BLM

United States Department of the Interior
Bureau of Land Management

Environmental Assessment
for the
Ruby-Horsethief Recreation Area Management Plan

Grand Junction Field Office
McInnis Canyon National Conservation Area
2815 H Road
Grand Junction, Colorado 81506

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CHAPTER 1 - INTRODUCTION

1.1 IDENTIFYING INFORMATION

BACKGROUND: This EA has been prepared by the BLM to analyze the impacts of the implementation of a new Recreation Area Management Plan (RAMP) for the Ruby-Horsethief Recreation Area (RHRA).

The Colorado River runs for 21 miles through Horsethief and Ruby Canyons between Loma, Colorado, and the Colorado-Utah state line in Mesa County. Approximately 98% of the land adjacent to the river in this area is managed by the Bureau of Land Management's Grand Junction Field Office and McInnis Canyons National Conservation Area.

This segment of the river has long been valued for its scenic, recreational, cultural, paleontological, geologic, and wildlife resources and has been managed to preserve those resources for many years. These qualities were recognized by the 1987 Grand Junction Resource Area Resource Management Plan which identified the Colorado River through Horsethief and Ruby Canyons as an "Intensive Recreation Management Area" and instructed BLM to prepare a recreation management plan for the area.

The 1998 Ruby Canyon-Black Ridge Integrated Resource Management Plan (IRMP) designated the Colorado River through Ruby-Horsethief as a "Special Area", now called the Ruby-Horsethief Recreation Area (RHRA). This area is approximately 2,600 acres in size and includes the river and lands immediately adjacent to it. In 2000, Congress designated almost all of the land surrounding the river corridor as the Colorado Canyons National Conservation Area. CCNCA was renamed McInnis Canyons National Conservation Area (MCNCA) in 2005. MCNCA consists of 123,430 acres of public land that surround the Colorado River through Ruby-Horsethief. The act creating MCNCA specifically exempted the Colorado River from the NCA up to the 100 year high water mark but it also directed BLM to "develop a comprehensive management plan for the long-range protection and management" of MCNCA, the Black Ridge Canyons Wilderness. The Act instructed that the management plan should "include all public lands between the boundary of the Conservation Area and the edge of the Colorado River and, on such lands, the Secretary [of the Interior] shall allow only such recreation or other uses as are consistent with this Act" (Section 6(h)2(e)).

This plan focuses on recreational use of the Ruby-Horsethief Special Area identified in the 1998 Ruby-Canyon Black Ridge IRMP and included in the 2004 McInnis Canyons NCA RMP. The RHRA begins 1.2 miles west of the Loma boat launch and continues to the Colorado-Utah state line and includes the Colorado River and lands below the 100 year high water mark. It is an extremely popular recreation destination with more than 20,000 user days in 2009 and more than 18,000 nights of camping.

PROJECT NAME: Ruby-Horsethief Recreation Area Management Plan

PLANNING UNIT: Grand Junction Field Office and McInnis Canyons National Conservation Area

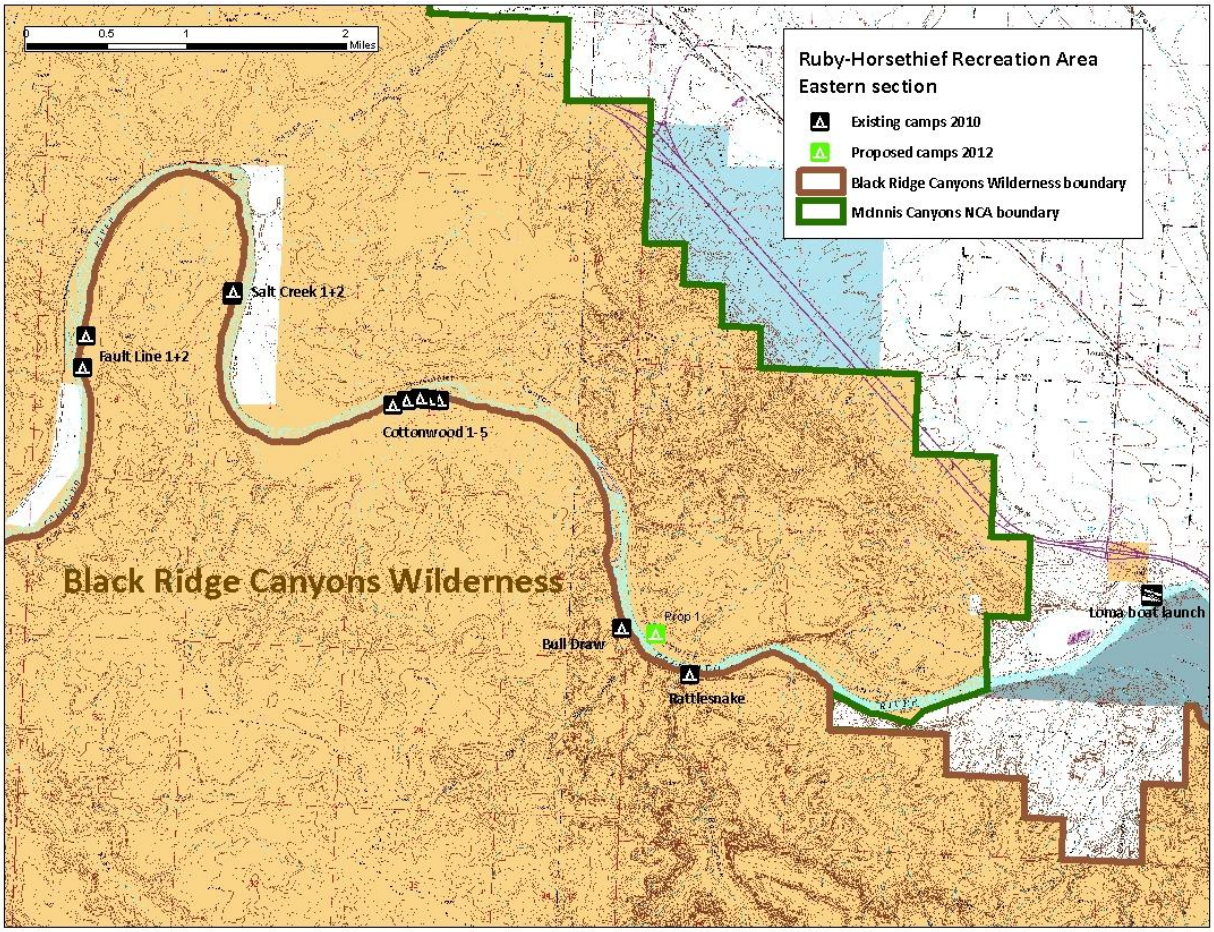
1.2 PROJECT LOCATION AND LEGAL DESCRIPTION

LEGAL DESCRIPTION:

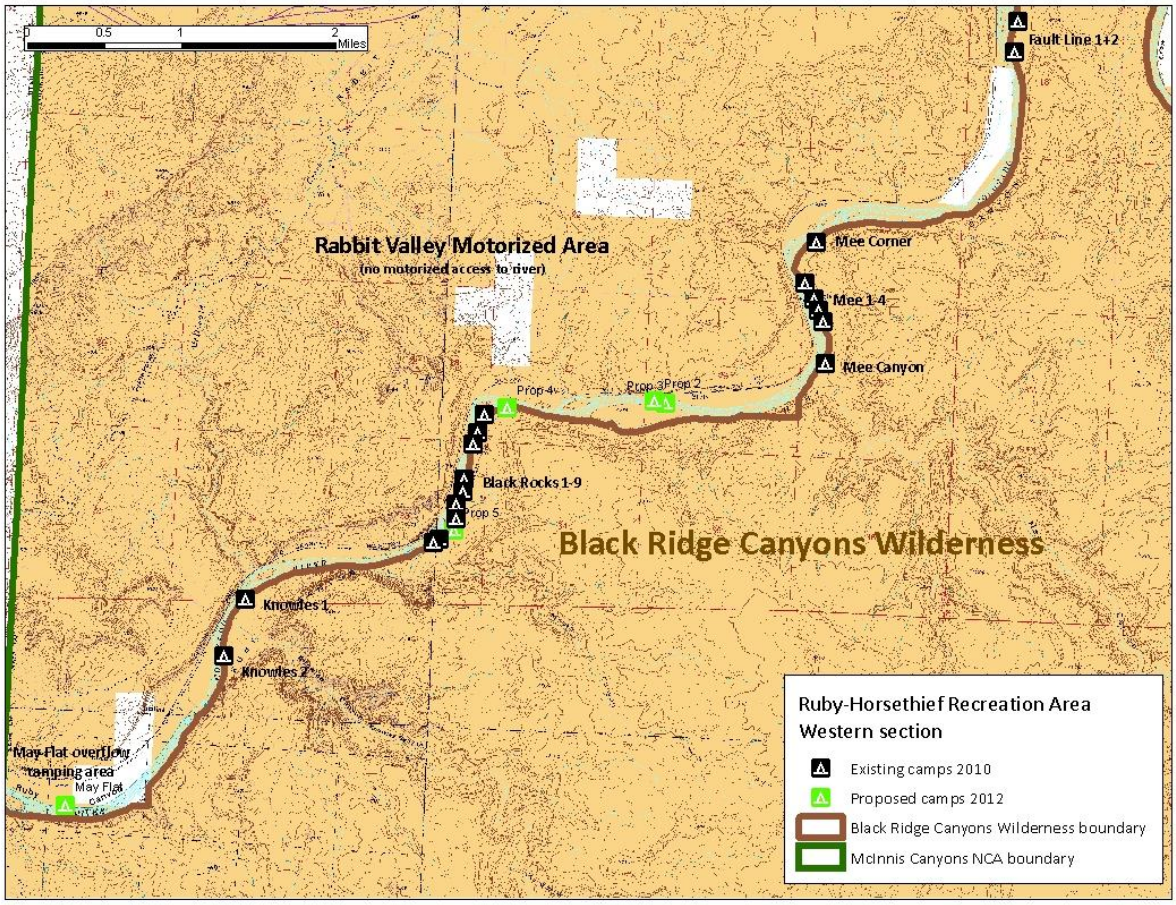
The Ruby-Horsethief Recreation Area runs for 21 miles from just west of Loma, Colorado to the Utah-Colorado state line and is generally within the 100 year floodplain of the Colorado River.

There are 28 established campsites within the river corridor and BLM proposes to designate these existing campsites and seven new campsites. The existing campsites and five of the proposed campsites are shown on the accompanying project maps (the location of the remaining two campsites is yet to be determined):

Ruby-Horsethief Recreation Area – eastern section



Ruby-Horsethief Recreation Area – western section



1.3 PURPOSE AND NEED

The purpose of the Ruby-Horsethief Recreation Area Management Plan is to provide opportunities for quality recreational experiences and beneficial recreation outcomes while continuing to protect the natural, cultural, geologic, and recreational resources of the river corridor.

This action is being proposed to further implement and support the broad recreation management goals for the area established through the 2004 RMP, which calls for BLM to manage the RHRA to "provide opportunities for visitors to engage in overnight flat-water boating for social group and family affiliation in a naturally appearing red-walled river canyon". The BLM defined the activities for which we manage the river corridor as being overnight rafting, canoeing and kayaking, and associated camping and wilderness hiking. In managing these activities, the BLM also focuses on providing opportunities for visitors to have certain experiences through their recreational outings. For the river corridor, those experiences were defined as: Savoring canyon-country aesthetics, enjoying easy access to diverse back country recreation, enjoying the closeness of family and friends, enjoying exploration, escaping everyday responsibilities for a while, enjoying mental and physical rest. In outdoor recreation planning, the assumption is that, if those experiences are available to recreationists, then several sets of benefits can be achieved

at various scales, including personal benefits, community or economic benefits, and environmental benefits. For the river corridor, the 2004 RMP defined those benefits as follows:

- Personal: Restored mind from unwanted stress, greater cultivation of outdoor-oriented lifestyle, greater environmental awareness and sensitivity, renewed human spirit, greater outdoor knowledge, skills, and self-confidence, greater aesthetic appreciation, more well-informed and responsible visitors.
- Household & Community: Heightened sense of community pride and satisfaction, maintained and enhanced group cohesion and family bonding, improved functioning of individuals in family and community
- Economic: Maintenance of gateway community's distinctive recreation tourism market niche or character, Positive contributions to local-regional economic stability, increased local tourism revenue, increased work productivity.
- Environmental: Increased stewardship and protection of River Corridor

If the BLM is to continue to manage toward this objective as defined in the RMP, action is needed based on significant growth in recreational use of Ruby-Horsethief and associated physical and social impacts. The social and physical impacts currently occurring during busy periods include conflicts between visitors over campsites, increased stress and conflict over securing a site (which potentially prevents visitors from attaining the experiences identified above), increases in dog and human waste, potential for impacts to cultural resources associated with camping, and increased risk of damage to biological and scenic resources due to weeds and fire.

In 2009, the area supported more than 20,000 user days in the RHRA. The 1998 plan established Ruby-Horsethief as a "special area" and raised the possibility of a permit and fee system for the river corridor. Both the 1998 and 2004 management plans encouraged BLM to delay implementation of a permit and fee system for as long as practical in order to preserve the open, unrestricted nature of the canyons. As use has continued to grow over the past 15 years, both physical and social impacts have also increased and now prompt BLM to reevaluate recreation management of the river corridor.

1.4 PLAN CONFORMANCE REVIEW

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

Name of Plan: Grand Junction Field Office Resource Management Plan
Date Approved: January, 1987

Name of Plan: Colorado (McInnis) Canyons National Conservation Area Resource Management Plan
Date Approved: September 2004

The proposed action described in this EA implements provisions of the 2004 RMP, specifically supporting the beneficial outcomes established for the River Corridor (see the Purpose and Need for a full explanation of these activities, experiences, outcomes and benefits)

This proposed action is also consistent with the Ruby-Horsethief Integrated Resource Management Plan (1998), an activity-level plan that provided supplemental direction for this area following completion of the Grand Junction RMP. See section 3.5.2 for a description of goals and objectives from this planning effort.

In January 1997, the Colorado State Office of the BLM approved the Standards for Public Land Health and amended all RMPs in the State. Standards describe the conditions needed to sustain public land health and apply to all uses of public lands.

> Standard 1: Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate, land form, and geologic processes.
>
> Standard 2: Riparian systems associated with both running and standing water function properly and have the ability to recover from major disturbance such as fire, severe grazing, or 100-year floods.
>
> Standard 3: Healthy, productive plant and animal communities of native and other desirable species are maintained at viable population levels commensurate with the species and habitat's potential.
>
> Standard 4: Special status, threatened and endangered species (federal and state), and other plants and animals officially designated by the BLM, and their habitats are maintained or enhanced by sustaining healthy, native plant and animal communities.
>
> Standard 5: The water quality of all water bodies, including ground water where applicable, located on or influenced by BLM lands will achieve or exceed the Water Quality Standards established by the State of Colorado.

Because standards exist for each of these five categories, a finding must be made for each of them in an environmental analysis. These findings are located in Chapter 3 of this document.

