



FINDING OF NO SIGNIFICANT IMPACT
Alpine Triangle Recreation Area Management Plan
CO-160-2008-023 EA

The Environmental Assessment (EA) and analysis of the environmental effects of the proposed action have been reviewed. The approved design criteria/mitigation measures result in a Finding of No Significant Impact on the human environment. Therefore, an environmental impact statement is not necessary to further analyze the environmental effects of the proposed action. Context and Intensity of effects have been examined to reach the finding of non-significance.

This FONSI is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA.

Context

The significance of the action was considered in several contexts such as the nation as whole, regionally, and locally. Both short and long term effects were considered. The project is a site-specific action involving approximately 186,252 acres of BLM land within a Special Recreation Management Area (SRMA). The SRMA does not have international or national importance. The regional and state-wide importance of the project area is noteworthy when compared to typical BLM lands, but the recreational and natural setting of the project area is widespread when considered in the context of other federal lands in the state and region (e.g. Forest Service lands).

Intensity

The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27 and incorporated into the BLM's Critical Elements of the Human Environment list (H-1790-1), and supplemental Instruction Memorandum, Acts, regulations and Executive Orders. The following have been considered in evaluating intensity for this proposal:

1. **Impacts may be both beneficial and adverse.** The proposed action would impact resources as described in the EA. Specific items in the proposed action were developed to reduce impacts to many resources. The proposed action seeks to balance the management of the project area by offsetting the negative impacts of the large amount of recreation with the positive impacts of public education efforts and restricting certain activities. None of the environmental effects discussed in detail in the EA are considered significant.
2. **Public health or safety.** The proposed action includes overall management actions designed to manage and reduce the dangers to public health and safety throughout the project area.
3. **Unique characteristics of the geographic area.** There are no prime or unique farmlands within the project area; therefore those resources will not be affected.

There are no designated Wild and Scenic Rivers within the project area; One segment of the Lake Fork of the Gunnison River was found to be eligible but not suitable. The proposed

action would not affect this designation.

Wetlands, riparian areas, and floodplains exist within the project area; the proposed action does not include any activities that would negatively impact these areas, and provides further protection for these areas.

There are three ACECs within the project area; one is designated for scenic value, one for endangered species habitat, and one for geologic interpretation. There would be short-term negative impacts from the construction of trailheads and parking areas, but long-term beneficial impacts would be realized for the ACECs.

There are both designated Wilderness and several Wilderness Study Areas within the project area. The proposed action would provide beneficial effects to these resources.

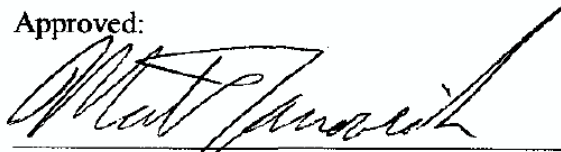
4. **Highly controversial effects.** There is no scientific controversy over the nature of the impacts.
5. **Highly uncertain effects or unique or unknown risks.** The project is not a uniquely new or unusual type of action with unknown effects. Implementation of the proposed action would not result in any new activities or management practices that have not already been occurring the project area for years.
6. **Precedent for future actions with significant impacts.** The action does not set precedence for future actions; possible future actions will require their own analyses and authorizations. The proposed action has no bearing on, or recommendations for or against, potential future Congressional designations (e.g. National Conservation Area or additional Wilderness designation).
7. **Relationship to other actions with cumulatively significant issues.** The actions considered in the selected alternative were considered by the interdisciplinary team within the context of past, present, and reasonably foreseeable future actions. Significant cumulative effects are not predicted.
8. **Scientific, cultural, or historic resources.** Potential impacts to cultural and historic properties have been evaluated and consulted on with the Colorado State Historic Preservation Office. There are hundreds of recorded sites within the project area, and hundreds more isolated finds. Of these, approximately 41 are located along the Alpine Loop driving routes. Specific items in the proposed action were developed to help reduce negative impacts to these sites.
9. **Threatened or endangered species and their critical habitat.** A Biological Assessment was conducted and it was determined that there are several federally listed threatened or endangered species known to exist or have habitat within the project area. There is potential for low and long-term direct and indirect impacts to southwestern willow flycatcher, Canada lynx, and Uncompahgre fritillary butterfly from improving facilities and increasing the frequency and intensity of users in the project area. The effects determinations for these three species is “may effect, but not likely to adversely affect” these species. In addition to negative effects, Canada lynx may benefit from the proposed action by concentrating users to areas of existing disturbance and making human actions more predictable. Uncompahgre fritillary butterfly may benefit from signs, interpretative material, and user education by protecting sensitive habitat and colonies. Consultation with the USFWS has been conducted.

