation clearing along the road corridor and additional road surfacing would ensure that the road would be accessible by 4WD vehicles even during wet weather conditions.

COMPLIANCE WITH OTHER LAWS AND REGULATIONS

To the best of my knowledge Alternative 3 meets requirements under NFMA, NEPA, ESA, and all other applicable laws and regulations. It also meets the Project Design Criteria as stated on Page 11 of the Environmental Assessment.

PROJECT DESIGN STANDARDS MADE PART OF THIS DECISION

In response to management standards and guidelines of the Forest Plan and the significant issues identified for the proposed action, project design criteria were developed to alleviate potential resource impacts and to facilitate administrative access. The project design criteria and administrative actions are necessary to implement the selected alternative.

1. To avoid impacts to water quality, aquatic species, and wildlife, road and trail maintenance, construction, and/or reconstruction will be implemented in accordance with Forest Service design practices and standards.

2. Any invasive species or noxious weed infestations resulting from this project will be monitored and treated in combination with control efforts that may take place within the project area.
3. The Forest Service will manage administrative access into the project area. Affected landowners will be provided administrative access to roads and trails behind the locked gates in accordance with the terms and conditions of their road permits, special use permits, and/or easements.
4. The Forest Service will provide periodic maintenance of the road, parking areas, trail, gates, and associated signs in concert with maintenance of the overall trail system in cooperation with interested public user groups.
5. The Forest Service will enforce travel management regulations as part of the overall Uncompahgre National Forest travel plan and monitor the effectiveness of the trail closure methods and designated trail use within the project area. Problems identified within the project area will be documented and corrected as soon as possible.
6. Additional signing will be installed to clearly identify trail routes and the types of uses and permitted seasons of use of those trails.
7. An educational kiosk with wilderness, 14,000 foot peak climbing, travel management, and trail use etiquette information will be installed at the trailhead parking lot. . Both new parking areas will be monitored for the need for further improvements such as hardened, formal parking areas to reduce resource damage.
8. To avoid adverse impacts to the northern goshawk, activities should not occur within ¼ mile of an active nest from March 1 to July 31 if those activities would cause nest failure or abandonment.

ALTERNATIVES CONSIDERED

The alternatives considered in detail are described below. The No Action alternative is required under NEPA, and would implement actions currently authorized in the 2002 Record Of Decision (ROD) for the Uncompahgre National Forest Travel Plan within the project area. The other alternatives were developed by the project Interdisciplinary Team to describe the current condition on the ground, and to meet the purpose and need for the project in response to the significant issues identified.

Alternative 1 – Mountain Bike Opportunity

Under Alternative 1, the proposed Rock of Ages Trail would be designated as open to travel by mountain bikes, hikers, and horses. The trail would offer a 3.0 mile out-and-back route for mountain bikers. In addition, the southern .9 mile of FSR #622 would remain open to mountain bikes, offering an out-and-back route.

Signing would be placed at key points along the Rock of Ages Trail to discourage trail users from trespassing on adjacent private lands. The Burro Trail would remain an unmaintained, unsigned social trail. The .1 mile trail connector between the Burro Trail and the Rock of Ages Trail would not be constructed.

All other features of Alternative 1, including the FSR #645 improvements, construction of the two parking areas and their associated amenities, and proposed trail detours and reconstruction would be the same as described under Alternative 3, the Proposed Action.

Alternative 2 – No Action

Under this alternative, there would be no change in the current situation within the project area. The Rock of Ages Trail would not be designated and signed as a NFS system trail. FSR #645 would receive routine maintenance and a squeeze gate would be installed approximately .5 mile west of where the road crosses Big Bear Creek (per the Uncompahgre National Forest Travel Plan). This gate would restrict vehicles greater than 50 inches in width from proceeding west onto the Wilson Mesa and Elk Creek trails. Parking and associated amenities would not be developed along FSR #645. The Burro Trail would remain an unmaintained, unsigned social trail.

Recreationists (mountain bike, hiking, horse) would continue to have limited access into Silver Pick Basin on Trail #407.1A and FSR #622. Access on this trail would dead end abruptly at its intersection with private land in the Basin.