1.5 PUBLIC PARTICIPATION

1.5.1 Scoping: NEPA regulations (40 CFR §1500-1508) require that the BLM use a scoping process to identify potential significant issues in preparation for impact analysis. The principal goals of scoping are to allow public participation to identify issues, concerns, and potential impacts that require detailed analysis.

Persons/Public/Agencies Consulted:

BLM began the initial outreach effort for this planning process in 2008 with a presentation to the MCNCA Advisory Council, a group of 10 citizen-stakeholders representing a wide variety of users of the area. The Advisory Council was called for by the act creating the National Conservation Area, and these representatives were appointed by the Secretary of the Interior to assist BLM with the development of the MCNCA RMP. In 2009, the MCNCA Advisory Council became a subgroup of the Northwest Colorado Resource Advisory Council and continues to offer advice to BLM on management of the area including involvement with this management plan. BLM has met with this group six times to discuss river management issues and the

development of the proposed plan, including meetings on January 22, 2009, May 7 2009, July 16 2009, March 4 2010, August 16 2010, and November 22 2010.

Formal planning for this project began in 2009. BLM hired an additional river ranger for the summer season. This ranger was stationed primarily at the Loma boat launch and served as a primary contact for thousands of boaters entering the RHRA. BLM also established a planning website where all planning documents and presentations were made available to the public. In addition to the planning webpage, BLM created a dedicated email address to receive comments from the public at the very beginning of the planning process.

The planning process was formally begun with a letter to private boaters, all commercial outfitters and other known stakeholders including the Colorado Division of Wildlife, Colorado River Outfitters Association, and the Western Slope No-Fee Coalition discussing the need for this planning process as well as BLM's goals for it. This letter also announced the date of BLM's first public meeting on the issue. This meeting was held on July 16th, 2009 and started with a presentation to the MCNCA Advisory Council at which BLM staff discussed why BLM was beginning this process and the goals for the process. More than 55 people attended this presentation, including both private and commercial boaters.

The draft RHRA Management Plan was released in March, 2010 and an open house was held on May 1st, 2010 to answer questions about the draft plan. Following this meeting, a 60 day comment period began during which time BLM received more than 60 comments. BLM utilized information from these comments, public meetings, and meetings with the Northwest Resource Advisory Council's McInnis Canyons NCA subgroup to select an alternative from the draft plan. This alternative, most closely representing Alternative C from the draft plan, was then modified into the proposed Ruby-Horsethief Recreation Area Management Plan.

A final public comment period was offered in June 2011. The BLM received an additional X comments during this final opportunity for review.

In addition to these formal efforts, information has been posted in the NCA at the Loma Boat Launch since May, 2010 and river rangers have had numerous discussions with individual Ruby-Horsethief visitors while on weekly river patrols. MCNCA staff and managers have also conducted outreach through briefings and presentations to Rotary Clubs, the Riverfront Commission (which also focused on the issue during its 2010 float trip), Mesa County Commissioner Briefings, Club 20, the Colorado River Outfitters Association (CROA), and radio programs on KAFM.

<u>Summary of comments received</u>

Throughout the three formal public comment periods (Initial scoping in 2009, Draft Plan review in 2010, and the final opportunity in 2011), the BLM received 310 individual substantive comments. Substantive comments are those that go beyond simply stating an opinion by providing a basis for the position or request made in the comment.

The summary of comments received and an identification of how they were addressed during proposal development has been moved to Appendix A to fully incorporate and holistically address the 2011 comments.

1.6 DECISION TO BE MADE

The BLM will decide whether to implement the proposed Ruby-Horsethief Recreation Area Management Plan based on the analysis contained in this Environmental Assessment (EA). This EA will analyze the potential impacts of a limited use permit and fee system and the establishment of a series of designated campsites. The BLM may choose to: a) implement the plan as proposed, b) implement the plan with modifications/mitigation, c) implement an alternative to the plan, or d) not implement a plan at this time.

CHAPTER 2 - PROPOSED ACTION AND ALTERNATIVES

2.1 INTRODUCTION

The purpose of this chapter is to provide information on the Proposed Action and Alternatives. Alternatives considered but not analyzed in detail are also discussed. Current river rules require all groups to carry and use a portable human waste containment system and firepan. These rules will continue to be in place under any alternative.

2.2 ALTERNATIVES ANALYZED IN DETAIL

2.2.1 Proposed Action

The proposed action is to implement the Ruby-Horsethief Recreation Area Management Plan (attachment 1), which includes the following actions:

Establishment of an overnight capacity

- 35 campsites (28 existing, 7 new) would be designated within RHRA and would be available via a permit system
- Five new campsites are listed in Appendix B; two additional campsite locations will be determined in Summer 2012
- Camping would be limited to designated sites only
- Groups would be required to camp within a certain distance of the 5”x5” post that marks the campsite. These distances would vary by campsite, would be posted on the camp post, and would generally be 150’ or less
- An additional camping area would be designated at May Flat that would only be available for use by permitted groups that miss their assigned campsite upriver
- Permits would be issued through the Grand Junction Field Office (GJFO) for Friday and Saturday night use
- Permits for Sunday through Thursday night would be self-issued at the Loma boat launch unless it became necessary (because of high use, abuse of the system, or other reasons) to also issue them through the GJFO. Specific triggers for this change could include:

- More than 25 groups camping on a weeknight more than five times in a season
- Black Rocks and Mee campsites fully occupied on a weeknight more than ten times in a season
- Groups attempting to sign up for a weeknight campsite before the day of their trip

<u>Private camping permits from May 1st to September 30th (Friday and Saturday nights)</u>

- 83% of overnight permits (29) would be allocated to private groups
- Permits would be issued on a first call, first served basis beginning on Monday six weeks before the weekend of use
- Friday and Saturday permits would be available Monday through Friday from 8am until 12pm by phone or in person at the Grand Junction Field office
- Fee would be due at the time the permit is issued
- Permits would be issued to a trip leader and an alternate trip leader
- Fees would not be refunded after the permit is issued
- A permit availability calendar would be posted to the Grand Junction Field Office website each afternoon, Monday through Friday

<u>Private camping permits from May 1st to September 30th (Sunday through Thursday nights)</u>

- Overnight camping permits would be available on a first come, first served basis at the Loma boat launch *(note: this point was modified through the Decision)*
- Overnight camping permits would be self-issued and a campsite selected when the permit is filled out *(note: this point was modified through the Decision)*
- Only 35 groups would be permitted to camp in RHRA each night
- There would be no private/commercial allocation on Sunday through Thursday nights *(note: this point was modified through the Decision)*
- Groups would not be able to sign up for a permit before the day their trip begins. Unique, sequential permit numbers would prevent groups from signing up in advance

<u>Commercial camping permits from May 1st to September 30th (Friday and Saturday nights)</u>

- 17% of overnight camping permits (6) would be allocated to commercial groups: each permit would accommodate a group of up to 25, plus guides
- Permits would be allocated based on the historic percentage of overnight use of each commercial permittee
- Permits would be issued for the upcoming season (May 1st to September 30th) by January

<u>Commercial camping permits from May 1st to September 30th (Sunday through Thursday nights)</u>

- Overnight camping permits would be available on a first come, first served basis at the Loma boat launch
- Overnight camping permits would be self-issued and a campsite selected when the permit is filled out
- Only 35 groups would be permitted to camp in RHRA each night

- There would be no private/commercial allocation on Sunday through Thursday nights
- Groups would not be able to sign up for a permit before the day their trip begins. Unique, sequential permit numbers would prevent groups from signing up in advance

Alternate camping for groups that miss their assigned campsite

- A new overflow camping area would be designated at May Flat (two miles upriver from the Colorado-Utah border)

Camping fees

- A group occupying a small campsite (1-5 people) would be charged $20 per campsite, per night
- A group occupying a medium campsite (6-14 people) would be charged $50 per campsite, per night
- A group occupying a large campsite (15-25 people) would be charged $100 per campsite, per night

Group size limits

- Private groups would be limited to 25 people
- Commercial groups would be limited to 25 people plus guides

Camping stay limits

- Camping at Black Rocks would be limited to one night per group on Friday and Saturday nights

Day use

- Day use would not be limited unless monitoring indicates unacceptable physical or social impacts from this use
- Day users would be required to obtain a free, non-limited, self-issued permit at the Loma boat launch; the purpose of this permit would be to provide accurate visitor use data

Motorized boating

- Motorized boating would not be limited unless monitoring indicates unacceptable physical or social impacts from this use

Dogs

- Dogs would be limited to two per camp group
- Dogs would count as part of the group size for campsite size and fee purposes
- The Loma boat launch, Mee campsites, Black Rocks campsites, and the Westwater take out would be designated as 'high-use' areas and dogs would be required to be on a leash at all times while in these areas
- All groups would be required to pack out all solid dog waste
- All dogs would be prohibited from the RHRA if human-dog conflicts and dog waste issues continue to occur

2.2.2 No Action Alternative

Under the no action alternative, the Ruby-Horsethief Recreation Area Management Plan would not be implemented. No overnight capacity would be established, no additional campsites would be designated nor would camping be limited to designated sites, and the existing voluntary registration system would be continued.

2.3 ALTERNATIVES CONSIDERED BUT NOT ANALYZED IN DETAIL

BLM released a draft Ruby-Horsethief Recreation Area Management Plan for public comment in March, 2010. This plan featured four alternatives, the No Action (as described above) plus three additional alternatives:

Alternative B – First come, first served camping

> Under this alternative, the voluntary campsite registration system would be eliminated and visitors would occupy a campsite on a first-come, first served basis. No overnight capacity would be established. Visitors would be required to obtain a self-issued permit for use of RHRA and a $7 per person, per night camping fee would be charged for overnight use. The existing group size limit of 25 would be maintained.
>
> Under this alternative, no new commercial permittees would be authorized. Commercial use by existing permittees would not be limited and permitted outfitters would also obtain campsites on a first-come, first-served basis.

Alternative C – Camping permits (partially office-issued)

> Under this alternative, camping permits would be required for overnight use within RHRA. Permits for Sunday through Thursday nights between May 1st and September 30th would be self-issued at the Loma boat launch. Permits for Friday and Saturday nights between May 1st and September 30th would be issued by the Grand Junction Field Office up to six weeks before the trip with campsites assigned at that time. Permits for all camping between October 1st and April 30th would be self-issued at the Loma boat launch. A camping fee of $7 per person, per night would be charged for all overnight use within RHRA. Free, self-issued permits would be required for day use within RHRA.

Alternative D – Camping permits (fully office-issued)

> Under this alternative, camping permits would be required for overnight use within RHRA. Permits for camping between May 1st and September 30th would be issued by the Grand Junction Field Office up to six weeks before the trip with campsites assigned at that time. Permits for all camping between October 1st and April 30th would be self-issued at the Loma boat launch. A camping fee of $7 per person, per night would be charged for all overnight use within RHRA. Free, self-issued permits would be required for day use within RHRA.

During public comment, one additional alternative—a launch-based system—was proposed.

> An Alternative E is needed, which would be to manage NOT BY CAMPING NIGHTS/ RESERVATIONS but by a true LAUNCH BASED PERMIT SYSTEM. We feel it is a serious oversight not to include this as an option/alternative in the DRAFT Plan. In this Alternative E, there would be a limit placed on the number of multiday groups allowed to launch. If there are indeed 35 camps at most water levels, then limit the number of total

> groups to LESS than 35 such as 30. The launch allocation would be split between commercial and private, giving larger share to private based on your historic use data. We are most supportive of a launch system with maximum group size. Limit the number of groups so that there are plenty of campsites and thus a campsite reservation system is not needed. OR match the Westwater system and still limit launches and group size but assign camps with a ranger at the put-in.

Based upon public comments received after the release of the draft management plan, minor changes were made to Alternative C and it was selected as the preferred alternative. Alternative B was not analyzed because it would not reduce any of the physical or social impacts occurring within the RHRA (does not meet the purpose and need for action), and Alternative D was combined with alternative C because they are substantially similar and can be analyzed simultaneously.

The launch-based permit system was considered initially but not analyzed in detail because it does not deal fully with the activities currently causing impacts (i.e., camping) as referenced in the purpose of and need for action. Launch-based systems are typically concerned with controlling the number of parties launching, which can be useful in situations where parties may be in conflict on the surface of the water—e.g., in whitewater situations where several parties may get "queued up" before a major rapid. According to public comment, and based upon observations by BLM staff, congestion occurs at the put-in and take-out, and conflicts are known to occur at select campsites, but once on the surface of the water, visitors tend to spread out based mostly on the different types of watercraft they're using (e.g., rafts move slower than canoes) and the speed at which they travel, unless they launched at the same time as another group.

Potentially, the camping system could be set up so that 30 or 35 groups launch and 35 campsites are available, but this would not fully deal with the problem of relative desirability of certain campsites and potential conflicts over the first-come, first-served approach to camping; for example, Black Rocks would continue to be the most desirable camps for many groups, although they constitute less than 1/3 of the total supply of campsites. The concept of knowing what you have when you get on the water was considered to be more desirable based on the purpose and need of providing opportunities for escaping everyday responsibilities for awhile, enjoying mental and physical rest, restoring the mind from unwanted stress, and renewed human spirit (all listed as experiences and personal outcomes for which BLM should provide opportunities, based on the 2004 MCNCA RMP).

CHAPTER 3 - AFFECTED ENVIRONMENT AND EFFECTS

3.1 INTRODUCTION

This section provides a description of the human and natural environmental resources that could be affected by the Proposed Action and presents comparative analyses of the direct, indirect and cumulative effects on the affected environment stemming from the implementation of the actions under the Proposed Action and other alternatives analyzed.

3.1.1 Elements Not Affected

The following elements, identified as not being present or not affected, will not be brought forward for additional analysis: Geology, Minerals, Paleontology. Social effects are analyzed in relation to economic effects and recreation social settings in each of those sections.

3.1.1 Past, Present, Reasonably Foreseeable Actions

NEPA requires federal agencies to consider the cumulative effects of proposals under their review. Cumulative effects are defined in the Council on Environmental Quality (CEQ) regulations 40 CFR §1508.7 as "…the impact on the environment that results from the incremental impact of the action when added to other past, present, and reasonably foreseeable actions regardless of what agency…or person undertakes such other actions." The CEQ states that the "cumulative effects analyses should be conducted on the scale of human communities, landscapes, watersheds, or airsheds" using the concept of "project impact zone" or more simply put, the area that might be affected by the proposed action. To assess past, present and reasonably foreseeable actions that may occur within the affected area a review of GJFO NEPA log and our field office GIS data was completed. The following list includes all past, present and reasonably foreseeable actions known to the BLM, that may occur within the affected area:

Past Actions:
Numerous dams, unauthorized trespasses (e.g., road building, streambank manipulation), recreational activities, natural gas developments, irrigation, livestock grazing activities, and introductions of non-native plant and fish or other aquatic species have been installed, conducted, or occurred along the Ruby-Horsethief Corridor within the past fifty years.