- 10. **Federal, State, tribal, and local laws or requirements imposed for the protection of the environment.** The project does not violate any know federal, state, tribal, or local law or environmental policy. These agencies were given the opportunity to participate and comment during the analysis process.

Determination

This Finding of No Significant Impact is based on the information contained in the EA and my consideration of criteria for significance (*40 CFR 1508.27*). It is my determination that: 1) the implementation of the proposed action will not have significant environmental impacts; and 2) the Proposed Action does not constitute a major federal action having significant effect on the human environment. Therefore, an Environmental Impact Statement is not necessary.

Approved:



9/30/10

Matt Janowiak
Columbine Field Office Manager / District Ranger

Date



9/30/10

Brian St. George
Gunnison Field Office Manager

Date



DECISION RECORD
Alpine Triangle
Recreation Area Management Plan
CO-160-2008-023 EA

INTRODUCTION: The Alpine Triangle Special Management Area (project area) includes roughly 186,252 acres of public land between the town of Lake City, Silverton, and Ouray in southwest Colorado. These public lands are managed cooperatively by the Bureau of Land Management and a variety of partners. In 1981, the BLM designated the Project Area as the American Flats/Silverton-Lower Lake Fork Special Recreation Management Area to protect the important recreation values. This administrative designation recognized the Project Area as both a highly valued recreation resource and an area requiring enhanced management for the protection of these recreation-related resources, including a notable number of unique and national significant historic mining sites. In 1989, Congress designated the Alpine Loop as a Scenic and Historic Byway which initiated higher levels of visitation for its scenic beauty and an increase of heritage tourism. The original SRMA together with the Alpine Loop Scenic Byway are now known and managed as the Alpine Triangle SRMA.

The Project Area has increasingly become a destination for recreation with over 600,000 visitor-days each year. The most recent visitor survey conducted in the Project Area found that two-thirds of those contacted lived outside the state of Colorado, and represented 44 states in the U.S. (Virden et al. 1999). Primary recreation activities conducted by visitors to the Project Area include sightseeing and motorized recreation along the Alpine Loop Backcountry Byway, hiking, wildlife viewing, fishing, whitewater boating, touring historic sites, snowmobiling, and backcountry skiing.

As part of a proactive approach to managing and protecting the unique recreation-related resources in the Project Area, the BLM developed a recreation area management plan (RAMP) for the Project Area in 1986, the Alpine Triangle Cultural Resource Management Plan (CRMP) in 1994, and the Scenic Byway Corridor Management Plan in 1996. These three plans acknowledged that close coordination between recreation and heritage resources was necessary to achieve sustainable heritage tourism as a key component within the SRMA, and the Alpine Loop. These plans identified goals for the BLM recreation program in the Project Area and the supporting management actions necessary to achieve those goals and protect the intrinsic natural and heritage qualities of the area.

Although much of the management direction within the 1986 RAMP remains relevant, enough has changed to require a re-examination of the document and the management direction it provides. Since the initial plan was developed, the type and volume of recreation in the Project Area have changed, such as the increase in the use of All Terrain Vehicles (ATVs) and/or Off-highway Vehicles (OHV). The RAMP will outline a strategy for how the BLM will continue to further strengthen and develop its partnerships towards accomplishing the goals and management actions identified. The EA provides the analysis of the impacts and benefits from the updated RAMP through a systematic review of the actions proposed and discussion of associated impacts.

Over 75 percent of the land within the Project Area is managed under the authority of the BLM. Management objectives and actions described in this plan pertain solely to federal lands managed by the BLM. Nothing in the management plan compromises private rights on private lands or circumvents the

rights associated with existing legislation such as the 1872 General Mining Law, The Wilderness Act of 1964, and/or the Federal Land Policy and Management Act (FLPMA) of 1976.