Alternative 1 is developed to describe the current condition on the ground, and the administrative actions necessary to comply with the 2002 Record of Decision (ROD) for the Uncompahgre National Forest Travel Plan. As shown on the map of Alternative 1, existing routes within the project area include the Base Transportation System, three single-track trails, and a variety of other routes.

PUBLIC INVOLVEMENT

Scoping was conducted to solicit public and agency input to the proposed action, and to help determine issues and concerns associated with the proposed action. The Norwood Ranger District published a Legal Notice in the Telluride Daily Planet on September 19, 2008 notifying the public of the Rock of Ages Trail project and the opportunity to comment on the proposed action. In addition, a personal scoping letter was sent to 22 interested and affected individuals, organizations, and agencies on September 17, 2008 to solicit input to the proposed action.

During the 30-day scoping period people were given the opportunity to submit comments through the mail, e-mail, FAX, telephone, or to deliver them by hand. A total of four comments were received.

The project Interdisciplinary Team (ID Team) met in December 2008 to review and analyze the comments received from the public. The ID Team reviewed the proposed action for consistency with direction in the 1991 Amended GMUG National Forest Land

and Resource Management Plan (Forest Plan). Resource specialists also conducted field reviews and provided the reports necessary to determine potential impacts to heritage and biological resources. The Forest Service hosted a field trip of the proposed project on July 24, 2008. Representatives from the San Miguel County, Volunteers for Outdoor Colorado, Telluride Mountain Club, and Colorado Mountain Club attended the field trip.

FINDING OF NO SIGNIFICANT IMPACT

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an Environmental Impact Statement will not be prepared. I base my finding on the following:

1. My finding of no significant environmental effects is not biased by the beneficial effects of the action.
2. There will be no significant effects on public health and safety.
3. There will be no significant effects on unique characteristics of the area. There are no significant historical or cultural resources, no park lands, no prime farmlands, wetlands, floodplains, and no wild and scenic rivers within or near the project area.
4. The effects on the quality of the human environment are not highly controversial.
5. The Forest Service has had considerable experience with the trail construction, maintenance, and decommissioning method as well as the road maintenance and improvement methods described in the EA. The effects of what is proposed are not uncertain, and do not involve unique or unknown risk.
6. The action will not establish a precedent for future actions with significant effects. The same trail construction, maintenance, and decommissioning methods as well as the road maintenance and improvement methods are used routinely across the National Forest System each year.
7. Cumulative actions considered in the analysis are described in the project EA and evaluated in Chapter 3. The project Interdisciplinary Team has found that the cumulative effects of the proposed action, considered together with other past, present, and reasonably foreseeable actions in the project area are not significant.
8. The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, as none exist in the area. The action will also not cause loss or destruction of significant scientific, cultural, or historic resources.

9. The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973. The Forest Service prepared a combined Biological Assessment and Biological Evaluation (BA/BE) and determined there would be “no adverse effect” to any listed species. Specifically, the determination for Alternative 3 for the Canada Lynx (federally listed as Threatened) was “may effect, not likely to adversely affect”. In addition, the Forest Service wildlife biologist determined that the Fish & Wildlife Service programmatic section 7 concurrence applied to the proposed actions described in Alternative 3.

The BA/BE also determined there would be no impact to the majority of Forest Service sensitive species. There are some impacts to individuals anticipated from the project, but there will be no loss of species viability or trend toward federal listing.

10. The action will not violate Federal, State, and local laws and requirements for the protection of the environment.

NFMA FINDINGS AND FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

The selected alternative is consistent with the 1991 Amended Land and Resource Management Plan for the Grand Mesa, Uncompahgre, and Gunnison National Forests, the 2002 Record of Decision for the Uncompahgre National Forest Travel Plan, and all other applicable laws, regulations, policies, and other direction. The selected alternative is consistent with the intent of the Forest Plan’s long-term goals and objectives listed on pages III-2 through III-5, and with Management Area direction for the Management Areas within which the activities will occur.

IMPLEMENTATION DATE

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period.

When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

A notice of appeal must be in writing and clearly state that it is a Notice of Appeal being filed in pursuant to 36 CFR 215.7, and must meet all requirements of 36 CFR 215. Appeals must be filed within 45 days of the date of legal notice of this decision in the Telluride Daily Planet. To be eligible to appeal this decision on this project, an individual or group must have provided a comment or otherwise expressed interest in this project during the formal comment period.