Fires within the past 10 years have included:

- Mee Canyon Fire (58 acres)(2005) and subsequent rehab and revegetation
- Knowles Canyon Fire (91 acres)(2007) and subsequent rehab and revegetation
- Gibson fire (7 acres) (2011)

Several popular recreational rivers in the region require permits to float:

- Colorado River (Westwater Canyon) – permit required year round; $7 per person launch fee
- Gunnison River (Gunnison Gorge) – permit required year round; $3 fee for day use, $10 for one night, $15 for two nights
- San Juan River (Sand Island to Mexican Hat; Mexican Hat to Clay Hills) – permit is required year round; $6, $12, or $24 fee (depending on length of float) required from March 1st to October 31st

- Green and Yampa Rivers (Dinosaur National Monument) - $15 application fee, $20 for one day trips; $185 for multi-day trips

Present Actions
As described in section 3.3.1, the Ruby-Horsethief stretch of the Colorado River has been the focus of intensive weed management since 2000, when the NCA was designated and the Field Office launched a full-time integrated weed management program.

In 2005 the BLM, in conjunction with USDA-APHIS and the Palisade Insectary, released the leaf beetle on tamarisk at two sites within RHRA—Horsethief Bottom below Rustlers Loop, and at Knowles Canyon. Since 2005, the populations of these to releases have significantly increased and have mixed with beetles released in Utah. Beetles are now fully established in RHRA and are defoliating large acreages of tamarisk each season.

The BLM is also intensively treating noxious weeds and tamarisk/other invasive non-native species:

- All known infestations of perennial pepperweed, Russian olive, and purple loosestrife are treated annually.
- Tamarisk: 1.5 miles of river treated (2005), 5 acres (2006), 10 acres (2007), 3 acres (2008)10.6 acres at Black Rocks (2009), 11 acres of resprouts retreated and 7 acres cut, piled and burned (2010)
- Russian knapweed: 30 acres (2005), 4 acres (2006), 5 acres (2009), 8 acres (2008), 49 acres (2010)
- Purple loosestrife: 2009 marked 10 years of cooperatively controlling Purple Loosestrife on the Colorado River with Mesa County Weed and Pest.

As of 2010, 200 native Fremont cottonwoods have been planted and 260 have been protected with mesh barriers.

Reasonable Foreseeable Actions
Over time, recreation is anticipated to continue to increase in the western Colorado region. This area currently draws more than 1 million visitors per year, and would be anticipated to continue to increase into the future.

The BLM is currently working on a Resource Management Plan for the Dominguez-Escalante NCA, which includes the Gunnison River (a river with similar characteristics to this portion of the Colorado which contributes to the regional supply of rivers offering Class I and II boating). This RMP is anticipated to be completed in 2014, and will include additional management prescriptions for that river.

This list of past, present and reasonably foreseeable actions was considered when analyzing cumulative effects in sections 3.2, 3.3, 3.4, and 3.5 below.

3.2 PHYSICAL RESOURCES

3.2.1 Air Quality and Climate

Current Conditions:

Air quality in the project area is typical of undeveloped regions in the western United States. The closest Class I Airshed is the West Elk Wilderness Area located approximately 80 air miles to the southeast.

The primary sources of air pollutants in the region are fugitive dust from the desert to the west of the planning area, unpaved roads and streets, seasonal sanding for winter travel, motor vehicles, and wood-burning stove emissions. Seasonal wildfires throughout the western U. S. may also contribute to air pollutants and regional haze. The ambient pollutant levels are usually near or below measurable limits, except for high short-term increases in PM_{10} levels (primarily wind-blown dust), ozone, and carbon monoxide. Within the Rocky Mountain region, occasional peak ozone levels are relatively high, but are of unknown origin. Elevated concentrations may be the result of long-range transport from urban areas, subsidence of stratospheric ozone or photochemical reactions with natural hydrocarbons. Occasional peak concentrations of CO and SO_2 may be found in the immediate vicinity of combustion equipment. Locations vulnerable to decreasing air quality include the immediate areas around mining and farm tilling, local population centers, and distant areas affected by long-range transportation of pollutants. Representative monitoring of air quality in the general area indicates that the existing air quality is well within acceptable standards.

The EPA General Conformity regulations require that an analysis (as well as a possible formal conformity determination) be performed for federally sponsored or funded actions in non-attainment areas and in designated maintenance areas when the total direct and indirect net air pollutant emissions (or their precursors) exceed specified levels. Since the GJFO is not within a non-attainment or a maintenance area, the Clean Air Act conformity regulations do not apply.

No Action

Direct and Indirect Effects: Direct impacts to air quality from the no action alternative are not anticipated to occur. Indirectly, increased recreational use and dispersed camping within the RHRA could increase potential for riparian wildfire. Riparian wildfire may contribute to air pollutants and regional haze lasting through suppression efforts.

Cumulative Effects: Cumulative effects to air quality could occur if increased visitation and dispersed camping regularly resulted in riparian wildfire. Re-occurring riparian wildfire over the landscape could collectively deteriorate air quality for extended periods of time.

Proposed Action

Direct and Indirect Effects: No direct impacts to air quality are anticipated with implementation of the proposed action. Indirectly, the proposed action will restrict camping to within designated areas, require users to utilize fire pans and

pack out ash and debris from fires. These efforts are anticipated to reduce potential riparian wildfire which would help protect existing air quality.

Cumulative Effects: Collectively, mitigation measures built into the proposed action will help reduce potential for riparian wildfire. Reduced riparian wildfire potential should help protect air quality.

3.2.4 Soils (includes a finding on Standard 1)

Current Conditions:

Soils within the project area have been mapped by the Natural Resource Conservation Service (NRCS) in an Order III soils survey; Mesa County Soil Survey. Soil data can be viewed on line through the NRCS Soil Data Mart (NRCS 2011).

The semi-arid climate within the project area is a primary influence on soil development. Low annual precipitation, hot summer temperatures, and high evaporation rates slow the chemical and biological processes needed for soil development and limits potential production of vegetation. Predominately shale and sandstone parent materials coupled with very active geologic erosion are also inhibiting soil potential. Adjacent to the Colorado River, soils are developing in sandy and cobbly alluvium from various parent materials, and are subject to seasonal flooding. Two principle soil types are located within the flood-prone area of the Colorado River in the project area. Important soil characteristics for these soil types are outlined in the following table.

Name	slope range	Parent material	Salinity	Drainage Class	Run-off Class
Moffat-Sheppard-Pennell complex (#76)	0-3 percent	Alluvium derived from sandstone and/or colluvium derived from sandstone; Eolian sands over residuum weathered from sandstone; rock outcrop	non-saline	well drained	very low-very high
San Mateo-Escavada, dry complex (#91)	3-25 percent	Alluvium derived from sandstone and shale.	non-saline	moderately well drained to excessively well drained	low

Table data from NRCS 2011

No Action

Direct and Indirect Effects: Direct impacts to soil resources associated with the no-action alternative include soil compaction, reduced soil stabilization, and increased soil erosion potential. All of these direct impacts would be associated with increased recreational use within the project area and subsequent expansion of existing camp sites (increased surface disturbance). Indirectly, under the no-action alternative camp site expansion and pioneering of new sites would continue

as the demand for increased recreational opportunities follows current trends. With increased visitation comes increased potential for riparian wildfire. Riparian wildfire can consume essential soil stabilizing agents (e.g. vegetation, woody debris, and biologic soil crusts) elevating erosive potential.

Cumulative Effects: Continued expansion of existing camp sites will continue with the increased demand for recreational opportunities in the project area under the no-action alternative. Compaction and erosion associated with increased visitation and over use of the area will degrade soil resources to a point where land health standards are no longer being met. Increased recreational use of non-designated camping areas will also result in increased potential for riparian wildfire which could further contribute to soil degradation.

Proposed Action

Direct and Indirect Effects: With implementation of the proposed action, overnight camping within the project area will be limited to designated areas. As a result, it is anticipated that future surface disturbance associated with pioneered campsites will be eliminated. Thus, soil compaction and removal of soil stabilizing agents (e.g. vegetation, woody debris, etc…) will be reduced. As a result, erosion potential will also be reduced under this alternative. Indirectly, by permitting overnight camping only in designated areas, requiring the use of fire pans and removal of ash/debris from camp and cook fires, the proposed action will reduce potential for riparian wildfire and resultant impacts to soil resources.

Cumulative Effects: Cumulative impacts to soil resources from implementation of the proposed action are anticipated to benefit soil resources. With the foreseeable increased demand for recreational use, limiting camping to designated areas combined with mitigation built into the proposed action (e.g. requiring fire pans, etc…) will prevent over use within the RHRA.

Finding on Public Land health Standard 1: Soils within the proposed project area currently are meeting land health standards. Implementation of the proposed action is not anticipated to alter this finding. Implementation of the no-action alternative could impair the function of soil stabilizing agents' potential y leading to deteriorated soil health.

3.2.5 Water Quality (surface and groundwater) (includes a finding on Standard 5)

Current conditions:

The proposed project area is located within water quality stream segment 3 of the Lower Colorado River Basin. Stream segment 3 of the Lower Colorado River Basin is defined as the main stem of the Colorado River from immediately above the confluence of the Gunnison River to the Colorado-Utah state line.

Table 1 identifies stream classifications and water quality standards for Lower Colorado Basin stream segment 3 as outlined in CDPHE, Regulation No. 37.

Table 1:	Classifications	Numeric Standards					
Stream Segment		Physical and Biological	Inorganic (mg/l)		Metals (µg/l)		
COLCLC03	Aq Life Warm 1 Recreation E Water Supply Agriculture	T=TVS(WS-II) ◦C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH_3(ac/ch)=TVS Cl_2(ac)=0.019 Cl_2(ch)=0.011 CN=0.005	S=0.002 B=0.75 NO_2=0.05 NO_3=100	As(ac)=340 As(ch)=7.6(Trec) Cd(ac/ch)=TVS CrIII(ac)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000 (Trec) Pb(ac/ch)=TVS Mn(ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS

CDPHE 2010a

The CDPHE ―Integrated Water Quality Monitoring and Assessment Report-2010 update to the 2008 305(b) Report was reviewed to determine the current status of assessment and determination of water quality within the project area. The Colorado Integrated Reporting Category (IR) value assigned to the assessment unit in the ―Status of Water Quality in Colorado – 2010 document was IR=5. In Colorado, the majority of the assessed surface water bodies fall into IR Categories 1, 2, and 3. Colorado has elected to place segments where not all uses have been assessed in IR Category 2. In some cases, a complete assessment of all uses cannot be completed do to the lack of data, but the data that is available indicates that at least some of the uses that were assessed are fully supporting. IR Category 5 indicates that available data and/or information indicate that at least one classified use is not being supported or is threatened, and a TMDL is needed. Segments must be placed in Category 5 when, based on existing and readily available data and/or information, technology-based effluent limitations required by the Clean Water Act (CWA), more stringent effluent limitations, and other pollution control requirements are not sufficient to implement an applicable water quality standard and a TMDL is needed. This category constitutes the Section 303(d) list of waters impaired by a pollutant. (CDPHE. 20010c).

The 2010 CDPHE-WQCC Regulation No. 93 Section 303d List of Impaired Waters and Monitoring and Evaluation List, was reviewed to determine if Lower Colorado River stream segment 3 was listed. The entire portion of stream segment 3 was listed on the 303(d) list for selenium (Se) impairments (CDPHE. 2010b).

Much of the upland watershed north of the Colorado River is situated on soils derived from Mancos shale. Mancos shale soils have naturally high concentrations of selenium and salts. Excessive erosion and irrigation of Mancos shale soils has been documented to be a major contributor to water quality degradation in other parts of the field office. Most recently (5-28-2010) BLM collected water quality samples in Salt Creek downstream of

I-70. Results indicate Se levels to be 5.8 µg/L which is above chronic levels (4.6 µg/L). Studies conducted by the United States Geological Survey (USGS) and the National Irrigation Water Quality Program (NIWQP) indicated primary source areas for selenium in the Colorado River near the Colorado/Utah State line to be the eastern side of the Uncompahgre Valley, and the western one-half of the Grand Valley, where extensive irrigation is located on Mancos Shales (Gunnison Basin Selenium Task Force, 2009). These findings support the notion that upstream irrigation near the project area would also result in increased Se concentrations to surface water in Salt Creek and eventually the Colorado River.

Of additional concern within the project area are contributions of sediment and salinity to the Colorado River system resulting from accelerated soil erosion in upland watersheds. The Colorado River Basin Salinity Control Act (Public Law 93-320) was enacted in June 1974. The Act was amended in 1984 by Public Law 98-569. Public Law 98-569 includes directing the BLM to develop a comprehensive program for minimizing salt contributions from lands under its management. Colorado's Grand Valley is recognized as the largest non-point source of salinity in the Upper Colorado River Basin. Soils within the project area are identified as "non-saline" in the NRCS soil survey of Mesa County, CO (NRCS 2011).

Hydrology/Floodplains:

The project area is situated entirely within the 100-year floodplain of the Colorado River. Although the extent of the 100-year floodplain is not mapped, onsite observation of all camp sites in October 2010 confirmed placement in the 100-year floodplain. As such, many of the campsites are subject to flooding during high flow events. Thus, not all campsites will be available during these brief periods. Peak flow conditions represent dangerous environmental hazards to all who utilize the river corridor. Table 2 identifies maximum flow values table 3 identifies median flow values (50 percentile flows) at USGS gage 0916350 (Colorado River at Colorado/Utah state line) for the months of May-September during the period of record (1951-2010).

Table 2: Peak Stream Flow USGS Gage 0916350 (1951-2010)

Peak Stream Discharge: USGS Gage 0916350 Colorado River Near Colorado-Utah State Line (1951-2010)					
Water Year	**Date**	**Stream Discharge (cfs)**	**Water Year**	**Date**	**Stream Discharge (cfs)**
1951	Jun. 23, 1951	302,005	1981	June 9 1981	121,005
1952	Jun. 09, 1952	520,005	1982	Jun. 20, 1982	193,005
1953	Jun. 15, 1953	373,005	1983	Jun. 27, 1983	621,005
1954	May 23, 1954	116,005	1984	**May 27, 1984**	**698,005**
1955	Jun. 10, 1955	171,005	1985	May 5, 1985	393,005
1956	Jun. 04, 1956	289,005	1986	Jun. 08, 1986	338,005
1957	Jun. 09, 1957	568,005	1987	May 18, 1987	225,005
1958	May 31, 1958	450,005	1988	May 19, 1988	154,005
1959	Jun. 11, 1959	232,005	1989	May 31, 1989	99,705
1960	Jun. 05, 1960	247,005	1990	Jun. 12, 1990	126,005
1961	May 31, 1961	193,005	1991	Jun. 16, 1991	198,005
1962	May 14, 1962	405,005	1992	May 28, 1992	165,005
1963	May 20, 1963	113,005	1993	May 28, 1993	443,005
1964	May 27, 1964	273,005	1994	May 19, 1994	136,005
1965	Jun. 20, 1965	364,005	1995	Jun. 19, 1995	493,005
1966	May 11, 1966	144,005	1996	May 20, 1996	291,005
1967	May 27, 1967	194,005	1997	Jun. 10, 1997	375,005
1968	Jun. 07, 1968	266,005	1998	May 22, 1998	261,005
1969	Jun. 26, 1969	204,005	1999	Jun. 01, 1999	179,005
1970	May 24, 1970	330,005	2000	May 31, 2000	179,005
1971	Jun. 19, 1971	222,005	2001	May 18, 2001	132,005
1972	Jun. 09, 1972	184,005	2002	Sep. 12, 2002	55,205
1973	Jun. 16, 1973	350,005	2003	Jun. 03, 2003	261,005
1974	May 11, 1974	228,005	2004	May 12, 2004	94,505
1975	Jun. 09, 1975	263,005	2005	May 25, 2005	310,005
1976	Jun. 07, 1976	144,005	2006	May 24, 2006	217,005
1977	Jun. 10, 1977	50,805	2007	May 23, 2007	147,005
1978	Jun. 17, 1978	278,005	2008	Jun. 04, 2008	396,005
1979	May 30, 1979	360,005	2009	May 26, 2009	290,005
1980	May 24, 1980	321,005	2010	Jun. 09, 2010	303,005
1981	Jun. 09, 1981	121,005			

Table 3: Median Flows at USGS Gage 098321 (1951-2010).