DECISION: It is my decision to implement Alternative B, the Proposed Action, as detailed in this associated Environmental Assessment, Section 2.3, p.32-54. This decision includes Management Common to All Alternatives (Section 2.1, p.14-30).

Implementation of this plan is dependent on securing the funding, and obtaining site-specific clearances for surface-disturbing activities.

Key items of interest included in this decision, which vary from previous management, are:

- Considering expansion of the ATV staging area at Henson Creek, if demand regularly exceeds capacity,
- Expanding parking at the American Basin Trailhead to accommodate up to 15 vehicles,
- Considering expansion of parking at Williams Creek Trailhead to accommodate up to six vehicles, if demand regularly exceeds capacity,
- Developing a formal trailhead with associated parking facilities at Grouse Gulch,
- Designating the parking area at Cunningham Gulch as a formal trailhead,
- Segmenting the BLM Alpine Triangle into Recreation Management Zones
- In addition to the current policy of restricting motorized vehicles to designated roads, restricting mountain bikes to designated roads and trails,
- Converting 16.4 miles of existing trails into formally maintained BLM system trails,
- Setting up criteria to evaluate proposals for new routes,
- Considering the construction of new urban interface trails near Silverton and Lake City,
- Seasonally restricting rock climbing in areas with active cliff-nesting birds,
- Banning permanent climbing anchors in current Wilderness and Wilderness Study Areas,
- Installing, as appropriate, hitching racks at trailheads with regular stock use,
- Managing geo-caching to reduce its potential to degrade natural or cultural resources,
- Banning artificial geo-caches in current Wilderness and Wilderness Study Areas,
- Protecting snow willow patches at high elevations,
- Limiting special events, such as jeep jamborees, to no more than 10 vehicles per tour group,
- Limiting Special Recreation Permits for air tours to those that facilitate skiing,
- Not authorizing competitive motorized race events,
- Encouraging non-motorized competitive events only during shoulder seasons,
- Banning camping and campfires within 150 feet of historic structures, and
- Adding Corkscrew Gulch to the Alpine Loop Scenic Byway.

MONITORING: The measures detailed in the Proposed Action section 2.1.9 Recreation Monitoring (p. 29-30 of the EA) will be implemented. Additional monitoring measures listed in the EA under the Alternative B will also be implemented (Section 2.3.12, p.53), along with continued development of Appendix C – Monitoring Plan.

RATIONALE: The EA considered two alternatives in detail; the No Action Alternative and the Proposed Action.

I chose to authorize the Proposed Action because it meets the Purpose and Need for the RAMP:

To provide comprehensive guidance and direction toward providing sustainable recreation activities, and to maintain or improve the condition of unique cultural and natural resources while creating an environment to promote the health and safety of visitors, employees, and neighboring residents. To this end, the plan will provide direction for:

- Identifying a process, along with specific opportunities to enhance collaboration between BLM, local communities, and other agencies.
- Developing and managing both natural and heritage tourism in a manner compatible with resource protection goals.
- Identifying travel management decisions necessary to sustain the prescribed character of recreation settings and the production of targeted activities, experiences, and benefits desired by visitors.
- Identifying the type and level of visitor services, including facilities, needed to support desired visitor use.
- Developing methods to assess and monitor visitor satisfaction levels and resource conditions.

I did not choose the No Action Alternative because it does not support the overall goals, management actions necessary to guide a long-term, sustainable recreation program, and valued partnerships, in the Project Area.

Other alternatives considered, but not analyzed in detail were:

Maximum Recreation Potential/Minimal Resource Protection An alternative was considered that emphasized and enhanced present recreation experiences through increased levels of visitation, increased access for a variety of recreation users, and improved and increased facilities for motorized and non-motorized recreation, interpretation, and camping. This alternative was in response to public comments that requested more opportunities for recreation over other resource values. Preliminary analysis indicated that some of the planning issues raised could not be adequately addressed and some minimum required levels of resource management would not be met solely by changing the emphasis to maximum recreation use and development.

Maximum Resource Protection/Minimum Recreation Potential – This alternative would have emphasized resource protection and generally reduced or minimized the potential for recreation activities to expand in the Project Area.

This alternative was not brought forward because the elevated degree of management, use controls, and law enforcement required under this alternative did not appear to be feasible due to funding restrictions and size of the project area, and secondly, was not desired by the public or local communities that are dependent upon the Alpine Loop as an economic resource for recreation and heritage tourism.