Median of the daily mean discharge (1951-2010) USGS Gage #0916350				
May	June	July	August	September
13,700 cfs	17,100 cfs	6,710 cfs	3,700 cfs	3,795 cfs

An onsite level I geomorphic characterization was conducted on the Colorado River within the project area in October 2011. This characterization identified a channel slope less than 2 percent, well defined floodplains, established point bars and riffle pool sequences, and a sinuosity greater than 1.2. These characteristics are all indicative of a "C" type stream.

The "C" stream types are located in narrow to wide valleys, constructed from alluvial deposition. The "C" type channels have a well developed floodplain (slightly entrenched), are relatively sinuous with a channel slope of 2% or less and bedform morphology indicative of a riffle/pool configuration. The primary morphological features of the "C" stream type are the sinuous, low relieve channel, the well developed floodplains built by the river, and characteristic "point bars" with the active channel. The channel aggradation/degradation and lateral extension processes, notably active in "C" type streams, are inherently dependent on the natural stability of stream banks, the existing upstream watershed conditions and flow and sediment regime. Channels of the "C" stream type can be significantly altered and rapidly de-stabilized when the effects of imposed changes in bank stability, watershed condition, or flow regime are combined to cause an exceedance of a channel stability threshold (Rosgen 1996).

Groundwater quality:

A review of the USGS Groundwater Atlas of the Colorado indicates the proposed action will be situated adjacent to the boundaries of the Colorado River alluvial aquifer system. The primary source of groundwater near the project area is contained within shallow, localized, alluvial/colluvial deposits adjacent to the Colorado River and major tributaries (Topper et al., 2003).

The valley-fill deposits or alluvium in the Colorado River basin consist generally of unconsolidated boulders, cobbles, gravel, sand, silt, and clay. The thickness of the alluvium can be extremely variable depending on location. Alluvium is very limited or nonexistent in the canyon sections of the Colorado River, such as the Gore, Glenwood, DeBeque, ***Ruby, and Horsethief Canyons*** where bedrock is exposed (Topper et al., 2003). Water quality can be high in TDS and sulfate where irrigation return flows are prevalent (Salt Creek area).

No Action

Direct and Indirect Effects: Under the no-action alternative, permits would not be required to camp or recreate within the RHRA. As a result, increasing recreational use is anticipated to occur given recent trends within the area. With increased recreational use comes increased demand for camp sites, increased

potential expansion of existing, and increased potential establishment of new (pioneered) camp sites/take-outs in the RHRA. Direct impacts associated with the no-action alternative will result from establishment of new camp sites/take-outs, expansion of existing campsites, and increased riparian wildfire potential, which would result in increased surface disturbance and alteration of functional floodplain features (e.g. riparian vegetation, large woody debris). Alteration of functional floodplain features leaves stream banks and floodplains vulnerable to erosion and geomorphic destabilization. Human and animal waste (dogs) may also have a direct negative impact on water quality when combined with increased visitation if existing rules and regulations regarding disposal are not closely followed and enforced. Indirectly, increased erosion and geomorphic destabilization can adversely impact water quality as sediment and mineral constituents of eroded geology can contaminate water sources.

Cumulative Effects: Increased recreational use is anticipated to result in further expansion of existing camp sites and pioneering of new sites in unsustainable/undesirable locations adversely impacting the function and condition of riparian communities, floodplains, and water quality. Potential for riparian wildfire will increase as expansion of existing sites and pioneering of new sites continue with increased demand for recreational opportunities.

Proposed Action

Direct and Indirect Effects: Under the proposed action, permits would be required for overnight camping within the RHRA from May through September. Camping would be permitted only at designated sites and a maximum of 35 groups would be permitted during this time period. As a result, overuse within the riparian corridor, expansion of existing recreation sites and pioneering of new sites would be stymied by implementation and enforcement of the permit system. Direct impacts associated with the proposed action alternative will be limited to surface disturbance resulting from establishment of new camp sites/take-outs. However, these disturbances are not anticipated to have any measurable impact to water quality or overall floodplain function. New camp sites are situated within tamarisk treatment (removal) areas where tamarisk removal has reduced fuel loading and wildfire potential. With enforcement of rules and regulations outlined under the proposed action, overall surface disturbance and riparian wildfire potential will be reduced. As such, floodplain function will be preserved and water quality will be better protected under the proposed action. With enforcement of rules and regulations outlined under the proposed action, indirect impacts detrimental to floodplain function and water quality are not anticipated to occur.

Cumulative Effects: The proposed action is anticipated to reduce impacts associated with potential increases in use within the RHRA. Potential for riparian wildfire would be reduced as would potential to degrade water quality and floodplain function.

Finding on Standard 5: Stream segment 3 of the Lower Colorado River Basin currently does not meet state standards for selenium impairments. However, the source of contamination is from extensive irrigation of Mancos shale on private lands upstream of Ruby-Horsethief Canyon which is outside the control of BLM management. As such, implementation of the proposed action or no-action alternative will not alter the current finding. Stream segment 3 will continue to be impaired for selenium.

3.3 BIOLOGICAL RESOURCES

3.3.1 Invasive, Non-native Species

Current Conditions:

Ruby-Horsethief Canyon has been the focus of intensive weed management since 2000 when the NCA was designated and the Field Office launched a full-time integrated weed management program. The river corridor is host to a number of noxious weeds, which is typical for the riverine systems of western Colorado in the lower elevations. The primary species of concern, and the focus of weed efforts, have been on tamarisk, Russian-Olive, Russian knapweed, whitetop, perennial pepperweed, purple loosestrife, and musk thistle. Tamarisk has been under management from a physical treatment (chainsaws) and biological (tamarisk leaf beetle) perspective. In 2005 the BLM, in conjunction with USDA-APHIS and the Palisade Insectary, released the leaf beetle on tamarisk at two sites within RHRA—Horsethief Bottom below Rustlers Loop, and at Knowles Canyon. Since 2005, the populations of these to releases have significantly increased and have mixed with beetles released in Utah. Beetles are now fully established in RHRA and are defoliating large acreages of tamarisk each season. The advent of the beetle has changed the approach to tamarisk management by allowing a combination of biological and other methods of control. Previous to the beetle projects were isolated (mostly campsites) and conducted with manual methods and herbicide follow-up. The combination of control methods has allowed an expansion of tamarisk projects. Russian knapweed is widespread in RHRA, and early efforts for the control were located at campsites in efforts to push the weed away from these high use areas. The accumulation of control efforts over time have allowed the weed program to expand project areas outside of the campsites. Purple loosestrife is a rare Colorado A List weed (eradication the statewide goal) and in 2000 there were numerous infestations in RHRA, as well as upstream in the Grand Junction area. Combined efforts every year since 2000 with BLM and Mesa County have reduced this weed to isolated plants only in RHRA. Whitetop, or hoary cress, is found all along the river in isolated locations. BLM has targeted this weed on numerous projects, and the populations are under maintenance, but susceptible to increase given the nature of this weed to expand rapidly. Another Colorado A list species that occurs in RHRA is perennial pepperweed, and RHRA is the only place this weed is found in Mesa County. In 2009, the BLM weed crew inventoried the infestations in RHRA, and identified about 200 sites where the weed occurred. In 2010, the weed crew launched an extensive control program

and were able to treat all infestations. Similar to its cousin whitetop, this weed is somewhat stable, but susceptible to expansion if it is not treated on a regular basis. Musk thistle can be found from one end of RHRA to the other, but this plant is isolated small populations, mostly in the wetter areas of backwater sloughs. The largest population is at Knowles Canyon in the area of the 2006 fire.

No Action

Direct Effects: The weed program will continue extensive weed management in RHRA regardless of the outcome of this plan. However, in the absence of this plan, additional disturbance will occur as a result of non-designated camping, and weed infestations are expected to rise. Short-term effects are not as dramatic as the long-term or indirect effects.

Indirect Effects: Over the long term, without confining recreation use to designated areas, the RHRA can expect to see a steady but slow rise in weed infestations due to disturbance, and the transport of weed seeds to new areas along the river.

Cumulative Effects: Recreation is expected to rise in Mesa County over time, and use is expected to rise in RHRA as well. Recreationists are a vector of weed spread by inadvertent seed spread, as well as a cause of disturbance. The no-action alternative is expected to contribute to a rise in weed infestations along the river.

Proposed Action

Direct and Indirect Effects: The proposal to confine camping to designated sites is similar to other efforts by the recreation program in the Field Office. By doing so, this allows the weed program to concentrate efforts at specific sites on a rotational basis. This is easier to manage than searching numerous sites that accumulate over time. Short-term, there is not much noticeable change, but long term (see below) it is a positive change.

Cumulative Effects: Over the long-term this will positively benefit the weed management efforts for the reasons listed in the direct effects section. Not only will it allow the maintenance of existing sites, but it will also allow the program to expand to other areas when the campsites are stable.

3.3.2 Sensitive Species

Current Conditions:

BLM Sensitive Terrestrial and Aquatic Wildlife and Plant Species:

Habitat for BLM-sensitive plant species does not occur in the RHRA, thus there are no known occurrences of sensitive plant species along the Colorado River corridor in Ruby and Horsethief Canyons. However, there are several BLM-sensitive wildlife species that could occur in the action area.

Habitat along the Colorado River provides winter and summer range and active nesting and roosting sites for bald eagles. There is one active bald eagle nest on the southwestern end of some private property (Gibson property) on the north bank of the River, approximately 1 mile downstream of the existing Fault Line 1 and 2 campsites. There is one more known active bald eagle nest located in Utah, downstream of the May Flats overflow campsite and before the Whitewater boat ramp. In recent years, a bald eagle nest located approximately 0.5 mile downstream of the Cottonwood 5 campsite on the south side of the River, fell.

The sandstone cliffs along the river provide nesting habitat for peregrine falcon. There are several records of peregrine falcon nests on both sides of the canyon from Mee Corner to the state line. Long-billed curlew and white-faced ibis also have the potential to pass through the area. Cottonwood galleries with an understory shrub component required by the western yellow-billed cuckoo are not adequate and the species is not likely to occur in the RHRA, nor has it been documented in the GJFO.

Desert bighorn sheep are present and frequently travel into the RHRA through many of the side canyons to the south of the RHRA, such as Knowles Canyon, Mee Canyon, and Devils Canyon. These canyons provide important terrain, shelter, travel corridors, and water for the desert bighorn sheep herd in the Black Ridge Canyons Wilderness. Other BLM-sensitive mammals that have the potential to occur include Townsend's big-eared bat, fringed myotis, big free-tailed bat, and spotted bat.

Ephemeral drainages and other seasonal water sources in the canyons adjacent to the RHRA and fringe wetlands along the Colorado River are likely to contain breeding populations of amphibians including Great Basin spadefoot, canyon treefrog, and northern leopard frog. BLM-sensitive reptile species that have the potential to occur include, midget-faded rattlesnake and milk snake. The three BLM-sensitive fish species, bluehead sucker, roundtail chub, and flannelmouth sucker, all occur within the Colorado River and the RHRA.

Migratory Birds:
The Project Area provides a variety of riparian and upland habitat and has the potential to host a wide variety of migratory bird species. Birds of Conservation Concern (BCC) identified by the U.S. Fish and Wildlife Service include the species in Bird Conservation Region (BCR) 16 that have the potential to occur within the RHRA (USFWS, 2008). Based on the habitat present within the Project Area, BCC that may be present include bald eagle, golden eagle, peregrine falcon, long-billed curlew, gray vireo, pinyon jay, juniper titmouse, Brewer's sparrow, and Cassin's finch. Other migratory bird species that may forage or nest within and near the parcels, include, but are not limited to greater sandhill crane, ash-throated flycatcher, Lewis' woodpecker, cliff swallow, rock wren, canyon wren, blue-gray gnatcatcher, spotted towhee, and song sparrow.

No Action

Direct and Indirect Effects: Direct impacts to sensitive species related to the No Action Alternative would not occur. Indirect impacts to sensitive species would continue at the current level and would continue to increase and spread out as recreational pressures continue to grow in the RHRA. Indirect effects would take place as impacts to soil, riparian vegetation, and instream habitat. Impacts to soil, vegetation, and instream habitat would primarily affect the three BLM-sensitive fish species and the Great Basin spadefoot, canyon tree frog, and northern leopard frog. Soil compaction caused by camping and boat landing could result in reduced infiltration and increased runoff, sedimentation, and loss of bank stability. The BLM-sensitive fish species are well adapted to periodic fluxes of high sediment loads and variable runoff in the stream and are not likely to be negatively affected by sedimentation and changes in runoff.

Human presence at the mouth of Mee Canyon and other canyons used by desert bighorn sheep has and would continue to affect their activity within the RHRA. This may also be true of nesting raptor species, such as peregrine falcons and bald and golden eagles in the RHRA.

Cumulative Effects: Various human activities on federal, state, and private lands, such as dams, recreational activities, natural gas development, irrigation, livestock grazing activities, and introductions of non-native plant and fish or other aquatic species, have all contributed, and will continue to contribute to cumulative impacts to BLM-sensitive fish species in the Colorado River. Within the RHRA, the primary cumulative impacts would be associated with current recreation activities and the future increase in recreational pressure that is expected to occur.

Proposed Action

Direct and Indirect Effects: The Proposed Action, would limit the number of campsites being to only designated sites and would confine camping into smaller, more focused areas, especially during peak use periods. Management of backcountry camping use would result in an overall reduced potential for impacts to sensitive species when compared to the No Action alternative. Annual use would be monitored and improvised based on any management issues that arise. No new or additional impacts would be expected to occur under the Proposed Action. There is also a potential that conditions could improve over time, which would benefit sensitive species. The benefits derived from the change to designated campsites would be long-term and would last for the duration of the life of the RHRA RAMP.

Cumulative Effects: The Proposed Action would most likely improve conditions in the RHRA and would not contribute to the existing cumulative impacts to sensitive species and their habitat along the Colorado River.

3.3.3 Threatened or Endangered Species (includes a finding on Standard 4)

Current conditions:

Critical habitat for the endangered bonytail, humpback chub, Colorado pikeminnow, and razorback sucker is present in the Ruby-Horsethief stretch of the Colorado River and includes the 100-year floodplain of the River. Many of these species are experiencing critically low population numbers and poor reproductive potential due to a large number of long-term impacts to the Colorado River Basin system. Mainstem dams, water diversions, degraded water quality, habitat modification, competition from non-native fish species, and disease have all played a role in impacting populations of the Colorado River Basin Endangered fish. Bonytail are extremely rare; however one was captured in the Black Rocks area of the Ruby-Horsethief Recreation Area (RHRA) in the 1980s. Populations of humpback chub are distributed throughout Black Rocks and Westwater Canyon (several miles downstream of the RHRA). Populations of the Colorado pikeminnow are dispersed from Palisade through the RHRA, but are exceedingly small. The largest populations of razorback suckers found in the Colorado River occur in the Grand Valley area near Grand Junction, Colorado and are increasingly rare. Populations of razorback sucker are currently being augmented by stocking in both the Colorado and Gunnison Rivers. There are no other federally-listed plant or animal species present in the action area.

Standard 4 of the BLM Standards for Public Land Health require the BLM to manage threatened and endangered species and their habitat by sustaining healthy, native plant and animal communities. Public land health standards have been evaluated in this area and have been determined to be meeting or meeting with problems for overall land health standards.

No Action

Direct and Indirect Effects: Under the No Action alternative, recreationists would continue to camp in dispersed locations which would continue to result in indirect effects to the 4 endangered fish through impacts to soil, riparian vegetation, and instream microhabitat that would continue to expand and spread out as recreational pressures increase in the RHRA. Camping and boat landing has and will continue to result in soil compaction and reduced water infiltration and increased runoff. These activities may also result in sedimentation and the loss of bank stability which could result in some sediment transport; however, all 4 of the endangered fish species are well adapted to periodic sediment influxes which create and maintain important microhabitats and backwaters that are important to multiple life stages for these species.

Indirect impacts, such as the loss of native riparian vegetation due to trampling and soil impacts would continue to occur under the No Action alternative. The continued loss of vegetation would result in reduced bank armoring and stability, a loss of the ability to buffer river flow velocities, and a reduction in stream and bank shading from reduced cover in vegetation.

Other indirect impacts include disturbances to instream microhabitats by campers, which include backwaters, side channels, eddies, and small ponds which are important to fish for reproduction, resting, and foraging. People camping along

the river have the tendency to spend time in the water and may stack rocks, dam side channels, or move rocks and large wood out of the water that slow the velocity of flow and create important habitat for fish. Also, recurrent human activity around pools created by instream large wood and rocks, and in side channels, backwaters, and eddies are likely to cause fish to move from these areas of suitable habitat.

As a result of the continuation of non-designated, non-permitted camping, indirect impacts to streamside vegetation and instream habitat used by the 4 endangered fish would continue at the current level and would potentially increase over time. Direct impacts are not anticipated under the No Action alternative, but could occur if recreationists catch and kill fish or if boaters spend time in water where breeding is occurring.

Under the No Action alternative, Public Land Health Standard 4 may not be met if recreational pressures continue to grow with limited management, because impacts to riparian and instream habitat would continue to reduce the quality and amount of habitat available to the Colorado pikeminnow, razorback sucker, bonytail, and humpback chub.

Cumulative Effects: Although cumulative impacts are limited within the RHRA, there are many activities upstream that contribute to the cumulative impacts that affect endangered Colorado River fish downstream. Declines in the abundance or range of the 4 endangered fish of the Colorado River Basin have been attributed to various human activities on federal, state, and private lands, such as construction and operation of dams along major rivers; water retention and diversion practices; recreational activities; natural gas development; expansion of agricultural, irrigation, and livestock grazing activities, including alteration or fragmentation of native habitats; and introductions of non-native plant and fish or other aquatic species, which can alter native habitats or out-compete or prey upon native species. Many of these activities are expected to continue on federal, state and private lands upstream of the RHRA and could contribute to cumulative effects to the species within the RHRA.

Proposed Action

Direct and Indirect Effects: As a result of implementation of the Proposed Action, the number of campsites being used especially during peak use periods would be contained within the designated campsites and future growth would be limited and managed, which would result in overall reduced potential for impacts to the endangered bonytail, humpback chub, Colorado pikeminnow, and razorback sucker compared to the No Action alternative. Under the RHRA RAMP, BLM staff would monitor and assess campsite use annually to determine if the maximum capacity and stay limits of campsites and the overall camping capacity of the RHRA need to be adjusted. No new or additional direct impacts to endangered Colorado River fish are expected to occur under the Proposed Action.

Impacts to soil, riparian vegetation, and instream microhabitat for fish and aquatic insects would be the primary indirect impacts that could occur as a result of the Proposed Action. These indirect impacts are limited in scope and would not exceed the impacts that exist under the current condition and No Action alternative. It is more likely that the effects of the Proposed Action would be beneficial, because camping should be concentrated in a smaller area at the designated campsite and soils around the perimeter of the campsite would be expected to improve over time. The peak season for recreational activities in the RHRA would overlap somewhat with the tail end of high flows during the spring runoff, but would not change much from the current use.

Although use could increase over time, the number of visitors should stay nearly the same given the permit system and use would be limited and monitored. Issuing permits to campers would help to better communicate camping regulations such using a tray for campfires, packing out waste, and camping only in designated sites. Implementation of the Proposed Action would allow the BLM to better manage the recreational use along the Colorado River in the RHRA which should help maintain or improve the current habitat available for the endangered Colorado pikeminnow, bonytail, humpback chub, and razorback sucker.

The benefits derived from implementation of the Proposed Action's change to designated campsites would be long-term and would last for the duration of the life of the RHRA RAMP. Consultation with the USFWS took place and a letter of concurrence with the BLM's finding of "may affect, not likely to adversely affect" was received on March 23rd, 2011. Under the Proposed Action, Standard 4 of the Public Land Health Standards would be met because critical habitat for the 4 endangered Colorado River fish would be protected by better managing and monitoring impacts related to visitor use.

Cumulative Effects: The Proposed Action would reduce the likelihood for increasing recreational pressures in the RHRA over time which would positively benefit critical habitat for endangered fish over the long-term. Cumulative impacts would not be anticipated under the Proposed Action.

3.3.4 Vegetation (grasslands, forest management) (includes a finding on Standard 3)

Current conditions:

Besides the riparian vegetation zone adjacent to the river the primary vegetation type associated with the proposed action is the salt desert shrub community. A transition community between the riparian zone and salt desert shrub would consist of rubber rabbitbrush, greasewood, four wing saltbush, sand dropseed and saltgrass. The salt desert shrub community consists of shadscale, galleta grass, Indian rice grass, sand dropseed and scarlet globemallow. A land health assessment completed in 1997 showed these plant communities were meeting or meeting with problems in relation to Standard 3 of the Colorado Land Health Standards. The presence of cheatgrass was the primary reason for the meeting with problems designation.

Standard 3 of the BLM Standards for Public Land Health require the BLM to manage for healthy, productive plant and animal communities of native and other desirable species at viable population levels. Public land health standards have been evaluated in this area and have been determined to be meeting or meeting with problems.

No Action

Direct and Indirect Effects: Under the No Action alternative, recreationists would continue to camp in dispersed locations which would continue to result in direct effects to the vegetative communities. The continuation of dispersed camping leads to a broader scale of disturbance to the vegetation and soils along the river. This would include the riparian zone as well as the salt desert shrub community. Dispersed camping generally involves less intensive impact to vegetation until camp sites become popular enough they become established camp sites. Impacts include the trampling and removal of vegetation as well as compaction of soils which reduces plant vigor and/or decreases the cover of perennial vegetation. Many times these impacts lead to an increase in the presence of invasive annuals especially cheatgrass. Once cheatgrass reaches a higher density the threat of wild fires from escaped campfires becomes greater. In several locations along this stretch of the Colorado River cottonwood galleries have been damaged due to fires carried by cheatgrass. Another impact related to dispersed camping is the removal of woody vegetation for firewood.

Under the No Action alternative, Public Land Health Standard 3 may not be met if recreational pressures continue to grow with limited management. Limited management would lead to a greater extent (more area) of disturbance to vegetation in and around potential camping areas.

Cumulative Effects: Recreation activities within the RHRA is expected to increase overtime in conjunction with the increase in recreation in western Colorado. Any increase in recreation activity along the Colorado River is going to increase the impacts to the associated vegetative communities. The less these activities are controlled the greater the potential for impact. Although dispersed camping in general has less impact to the vegetation there is a threshold where the cumulative effects become greater than having designated camp sites. Dispersed camping opportunities within the RHRA is limited due to the topography and narrow river system.

Proposed Action

Direct and Indirect Effects:

As a result of implementation of the Proposed Action, the number of campsites being used especially during peak use periods would be contained within the designated campsites and future growth would be limited and managed, which would result in overall reduced potential for impacts to the vegetative communities along the river. Impacts to vegetation at designated camp sites is greater at the specific designated site location compared to dispersed camping but overall impacts to the vegetative communities is less along the entire river system.

Direct impacts at designated sites includes the removal of vegetation in the actual camp site area and trampling of vegetation in the area surrounding the site. Removal or perennial vegetation can lead to an increase of invasive annuals such as cheatgrass but reducing the area impacted by camping will reduce the potential for invasives. The collection of vegetation for camp fires is also more intensive around the designated camp sites.

Under the Proposed Action, Standard 3 of the Public Land Health Standards would be met because the impact to vegetation would be minimized by limiting the location of campsites. Although there will be impact to vegetation surrounding the campsites limiting the number of campsites will minimize the amount of area disturbed. Monitoring of campsites should include impacts to vegetation in the surrounding area.

Cumulative Effects: The proposed action while creating some impact to the vegetative communities along the Colorado River would reduce the potential impact that could occur from increased recreational activity within the RHRA.

3.3.5 Wetlands & Riparian Zones (includes a finding on Standard 2)

Current conditions:

The condition of the riparian areas located in the RHRA along the Colorado River were assessed in 1993 and found to be in Proper Functioning Condition (PFC). The riparian community along the Colorado River supports native obligate and facultative species such as cottonwoods, willows, rushes, sedge, wood's rose, and box-elder. Even though all of the Colorado River within the RHRA was found to be in PFC many areas have not reached their potential. Some portions of the riparian area along the Colorado River within the RHRA have been degraded by invasive species and prior recreation uses. Invasive species such as tamarisk and Russian knapweed occur in the areas surrounding the proposed designated campsites. There have been tamarisk treatments in and around some of the existing and proposed campsites. Removal of the tamarisk has created space for native species such as willows to move back into these locations. Some of the proposed designated camping sites have also historically been used by the boating community. Vegetation trampling and soil compaction have already occurred in some areas due to historic use.

Standard 2 for Public Land Health in Riparian systems requires riparian systems with both standing and running water to function properly. Properly functioning riparian systems have the ability to recover from major disturbances such as those associated with fire, grazing, and flooding. An assessment of the Public Land Health Standards was completed in the RHRA and the project area was found to be meeting or meeting with problems.

No Action

Direct and Indirect Effects:

The condition of the riparian areas located in the RHRA along the Colorado River were assessed in 1993 and found to be in Proper Functioning Condition (PFC).

The riparian community along the Colorado River supports native obligate and facultative species such as cottonwoods, willows, rushes, sedge, wood's rose, and box-elder. Even though all of the Colorado River within the RHRA was found to be in PFC many areas have not reached their potential. Some portions of the riparian area along the Colorado River within the RHRA have been degraded by invasive species and prior recreation uses. Invasive species such as tamarisk and Russian knapweed occur in the areas surrounding the proposed designated campsites. There have been tamarisk treatments in and around some of the existing and proposed campsites. Some of the proposed designated camping sites have also historically been used by the boating community.

Seven of the proposed new designated campsites would be located in areas that have been determined to be meeting Public Land Health Standards with problems. Under the No Action Alternative the Public Land Health Standard 2 would continue to be met in the short-term, but the long-term accomplishment of this standard is not certain.

Cumulative Effects:
Over time increased group size, frequency of use, and new user developed camping sites could have cumulative impacts on the health of the riparian zones within the RHRA. Decreases in the density, diversity, and vigor of native riparian vegetation could all result from uncontrolled increases in use, which would decrease the health and function of the riparian zones.

Proposed Action

Direct and Indirect Effects:
The proposed action would continue to contribute to impacts to riparian habitat along the Colorado River and tributaries from recreation use, but it would help limit the direct and indirect impacts at or below their current levels. Establishing designated camp sites and with limits placed on the group size per campsite would eliminate widespread camping throughout the RHRA and the intensity of the impacts from recreation use. Direct impacts such as vegetation trampling or removal from ongoing use and soil compaction would continue to exist at the campsites. Recreation users would also continue to help spread weeds within the riparian area. Restrictions on the number of campers per group would reduce the number of campsites necessary at each campsite. Restrictions on the size of each campsite would also help to focus the impacts and reduce widespread impacts.

Indirect impacts resulting from the proposed action would include a small overall reduction in healthy riparian habitat. This reduction would result from the continued use of the campsite boat landing locations area at each campsite as well as from camping in the floodplain. The boat landing location area at each campsite would likely remain devoid of vegetation. Compaction and shearing of the river bank at these locations would make it difficult for vegetation to establish in these areas. The reduction of riparian vegetation along the banks and within the floodplain would impact soil stability and sedimentation into the river. The

overall indirect impacts would not be great enough to reduce the recruitment, vigor, and health of riparian obligate and facultative species within the RHRA.

Under the Proposed Action Alternative the Public Land Health Standard 2 would continue to be met in both the short-term and the long-term. Monitoring these systems for changes and adjusting allowable uses would help to ensure that these systems remain healthy and continue to meet the standard.

Cumulative Effects:
Limiting impacts from recreation use at or below their current level would help to ensure that the riparian areas along the Colorado River and adjacent tributaries are healthy and functioning properly. The proposed restrictions reduce the potential for more widespread and serious long-term impacts that could result from increased recreation use in the future. Cumulative impacts from the proposed action would be limited and should not exceed current impacts. Increased demand for recreation use upstream and downstream of the RHRA will likely increase overtime and put increased pressure on riparian areas that may result in degradation at these locations. Limiting allowable use and monitoring for decreases in riparian and land health would help to ensure that unacceptable changes do not occur, which would have a positive effect on riparian areas outside of the RHRA.