Motorized Recreation Alternative – Several of the comments presented through the scoping process presented routes to be included within an alternative that either expanded or restricted motorized access within the Project Area.

Each of the routes proposed was evaluated for inclusion within an alternative based upon suitability, legal ROW, access, and maintenance potential. As a result, the alternative was not fully analyzed, but several of the proposed routes were evaluated and incorporated as appropriate into the Preferred Alternative. Several routes were recommended by the public to be designated which were not considered as they were in Wilderness Study Areas, Wilderness, or ACECS's.

Alternatives Beyond the Scope of this Plan – Several comments suggested management actions that were beyond the scope and decision of this plan or beyond the authority of the BLM or BLM recreation staff to regulate including designation of the area as a National Conservation Area, management and licensing of ATVs, and water quality issues from mine related activities.

PUBLIC INVOLVEMENT: The BLM has actively involved the public in this planning process throughout the entire planning process. The BLM developed and implemented a public involvement strategy at the beginning of this planning process that sought to obtain input from a diversity of stakeholders. As part of this strategy, the BLM formally initiated this planning process by publishing a Notice of Intent (NOI) in the Federal Register on September 14, 2006. The publication of an NOI to formally initiate an activity level planning process is not required; the BLM made the extra effort to notify the public.

Issues and concerns are identified through a scoping process that includes the public, Native American tribes, other Federal agencies, and State and local governments. The scoping period began on October 3, 2006, with publication of a press release in local newspapers (i.e., *Ouray Plaindealer*, *Durango Herald*), and ended on November 6, 2006. Scoping meetings were held in Silverton, Colorado, on October 3, 2006; in Ouray, Colorado, on October 4, 2006; and in Lake City, Colorado, on October 5, 2006. Meetings included informational presentations on the proposed project and the National Environmental Policy Act (NEPA) process. Forty-two individuals registered at the scoping meetings. The BLM accepted comments during scoping meetings and also throughout the scoping period via letter, fax, and electronic mail. Thirty-six respondents completed a comment form provided by the BLM, and six respondents submitted comments via letter or email. During the official scoping period, the BLM received 624 comments from 49 respondents. As part of the scoping process, the BLM also generated comments internally. The results of this scoping process were compiled in the January 2007 *Alpine Triangle Recreation Area Management Plan, Scoping Report and Summary of Public Comments* document and were posted for the public on the BLM website.

A Draft RAMP/Draft EA was released for public review and comment on May 21, 2010 for 31 calendar days during the public review period, the BLM held two additional public meetings to further explain the Draft RAMP/Draft EA, address public questions, and accept comments in writing. These two meetings were held in Silverton, on May 27, 2010 and another meeting was held in Lake City on June 15, 2010. During the 31 day public comment period the BLM received a total of 35 comment letters via hard copies, emails, or faxes. The comments were analyzed; the Draft RAMP/Draft EA was revised to address several issues brought up by the public.

COMPLIANCE WITH LAWS, REGULATION, AND POLICY:

This decision is in compliance with implementation of the San Juan/San Miguel Resource Management Plan (1985), as described in the EA on pages 6-7.

This decision is in compliance with other major laws to minimize environmental impacts to public lands, including: Endangered Species Act of 1973 (P.L. 94-325); Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. 703-712); Federal Water Pollution Control Act of 1948 (Clean Water Act), as amended (33 U.S.C. Chap. 26); Clean Air Act of 1963, as amended (P.L. 88-206); Federal Noxious Weed Act of 1974, as amended (P.L. 93-629, 7 U.S.C. 2801 *et seq*); National Historic Preservation Act of 1966, as amended (P.L. 89-665); Archaeological and Historic Preservation Act of 1974 (P.L. 86-253); Archaeological Resources Protection Act of 1979, as amended (P.L. 96-95); and Native American Graves Protection and Repatriation Act of 1990 (P.L. 101-601).

APPEAL OPPORTUNITIES:

Within 30 days of publication of this decision, any person whose interest is adversely affected by a final decision of the authorized officer may appeal the decision for the purpose of a hearing before an administrative law judge, at the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at 43CFR 4.400.

The appeal shall state clearly and concisely the reason(s) why the appellant thinks the final decision of the authorized officer is wrong.