3.3.6 Wildlife (includes fish, aquatic and terrestrial) (includes a finding on Standard 3)

Current conditions:

Habitat in the Project Area is primarily composed of streamside riparian communities consisting of willow, cottonwood, a variety of obligate riparian herbaceous vegetation, including sedges and rushes. Invasive species such as tamarisk and Russian olive are also present along some sections of the River in the RHRA. Areas above the 100-year floodplain consist of rocky, sparsely vegetated juniper or saltbush habitat. Given the habitat available in the Project Area, numerous terrestrial wildlife species have the potential to be present, including river otter, mule deer, mountain lion, bobcat, red fox, coyote, raccoon, wild turkey, a number of small mammals and migratory and resident birds. A wide variety of aquatic species are likely to be present in the RHRA as well, including native fish species such as mottled sculpin and several non-native fish species, including bluegill, black bullhead, black crappie, channel catfish, common carp, green sunfish, largemouth bass, small mouth bass, white sucker and several species of minnows. Ephemeral drainages and other seasonal water sources in the canyons adjacent to the RHRA and fringe wetlands along the Colorado River are likely to contain breeding populations of amphibians including tiger salamander, red spotted toad and woodhouse toad. A wide variety of reptiles, such as bullsnake, garter snake and a range of lizard species are also likely to occur in the area.

Standard 3 of the BLM Standards for Public Land Health require the BLM to manage for healthy, productive plant and animal communities of native and other desirable species at viable population levels. Public land health standards have

been evaluated in this area and have been determined to be meeting or meeting with problems due to livestock grazing and recreational activities.

No Action

Direct and Indirect Effects: No direct effects would occur as a result of the No Action alternative. Indirect effects to wildlife species would occur due to the compaction and loss of soil, impacts to riparian vegetation, and sedimentation, pollution, or alteration of instream habitat. Impacts would be expected to continue at the current levels taking place and could potentially increase over time as recreation continues to grow in the RHRA.

Under the No Action alternative, Public Land Health Standard 3 may not be met if recreational pressures continue to grow with limited management, because impacts to riparian and instream habitat would continue to reduce the quality and amount of habitat available to terrestrial and aquatic species.

Cumulative Effects: All of the existing past, present, and forseeable actions that currently are taking place along the Colorado River as well as the current impacts related to recreation activity in the RHRA, all contribute to the cumulative impacts of the No Action alternative on wildlife species in the action area. The future increase in recreational activity that can be anticipated in future years would add to the current cumulative impacts that are already present in the RHRA.

Proposed Action

Direct and Indirect Effects: Limiting camping use in the RHRA to designated sites would help to manage and limit the impacts associated with recreational use along the River. Management of backcountry camping use would be likely to result in an overall reduction of impacts to wildlife species in the action area. No new or additional impacts would be expected to occur from the current level and would be more closely monitored and managed, which should help to improve habitat conditions for both terrestrial and aquatic wildlife over time. The benefits derived from the change to designated campsites would be long-term and would last for the duration of the life of the RHRA RAMP.

Under the Proposed Action, Standard 3 of the Public Land Health Standards would be met because terrestrial and aquatic habitat would be protected by better managing and monitoring impacts related to visitor use.

Cumulative Effects: The Proposed Action would most likely improve conditions in the RHRA and would not contribute to the existing cumulative impacts to wildlife habitat along the Colorado River.

3.4 HERITAGE RESOURCES AND HUMAN ENVIRONMENT

3.4.1 Cultural Resources

Current Conditions:

The Area of Potential Effect (APE), as defined in the National Historic Preservation Act (NHPA), defines the area where the proposed action has the potential to affect cultural resources. For the purpose of this evaluation, direct impacts result when recreation campsites and their associated activities are on top of or immediately adjacent to them. Indirect impacts to cultural resources can occur within one-quarter mile of a recreation campsite.

The BLM archaeologist completed a file search in both the BLM files and the Office of Archaeology and Historic Preservation to identify the surveys completed and evaluate the type of site expected to be present in the project area and conduct additional inventory (incorporated by reference: BLM GJFO CRIR 1011-07). The following briefly summarizes conditions of the existing cultural environment and cultural resources in the APE.

In 1976, the BLM contracted the Historical Museum and Institute (HMI) of Western Colorado affiliated with the Museum of Western Colorado, a river corridor cultural and paleontological inventory from Loma, Colorado to the Dewey Bridge in Utah. The "Antiquities Inventory for the Wild and Scenic River Designation of the Colorado River" (BLM GJFO CRIR 4476-19) reports the results. These early surveys were exploring the new field of cultural resource management that resulted from the regulations implementing the National Historic Preservation Act. Because the report failed to describe transecting methodology, had a bias to recording prehistoric resources over historic cultural resources, and did not record low density lithic scatters and isolated finds, the results are "not to current standard". No State Historic Preservation Officer (SHPO) consultation occurred and an official determination of eligibility for nomination to the National Register of Historic Places (NRHP) was never completed. The survey did however contribute significantly to our understanding the type of cultural resources that are along the river and its tributary canyons. In summary historic cultural resources include sites associated with the construction and operation of the railroad, mining and associated features, ranch cabins and homesteads, and trails and associated features. Prehistoric sites represent open and sheltered temporary and seasonal camps and resource processing sites, trails, and rock art. The recording of these sites also set a baseline for site condition for future monitoring, demonstrated that even in the 1970's sites were being impacted by vandalism, and recorded historic sites that have since been destroyed by wildfire.

Twenty-two surveys have been completed within the one-mile radius centered on the river; the majority of the pedestrian cultural surveys are associated with recreation roads and trails on benches above the river canyon. Those surveys recorded 89 cultural resources, 74 sites and 15 isolated finds. To date the 1976 work by the HMI is the only survey of that magnitude conducted along the river canyons in the western half of the MCNCA.

Analysis of the 35 proposed recreation campsites uses the results of previous Class III cultural inventory and site assessments. BLM archaeologists completed

a Class III intensive pedestrian survey where direct impacts occur in 2010 (CRIR 1011-07); the results from CRIR 4476-19, 15807-01, and 1179-28 assess the indirect impacts. The project inventory and evaluation comply with the NHPA, the Colorado State Protocol Agreement, and other federal law, regulation, policy, and guidelines regarding cultural resources.

No Action

Direct and Indirect Effects:

Direct effects result when recreation campsites and their associated activities are on top of or immediately adjacent to cultural resources. The compaction of the soils damages site stratigraphy, this can occur from trailing or concentrated recreation activity. They can also be damaged by surface disturbance by both humans and dog activity, for example the mixing that occurs from foot traffic and digging trenches, holes, fire pits or dragging heavy items (like canoes, logs, or branches) into or around camps. People contaminate archaeological deposits by burying or scattering charcoal and ash, dumping grease, and burying trash and human waste. All of these activities have likely occurred historically at the recreation campsites but these are illegal under the current regulations.

Indirect effects result from trailing through a cultural site, unauthorized removal of artifacts, digging in features, or damaging or defacing a site. With the exception of trailing, an inadvertent impact, these indirect impacts result from illegal activity.

Under the No Action alternative, there are no changes to the recreation management of the Ruby-Horsethief Recreation Area. Camping would not be limited to BLM designated sites and though most camping occurs in established sites, environmental impacts at new campsites would occur without further environmental analysis. Groups could continue to camp at both designated and non-designated locations. There would be no limit to the number of groups camping in the RHRA. There would be no limit to the number of people in private or commercial groups and there would be no limit to the number of dogs with groups.

Cumulative Effects: Under the No Action alternative, impacts to unrecorded cultural resources as well as direct and indirect impacts to recorded cultural resources would continue. Both direct and indirect impacts to cultural resources will increase due to uncontrolled recreation use of the area. More people would be using the canyon and more pressure would affect areas where people currently do not camp. Funding to mitigate the direct impacts that are occurring to the cultural sites identified may not be a budget priority. Further research at these cultural resources could be pursued through assistance agreements with organizations that can apply for grants from the Colorado Historic Fund.

Proposed Action

Direct and Indirect Effects:
Effects are the same as the No Action alternative except these direct and indirect effects will be restricted to the designated locations. Under the Proposed Action alternative, overnight use would be limited to 35 designated campsites and groups would be required to camp in their assigned sites. This would reduce the direct and indirect impacts to cultural resources from the current management of uncontrolled dispersed camping.

Two initially proposed campsite locations had the potential for indirect impacts to ten cultural resources. These were removed from the proposed action in order to avoid creating new impacts to cultural resources. The sites are still accessible to recreation use and should be monitored. Under the proposed action the MCNCA recreation staff will identify two new designated camp locations and if additional Class III inventory indicate no cultural resource concerns they will be designated with no further work required.

Under the proposed action alternative, groups would be required to camp in their assigned campsite. Thirteen designated camps and one new proposed camp will have indirect impacts to cultural resources. These are identified in the Protective/Mitigation Measures table below. Nine sites recorded by the 1976 survey are potentially eligible for nomination to the NRHP, identified as Field Need Data (FND). They will require a reevaluation, a new recording of sites that do not have a final determination of eligibility through consultation, to document their current condition and the impacts that may be occurring from recreation use at the nearby campsites. Depending on their current condition and determination of NRHP eligibility, management options are monitoring or no further work. Three sites, 5ME202, 5ME888, and 5ME6481, are Eligible (determined by SHPO in 2007) and recommended for additional testing that may result in the need for additional data recovery excavation. Excavation is an impact to the resource but the retrieval of scientific information mitigates the adverse effect under the NHPA. Additional consultation with the SHPO and Native American Tribes will be required.

Cumulative Effects: Under the proposed action alternative, camping permits will control the number of people as recreational use of RHRA continues to increase. This would stabilize the number of people camping and control the location of those campsites. As recreation use in the RHRA increases, the direct impacts will be focused on the designated sites. Funding to mitigate the direct impacts that are occurring to the cultural sites identified may not be a budget priority. Further research at these cultural resources could be pursued through assistance agreements with organizations that can apply for grants from the Colorado Historic Fund. If monitoring indicates cultural resources are impacted and there is no funding allocated to mitigate the effects of increased recreational use, damage will occur and information will be lost.

Protective/Mitigation Measures:

SITE ID	Camp APE	Date Recorded	Recommendation	NRHP Elig.
5ME.6481	Black Rocks	1991/ 2007	Test , depending on results monitor or data recovery	OE
5ME.888	Black Rocks	1978/ 2007	Test , depending on results monitor or data recovery	OE
5ME.485	Cottonwood	1976/ 1999	Monitor	Officially Need Data (OND)
5ME.90	Cottonwood	1976	Monitor	FND
5ME.11739	Cottonwood	1999	Monitor	OND
5ME.492	Fault Line	1976	Finalize determination of NE through SHPO consult. 1011-07	Field Not Eligible (FNE)
5ME.497	Knowles	1976	Reevaluate , (burned in 2007 Knowles fire), determination of eligibility needed, may be NE	FND
5ME.1326	Knowles	1976	Reevaluate , (DE&M)	FND
5ME.1327	Knowles	1976	Reevaluate , (DE&M)	FND
5ME.531	Knowles	1976	Reevaluate , (DE&M)	FND
5ME.4384	May Flat (new)	1982	Reevaluate , (DE&M)	FND
5ME.534	May Flat (new)	1976	Reevaluate , (DE&M)	FNE
5ME.202	Mee	1976/ 2007	Test , depending on results monitor or data recovery	OE
5ME.203	Mee	1976	Reevaluate , (DE&M)	FND
5ME.523	Mee	1976	Reevaluate , (DE&M)	FND
5ME.524	Mee	1976	Reevaluate , (DE&M)	FND

Protective/Mitigation Measures: Standard stipulations of inadvertent discovery apply to the BLM's development and maintenance activity (CFR 800.13). In the case of new discovery, the BLM may relocate a camp to avoid the expense of mitigation and delays associated with this process, as long as a Class III inventory in the new area completed, there are no other resource concerns, and the exposed materials are recorded and can be stabilized. Otherwise, the BLM shall be responsible for mitigation costs. The BLM authorized officer will provide technical and procedural guidelines for relocation and/or to conduct mitigation. Upon verification from the BLM authorized officer that the required mitigation has been completed, permits may be issued to use the affected camp.

Antiquities, historic ruins, prehistoric ruins, and other cultural or paleontological objects of scientific interest that are outside the Area of Potential Effect but potentially affected, either directly or indirectly, by the proposed action shall also be included in this evaluation or mitigation. Impacts that occur to such resources as a result of the authorized activities shall be mitigated at the BLM's cost, including the cost of consultation with Native American groups.

A better-informed public could reduce both inadvertent as well as intentional damage to heritage resources. To protect cultural resources visitors to the MCNCA and RHRA need the following information. Each issued recreation permit as well as information kiosks and websites should include the following information:

> To protect archaeological and historical resources all persons associated with this permit understand and agree to their legal and stewardship responsibility. You may not injure, destroy, excavate, appropriate or remove any historic or prehistoric ruin, artifact, object of antiquity, Native American remains, Native American cultural item, or archaeological resources.
>
> The National Historic Preservation Act protects newly discovered historic or archaeological materials. If you identify a cultural resource that is threatened by natural or human disturbance during activity at your campsite or during your exploration of the canyon, help us protect the resource. Your activity must not further impact the discovery and the BLM must be notified immediately (or as soon as access to a phone is made).
>
> The Native American Graves Protection and Repatriation Act requires that if inadvertent discovery of Native American Human Remains or Objects of Cultural Patrimony occurs, any activity must cease in the area of discovery, a reasonable effort made to protect the item(s) discovered, and immediate notice be made to the BLM Authorized Officer.

3.4.3 Tribal and Native American Religious Concerns

Current Conditions:

Attributing historic or prehistoric RHRA occupation to the Ute requires additional evaluation of sites identified in the Cultural Resources Table above. There is no information that Native Americans use the canyon for traditional or religious purposes. The project would alter or limit any access if there were traditional uses that are not known to the agency. No Native American Indian consultation was conducted for the proposed undertaking.

No Action

Direct and Indirect Effects: Direct impacts may occur to cultural resources and plants that may be important for Ute traditional use as additional dispersed camps are created by recreation users in previously undisturbed areas and secondary impacts, mostly in the form of collection of artifacts or vandalism would continue to occur to cultural resources as a result of unauthorized use. Ute access to the canyon would be unrestricted so if traditional or religious uses of the RHRA occur, the agency would be uninformed.

Cumulative Effects: Under the No Action alternative, impacts to unrecorded cultural resources as well as direct and indirect impacts to recorded cultural resources would continue. Both direct and indirect impacts to cultural resources will increase due to uncontrolled recreation use of the area and sites that may be

of concern to the Ute could be damaged without ever being documented or brought to their attention. More people would be using the canyon and more pressure would affect areas where people currently do not camp.

Proposed Action

Direct and Indirect Effects: The Ute have a generalized concept of spiritual significance that is not easily transferred to Western models or definitions. As such the BLM recognizes that the Ute have identified sites that are of concern because of their association with Ute occupation of the area as part of their traditional lands. Through information gathered through previous consultation at sites in the GJFO and MCNCA none of the sites that are in the APE of the proposed action are of a type that have been identified to be of concern. No other cultural resources were located during the field inventory that suggests that the project area holds special significance for Native Americans for traditional or religious purposes. No traditional cultural properties, unique natural resources, or properties of a type previously identified as being of interest to local tribes, were identified during the file search or the cultural resources inventory of the proposed action project area. No additional Native American Indian consultation was conducted for the proposed project.

Cumulative Effects: The Proposed Action alternative reduces impacts to unrecorded cultural resources as well as direct and indirect impacts to recorded cultural resources and sites that are of concern to the Ute would be protected. As recreation use increases in the canyon sites that may be of concern to the Ute could be damaged without ever being documented or brought to their attention. In consultation with the Ute Tribes, Traditional Leaders have emphasized that all people need to respect archaeological and historical sites, that we are all stewards of this cultural heritage. As such, a better-informed public could reduce both inadvertent as well as intentional damage to heritage resources

3.4.4 Visual Resources

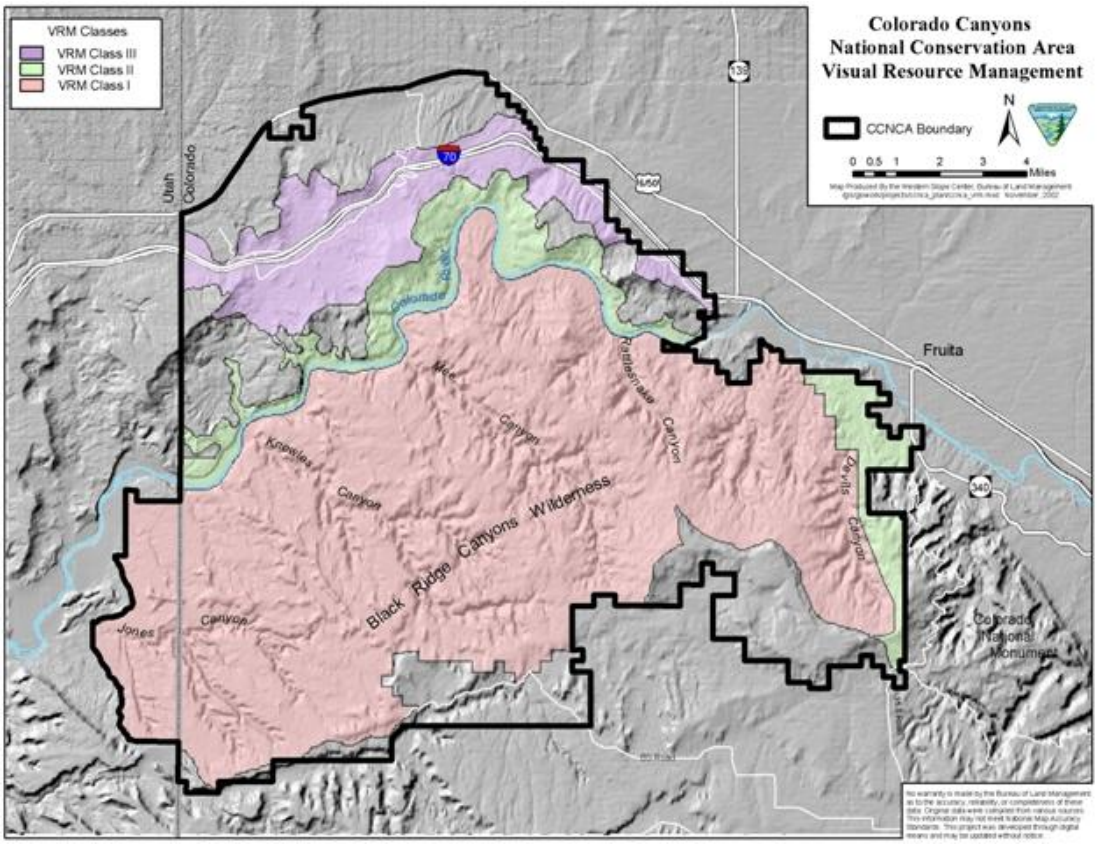
Current Conditions:

The visual resources of McInnis Canyons NCA were evaluated during the 2004 RMP process. The area north of the river is VRM Class II while the area south of the river is Class I. The Class II objective is “to retain the existing character of the landscape. The level of change to the characteristic landscape should be low.” The Class I objective is “to preserve the existing character of the landscape. The level of change to the characteristic landscape should be very low and must not attract attention.”

The area north of Horsethief Canyon consists of the Kokopelli Loops mountain biking area. Boaters on the Colorado River are below the canyon rim and cannot see any modification to the landscape, though they may frequently see a mountain biker riding above the canyon rim.

Horsethief Canyon and Ruby Canyon are separated by the mouth of Salt Creek. At this point an active railroad enters the canyon on the north side of the river and runs the length of Ruby Canyon. Boaters will frequently observe moving or stationary trains and associated administrative equipment such as signs and an occasional light.

All land on the south side of the river corridor is located in either the Black Ridge Wilderness Study Area of the Black Ridge Canyons Wilderness. There are currently 28 existing campsites on the south side of the river, each is marked by a 5 x 5" wooden post with a small plastic sign identifying the name of the campsite. Boat landings for most of the campsites are clearly visible.



No Action

Direct and Indirect Effects: Under the no action alternative, there would be no impact to visual resources.

Cumulative Effects: None.

Proposed Action

Direct and Indirect Effects: Under the proposed action, there would be no significant impact to visual resources within Horsethief or Ruby Canyons. The only development that would occur under the proposed action would be the

designation of seven additional campsites. This would include installation of seven additional 5” x 5” wooden posts to mark the landing of the new sites.

Cumulative Effects: None.

3.4.6 Economic

Current Conditions:

The Ruby-Horsethief Recreation Area is an economic asset for Mesa County and Western Colorado, attracting more than 8,000 visitors each of the past three years. In 2009, 32% of visitors were from Mesa County, 61% were from outside Mesa County but within Colorado, and 9% were from out of state. According to a 2003 USGS visitor survey, 68% of visitors to Ruby-Horsethief were non-local and travelled an average of 165 miles to visit the area. 87% of visitors reported having an excellent or good experience (compare to 95% for other areas of McInnis Canyons NCA) and 94% intended to return to the area.

There are currently 22 commercial outfitters permitted to operate within the Ruby-Horsethief Recreation Area. 13 of these outfitters are permitted through the Grand Junction Field Office while 9 are permitted through the Moab Field Office. In 2010, commercial use represented 8% of total groups within RHRA, the second lowest total in 19 years. In 1992, commercial use accounted for 21% of all groups within RHRA, and many commercial outfitters have commented both formally and informally that they have been less inclined to operate within RHRA due the deterioration of the social environment over the past 10 years.

No Action

Direct and Indirect Effects: Under the no action alternative, there would be little or no impact to the overall economic impact of the RHRA from private use. Recreational use would continue as it has been in the past.

Cumulative Effects: Recreation use would be expected to continue to increase in the short term, leading to short term increases in economic impacts. As the physical and social resources of the river continue to deteriorate, however, visitation would be expected to level off and potentially decline, leading to a smaller economic impact. Due to the need for greater certainly while planning a trip in advance, commercial use would be expected to continue to decrease as it steadily has since 1992, potentially leading to a loss of jobs and much smaller positive economic impact from Ruby-Horsethief as identified in the 2004 RMP.

Proposed Action

Direct and Indirect Effects: Under the proposed action, the economic impact of the RHRA is expected to grow slightly before stabilizing at a consistent, predictable level. Any slight decrease in the number of groups camping will be compensated for by improved conditions within the river corridor and greatly improved recreational experiences.

Cumulative Effects: Under the proposed action, local businesses that rely on boating traffic will be able to predict somewhat consistent traffic patterns based on the overnight capacity established by this plan. As recreational experiences continue to improve, visitor use is expected to increase during off-peak periods leading to increased visitation and economic impact from the river corridor.

Implementation of an advanced-issued permit system will provide commercial guides and outfitters with greater certainty that will allow them to offer more opportunities to boaters in Ruby-Horsethief. As recreational experiences continue to improve, commercial outfitters will have the opportunity to increase their share of use to historic levels, leading to greater economic impact and stability in the local and regional area.

3.4.7 Environmental Justice

Current Conditions:

The requirements for environmental justice review were established by Executive Order 12898 (February 11, 1994). That order declared that each federal agency is to identify "disproportionately high and adverse human health or environment effects of its programs, policies, and activities on minority populations and low income populations."

The 2010 census data has not been released yet. According to Census 2000, the only minority population of note in the impact area is the Hispanic community of Mesa County. Persons describing themselves as Hispanic or Latino represented 10.0 percent of the population, considerably less than the Colorado state figure for the same group (17.1 percent). Blacks, American Indians, Asians and Pacific Islanders each accounted for less than one percent of the population, below the comparable state figure in all cases. The census counted 7.0 percent of the Mesa County population as living in families with incomes below the poverty line, compared to 6.2 percent for the entire state.

No Action

Direct and Indirect Effects: There would be no impacts under the no action alternative.

Cumulative Effects: None.

Proposed Action

Direct and Indirect Effects: No adverse effects to humans are expected as a result of this action and both minority and low income populations are dispersed throughout the county. Therefore, no minority or low-income populations would suffer disproportionately high and adverse effects as a result of any of the alternatives.

Cumulative Effects: None.

3.4.8 Wastes, Hazardous or Solid

Current Conditions:

Hazardous wastes are not a part of the existing environment and are not expected to be introduced into the environment by recreational use of the river. Solid wastes, introduced by recreational users of the river corridor is expected to be an ongoing issue but is one that is monitored and remedied by regular BLM river ranger patrols.

No Action

Direct and Indirect Effects: The current level of recreational use of the river corridor would be expected to continue with the current level of solid waste (trash) left behind.

Cumulative Effects: With regular patrol of the river corridor, regular removal of trash left behind would ensure there would be no cumulative impacts. It should be noted most river corridor users remove their own solid waste.

Proposed Action

Direct and Indirect Effects: Implementation of the proposed action would allow for more overnight use of the river corridor which could mean the potential for more solid waste to be left behind by the river users. It is expected the regular patrol of the river corridor by BLM river rangers would remedy this increased potential.

Cumulative Effects: With regular patrol of the river corridor, no long-term cumulative impacts would be expected.

Protective/Mitigation Measures: River use stipulations requiring containment and removal of users solid wastes, and regular BLM patrol of the river corridor provides satisfactory mitigation of this problem.

3.5 LAND RESOURCES

3.5.2 Recreation (including social and recreation settings)

Current Conditions:

The Ruby-Horsethief float is a highly valued river recreation experience that is enjoyed primarily by Colorado residents but is becoming increasingly popular with out-of-state visitors. There were more than 20,000 visitor days in Ruby-Horsethief in 2010. Floaters through Ruby-Horsethief enjoy outstanding scenery, geology, and natural resources as well as a relatively easy Class I-II whitewater float that helps less experienced boaters improve their skills.

As a relatively easy float, this is a unique resource in Colorado (per http://americanwhitewater.org/content/River/state-summary/state/CO/). Only two

or three rivers segments in Colorado are comparable to it on a flow, seasonality, and difficulty basis within a five hour drive of the Denver metropolitan area; these are segments of the Dolores, Gunnison and Arkansas. However, none of these rival the 20 mile float length and overnight camping opportunities through Ruby-Horsethief.

Both 1998 RC-BR IRMP and the 2004 NCA RMP direct BLM to manage the physical and social setting of the river corridor to provide a specific recreation opportunity for visitors and to provide them with the opportunity to achieve specific beneficial outcomes from their recreation activity. As use of the river has increased over the past ten years, achievement of some of these benefits has grown more difficult. Due to the crowding of campsites and the voluntary registration system, many people consider their float trip a race to their requested campsite to make sure they get there before anyone else. Other visitors are disregarding the request to sign up for campsites the day of launch and are signing up for preferred campsites well ahead of time. Others simply ignore the voluntary registration system and take whatever open campsite they can find. This leads to conflict between visitors due to a perception that some aren't following the rules, or because one person is occupying a campsite that they didn't sign up for and leads to increased stress and decreased attainment of targeted benefits identified in the 1998 and 2004 Resource Management Plans. This crowding is also leading to an increase in the overall size of campsites and a proliferation of satellite campsites around existing sites.

As of 2010, there were 28 signed campsites in the Ruby-Horsethief corridor. In 2008, nine of these sites were converted to 'double sites' to accommodate more camping groups. This was done by signing each of these double sites as "site A" and "site B", and changing the campsite register to show that two groups could share a site to increase capacity. This process was successful in increasing the number of groups (counting shared sites there were 37 campsites) that could camp in Ruby-Horsethief, but it also led to an increase in the size of disturbed areas of these sites, and did little to reduce visitor conflict for campsites. Many visitors have also complained that they did not like sharing sites, and river rangers frequently observed small groups sign up for both of the shared sites at a single location so they did not have to share, greatly reducing the efficiency and usefulness of the system.

Overnight use in Ruby-Horsethief has never been limited. As use has increased over the past ten years, overcrowding of certain campsites and camp areas has become more of a problem. This overuse has led to significant visitor conflict and serious resource impacts in some areas.

Management guidance from BLM Land Use Plans

<u>Ruby Canyon-Black Ridge Integrated Resource Management Plan (1998)</u>

The 1998 Ruby Canyon-Black Ridge IRMP established the Ruby-Horsethief Recreation Area and identified the Colorado River as one of its three primary planning zones and established the Ruby-Horsethief Recreation Management Zone. The RC-BR IRMP instructed BLM to "*manage this zone to provide opportunities for visitors to engage in boating (raft, canoe, kayak), day hiking into the lower ends of major canyons, viewing wildlife and waterfowl hunting activities".* This plan also lists '*psychological experiences'*, '*individual benefits'*, '*household and community benefits'*, '*economic benefits'*, and '*environmental benefits*' that visitors should have the opportunity to achieve while recreating in this area. BLM's recreation management policy is to manage the area to maintain the physical, social, and administrative setting of an area so that visitors have the opportunity to achieve these targeted outcomes.