An appellant also may petition for a stay of the final decision pending appeal by filing a petition for stay along with the appeal within 30 days after the publication of the decision.


Appeal and stay procedures, and addresses for filing are outlined on BLM form CO-050-1840-191 (attached).

Implementation Date


Pursuant to 36 CFR 4.21, if no appeal is filed within the 30 day time period, implementation of this decision may occur immediately at the close of the appeal-filing period. If an appeal is received along with a request for stay of decision, the decision does not go into effect for an addition 45 days, or until the Office of Hearings and Appeals denies the petition, whichever is first.

Communications received in response to this notice, including personal identifying information, will be considered part of the public record for this proposed action and will be available for public inspection.

SIGNATURE OF AUTHORIZED OFFICIAL:


9/30/10

 Matt Janowiak Date
 Columbine Field Office Manager / District Ranger


9/30/10

 Brian St. George Date
 Gunnison Field Office Manager

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
AND
2. You believe it is incorrect.

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL Within 30 days, file a *Notice of Appeal* in the office that issued this decision (see 43 CFR 4.411 and 4.413). You may state your reasons for appealing, if you desire.
2. WHERE TO FILE NOTICE OF APPEAL BUREAU OF LAND MANAGEMENT
COLUMBINE PUBLIC LANDS CENTER
P.O. BOX 439; 369 S. PEARL STREET
BAYFIELD, CO 81122

WITH COPY TO SOLICITOR REGIONAL SOLICITOR
ROCKY MOUNTAIN REGION
755 PARFET STREET, SUITE 151
LAKEWOOD, COLORADO 80215

WITH COPY TO BOARD OF LAND APPEALS INTERIOR BOARD OF LAND APPEALS
OFFICE OF HEARINGS AND APPEALS
U.S. DEPARTMENT OF THE INTERIOR
801 NORTH QUINCY ST., SUITE 300
ARLINGTON, VIRGINIA 22203
3. STATEMENT OF REASONS Within 30 days after filing the *Notice of Appeal*, file a complete statement of reasons why you are appealing. This must be filed with the Interior Board of Land Appeals, at the above address (see 43 CFR 4.412 and 4.413). If you fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary. Copies of your statement of reasons must be filed with the Solicitor at the above address.
4. ADVERSE PARTIES Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the Statement of Reasons, and (c) any other documents filed (see 43 CFR 4.413).
5. PROOF OF SERVICE Within 15 days after any document is served on an adverse party, file proof of that service with the Interior Board of Land Appeals. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (see 43 CFR 4.401(c)).

6. REQUEST FOR STAY

Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for stay is timely filed (see 43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Unless these procedures are followed, your appeal will be subject to dismissal (see 43 CFR 4.402). Be certain that all communications are identified by the serial number of the case being appealed.

NOTE: *A document is not filed until it is actually received in the proper office (see 43 CFR 4.401(a)).*

STANDARDS FOR OBTAINING A STAY

Except as otherwise provided by law or other pertinent regulation, a petition for stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Unless these procedures are followed, your appeal will be subject to dismissal (see 43 CFR 4.402). Be certain that all communications are identified by the serial number of the case being appealed.

OFFICE HOURS; TIME AND PLACE FOR FILING

Field Offices of the Bureau of Land Management are open to the public for the filing of documents and the inspection of records during the hours specified below, Monday through Friday of each week with the exception of those days where the office may be closed because of a national holiday or Presidential or other administrative order. The hours during which the Field Offices are open to the public for the filing of documents and inspection of records are from 8 a.m. to 4 p.m. Mountain Standard Time or Daylight Savings Time, whichever is in effect.

Any document required or permitted to be filed under the regulations of this chapter, which is received in the Field Office, either in the mail or by personal delivery when the office is not open to the public, shall be deemed to be filed as of the day and hour the office next opens to the public.

Any document required by law, regulation, or decision to be filed within the stated period, the last day of which falls on a day the Field Office is officially closed, shall be deemed to be timely filed if it is received in the proper office on the next day the office is open to the public.

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Comments received in response to this solicitation, including names and addresses of those who comment will be considered part of the public record on this proposed action and will be available for public inspection.

See 43 CFR 4.21 for appeal general provisions

CO-050-1840-191 (February 1999)