The beneficial outcomes identified for RHRA in the 1998 RMP (p. 5-29):

Psychological Experiences (on-site only)

- Meeting desired challenges
- Enjoy risk taking canyon adventures
- Enjoying the closeness of family and friends
- Enjoying learning outdoor recreation and outdoor social skills
- Savoring canyon country aesthetics
- Enjoying reflecting on personal and family values
- Enjoying mental and physical rest

Individual Benefits – psychological and physiological (most significant)

- Restored mind from unwanted stress
- Greater self-assurance
- Greater outdoor knowledge, skills, and self-confidence
- Greater cultivation of outdoor oriented lifestyle
- Increased quality of life
- Greater aesthetic appreciation
- Well informed and more responsible visitors

Household and Community Benefits (most significant)

- Improved functioning of individuals in family and community
- Heightened sense of community pride and satisfaction
- Reduced numbers of at-risk youth
- Maintained and enhanced group cohesion and family bonding
- Greater nurturance of others

Economic Benefits (most significant)

- Well equipped customers

- Increased value added to local-regional economy

Environmental Benefits (most significant)

- Greater environmental stewardship

The RC-BR IRMP also listed specific management actions for BLM to take within the Ruby-Horsethief Recreation Area. Actions relevant to the current planning process include (p. 5-30):

Resources and Facilities – Physical Setting

- In cooperation with Colorado State Parks, help design facilities to be built at the Fruita Recreation Site to overcome the physical limitations of the Loma launch site
- Remove tamarisk at key sites along the river to create new undeveloped camping sites and lunch sites

Human Use and Occupancy – Social Setting (p. 5-31)

- Manage the zone, including the lower one and one-half miles of Knowles, Mee, and Rattlesnake Canyons, for an optimum group size not to exceed 25 people to promote the realization of the targeted benefits, to protect the riparian environment and side canyons from overuse by large groups (inside the Black Ridge Canyons Wilderness)
- Visitors may camp at undeveloped campsites on public lands throughout the corridor unless LAC monitoring indicates a need for directing use and hardening specific sites that were historically used to reduce visitor camping impacts
- Manage the lower 1.5 miles of Knowles, Mee, and Rattlesnake Canyons under the social setting prescription for the Ruby Canyon zone, all remaining portions of Black Ridge West will be managed according to the Black Ridge West social setting prescriptions

Service Delivery System – Administrative Setting

- Designate the Colorado River corridor between Loma and Westwater as a "Special Area", and compile a business plan and conduct a study on the feasibility of charging all users a fee for the use of the area
- Continue to evaluate other additional access sites to the river
- Direct allocation of river use will only be undertaken after all indirect measures (e.g. including education, information, facility construction to ease pressure off of high-use areas and high-use periods, increasing access to and developing opportunities on the Gunnison River, etc.) are exhausted

- To promote achievement of targeted benefits, both commercial jet boat and personalized watercraft operations will be discouraged
- BLM will increase on-site presence at the put-in locations
- To promote the achievement of targeted benefits, limit the number of commercial float outfitters to current levels (34), and do not issue additional permits if existing outfitters relinquish their permit

McInnis (Colorado) Canyons National Conservation Area Resource Management Plan (2004)

The McInnis Canyons National Conservation Area was designated by Congress in 2000 and encompasses almost all of the land in the Ruby Canyon-Black Ridge IRMP planning area except for the river corridor up to the 100 year high water mark. The Colorado Canyons National Conservation Area and Black Ridge Canyons Wilderness Act of 2000 (Public Law 106-353) specifically mentioned BLM's continuing authority to manage recreational use of the river corridor and adjacent lands the 2004 NCA RMP designated the river corridor as the Colorado River Corridor Recreation Management Zone and identified a management objective and targeted beneficial outcomes for the area.

The management objective identified for the Colorado River Corridor in the 2004 CCNCA RMP is for BLM to "*manage this zone to provide opportunities for visitors to engage in overnight flat-water boating for social group and family affiliation in a naturally appearing red-walled river canyon*". The primary activities identified for this zone are "*overnight rafting, canoeing, and kayaking"* as well as "*associated camping and wilderness hiking."*

This plan also identified targeted beneficial outcomes for this area, many of which are taken from the 1998 RC-BR IRMP:

Personal Benefits

- Restored mind from unwanted stress
- Greater cultivation of outdoor-oriented lifestyle
- Greater environmental awareness and sensitivity
- Renewed human spirit
- Greater outdoor knowledge, skills, and self-confidence
- Greater aesthetic appreciation
- More well-informed and responsible visitors

Household and Community Benefits

- Heightened sense of community pride and satisfaction
- Maintained and enhanced group cohesion and family bonding
- Improved functioning of individuals in family and community

Economic Benefits

- Maintenance of gateway community's distinctive recreation-tourism market niche or character
- Positive contributions to local-regional economic stability
- Increased local tourism revenue
- Increased work productivity

Environmental Benefits

- Increased stewardship and protection of River Corridor

The CCNCA RMP also made physical, social, and administrative setting prescriptions for BLM to maintain in order to provide visitors with the opportunities to obtain the identified beneficial outcomes.

Physical

- North of the river is *middle country* and south of the river is *back country*. The corridor is natural in appearance, although there is a railroad track within the corridor on the north side of the river. The corridor is presently unimproved w/ potential for low key improvements

Social

- Group size up to 25
- Expect 15-29 encounters per day and eventually in the 30+ range during the peak use times
- There is some evidence of camping along the banks

Administrative

- Brochures are available and information is posted at the launch site. Nothing is available beyond the launch site
- Agency presence and enforcement is randomly present
- Motorized use allowed in concurrence with state regulations

Recreation Use Statistics and Trends

Data collection methods

BLM has maintained a voluntary visitor register sheet at the Loma boat launch for more than 15 years. Over that time, an average of 7,336 people annually have signed in before floating Ruby-Horsethief. 8,409 people registered in 2009, the second highest total since 1995. In 2010, this number increased to 9,511. This represents the highest visitor use ever for the RHRA. For the past 5 years, BLM has also maintained a second voluntary campsite registration sheet. This sheet

gives a more accurate measure of total use of Ruby-Horsethief because it records the actual number of people that are camping each night. However there are a few factors that lead to undercounting via these registers. Since both sheets are voluntary, some visitors choose not to sign up at all, while having two registers can confuse some visitors, leading them to only use one of them.

In 2008, BLM installed a second vehicle counter at the Loma boat launch. Vehicle counters are the traditional method for counting visitor use; but boat launches present a unique situation in which vehicles may be overcounted due to the number of vehicles being used to run shuttles, and because vehicle counters don't count visitors in the vehicles. To supplement this data, in 2009, BLM hired an additional river ranger who was stationed primarily at the Loma boat launch. Through his efforts, most visitors used the campsite registration system (some still refused, citing its voluntary nature) and more accurate counts were made from data collected by vehicle traffic counters by using ranger counts to verify traffic counter figures.

Annual visitor use

8,409 visitors signed in at the Loma boat launch visitor register in 2009, while more than 17,000 camping nights were recorded on the voluntary campsite register. Both of these numbers indicated the highest visitor use counts since 2001 until being eclipsed in 2010. Between 2001 and 2009, annual visitor registrations averaged 7,528. Actual use is likely at least 10% higher than these figures due to the number of visitors who either refuse to register or float by Loma without knowing about the voluntary campsite registration system. Because almost all physical and social impacts in the river corridor are due to the number of camp nights spent, this plan focuses more on overnight use, and when and where that use is occurring.

In 2010, 9,511 visitors signed in at the Loma boat launch visitor register and more than 20,000 camping nights were recorded on the voluntary campsite register. Both of these figures represent the highest visitor use ever within the Ruby-Horsethief Recreation Area.

Overnight use

17,028 camp nights were recorded on the voluntary campsite register in 2009.

Month	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Total
Camp nights	334	836	2,039	3,073	3,945	3,294	2,427	1,072	17,020

Overnight use by night of week

58% of all camp nights were on Friday and Saturday.

Night of week	Camp nights	% of total use
Monday	1,247	7%
Tuesday	1,263	7%
Wednesday	1,188	7%
Thursday	1,538	9%
Friday	4,318	25%
Saturday	5,645	33%
Sunday	1,829	11%
Total	17,020	100%

The busiest 26 nights were either Friday or Saturday nights. High use nights like these begin in early May and run until late September.

rank	day	date	Camp nights
1	Fri	7/24	352
2	Sat	7/25	344
3	Fri	6/5	314
4	Sat	6/6	266
5	Sat	7/11	265
6	Sat	8/8	264
7	Sat	8/15	256
8	Sat	9/5	252
9	Fri	6/19	244
10	Sat	7/4	239
11	Fri	8/14	229
12	Sat	6/27	227
13	Sat	8/1	222
14	Sat	6/20	214
15	Fri	7/3	214
16	Sat	5/9	208
17	Sat	6/13	204
18	Fri	8/7	195

19	Sat	8/22	195
20	Sat	9/26	188
21	Fri	5/1	182
22	Sat	8/29	180
23	Fri	9/4	178
24	Sat	9/19	176
25	Fri	7/31	174

Average overnight use by night of the week

Overnight use is highest on Friday and Saturday nights with almost 50% of all camping occurring on weekends.

	Mon	Tue	Wed	Thu	Fri	Sat	Sun
May	17	11	16	29	123	173	52
Jun	51	49	40	76	215	228	75
Jul	75	77	68	107	238	262	86
Aug	89	110	93	69	179	284	98
Sep	43	46	44	47	146	191	51

Overnight use by camping area

Overnight use is not evenly distributed across campsites. The Black Rocks area is most popular, followed by the Mee and Cottonwood sites as well as Knowles 1. By comparison, Fault Line, Salt Creek, and Knowles 2 (recovering from a human-caused fire in 2007) are less popular due to their location in the river corridor.

Camping area	Camp nights	% of total use
Black Rocks	8,167	49%
Mee	3,705	22%
Cottonwood	2,660	16%
Rattlesnake/Bull	1,036	5%
Knowles	891	5%
Fault Line/ Salt Creek	569	3%

Group size

The overall average size for camping groups in Ruby-Horsethief in 2009 was 7.8 people per group but there is significant variation by night of the week as well as between private and commercial groups.

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
May	6.1	4.7	4.2	4.4	7.0	8.1	7.2	6.0
Jun	7.1	8.9	6.4	7.6	9.3	9.4	7.1	8.0
Jul	7.6	7.9	6.8	9.5	10.1	9.2	7.6	8.4
Aug	7.6	7.9	6.8	9.5	10.1	9.2	7.6	8.4
Sep	8.8	9.7	8.5	7.1	8.4	8.6	7.0	8.3
Total	7.4	7.8	6.5	7.6	9.0	8.9	7.3	7.8

Groups are largest on weekends and smallest midweek. Commercial groups are generally significantly larger than private groups. While some commercial outfitters cater to smaller groups, several of the larger outfitters in Ruby-Horsethief frequently guide groups of more than 20 people. BLM estimates that the average private group size is 7 people while the average commercial group is 16 people.

About Ruby-Horsethief visitors

Of the more than 8,400 registered river users in 2009, 32% were from Mesa County, 61% were from within Colorado but outside Mesa County and 7% were from out of state. 10% of users reported that this was their first time in Ruby-Horsethief, and 13% continued on through Westwater Canyon. 34% of visitors responded that they floated Ruby-Horsethief once a year, while 42% of visitors responded that they came to Ruby-Horsethief a few times a year. 13% of visitors said they floated Ruby-Horsethief at least four times a year.

No Action

Direct and Indirect Effects: Under the no action alternative, no changes would be made to the recreation management of the Ruby-Horsethief Recreation Area. No changes would be made to the physical, social, or administrative setting character of the area, and no new regulations would be implemented. The regulations requiring all groups to use a fire pan and a portable human waste containment system would continue.

Cumulative Effects: Under the no action alternative, no management actions would be taken to mitigate physical and social impacts. Both would be expected to increase. Overnight use would not be regulated, and campsite conflict would continue to occur and increase with increases in use. Attainment of targeted beneficial outcomes from the Ruby Canyon-Black Ridge IRMP and the McInnis Canyons NCA RMP would be less likely.

Camping would not be limited to designated sites. Though most camping occurs in established sites, new campsites would be established over time without any analysis of environmental impacts.

Proposed Action

Direct and Indirect Effects: Under the proposed action, the Ruby-Horsethief Recreation Area Management Plan would be approved and a permit system would be implemented for all recreational use of the river corridor. Overnight use would be limited to 35 designated campsites and groups would be required to camp in their assigned sites.

Under the proposed action, recreational opportunities would improve within the RHRA. Visitor conflict over campsites should be greatly reduced due to the requirement for groups to camp in their assigned campsite. Few groups will be shut out from camping due to the overnight capacity because of the additional of seven new campsites, but as demand increases it is expected that camping permits could become harder to obtain. Other regulations (such as those related to campfires, human waste, and dogs) should improve the physical and social conditions of the river corridor although they might negatively impact a small percentage of users.

Several comments were received during the planning process about the importance of being able to connect a Ruby-Horsethief trip with a Westwater Canyon trip. Approximately 13 percent of Ruby-Horsethief boaters continue through Westwater Canyon. Permits for Westwater Canyon are available sixty days before the trip. Permits for Ruby-Horsethief will be available six weeks before a trip; therefore, Westwater permit holders will know their dates and will be able to contact the GJFO as early as possible to secure a Ruby-Horsethief permit. There were only five nights in 2010 in which all Ruby-Horsethief campsites were occupied. Westwater permit holders should be able to obtain an overnight permit for Ruby-Horsethief, but it may not be for the most popular sites.

Limiting overnight use within RHRA could lead to increased overnight use of the Lower Gunnison River (Delta to Redlands segment). The 1998 RCBR-IRMP instructed BLM to direct Ruby-Horsethief use to the Lower Gunnison in order to avoid the need for a permit system, and use of the Lower Gunnison has increased over the past ten years. Permits are not required to float the Lower Gunnison and

use could increase if the proposed action is selected and implemented. This has the potential to lead to increased physical and social impacts in that area.

Cumulative Effects: Under the proposed action, camping permits for preferred dates would become harder to obtain if recreational use of RHRA continues to increase. This would lead to more groups being unable to obtain a camping permit for the particular weekend they prefer but it would improve the physical and social character of the area.

3.5.3 Special Designations (ACECs, SMAs etc)

Current Conditions:

Horsethief and Ruby Canyons were recognized by the 1987 Grand Junction Resource Area Resource Management Plan as an "Intensive Recreation Management Area", and the RMP instructed BLM to prepare a recreation management plan for the IRMA.

The 1998 Ruby Canyon-Black Ridge Integrated Resource Management Plan (IRMP) designated the Colorado River through Ruby-Horsethief as a "Special Area", now called the Ruby-Horsethief Recreation Area (RHRA)(see section 3.5.2 for a full description of the decisions from this plan). This area is approximately 2,600 acres in size and includes the river and lands immediately adjacent to it. In 2000, Congress designated almost all of the land surrounding the river corridor as the Colorado Canyons National Conservation Area. CCNCA was renamed McInnis Canyons National Conservation Area (MCNCA) in 2005. MCNCA consists of 123,430 acres of public land that surround the Colorado River through Ruby-Horsethief. The act creating MCNCA specifically exempted the Colorado River from the NCA up to the 100 year high water mark but it also directed BLM to "develop a comprehensive management plan for the long-range protection and management" of MCNCA and the Black Ridge Canyons Wilderness. The Act instructed that the management plan should "include all public lands between the boundary of the Conservation Area and the edge of the Colorado River and, on such lands, the Secretary [of the Interior] shall allow only such recreation or other uses as are consistent with this Act" (Section 6(h)2(e)).

No Action

Direct and Indirect Effects: Under the no action alternative, there would be no impacts to the special designation status of any of the lands within the project area.

Cumulative Effects: None.

Proposed Action

Direct and Indirect Effects: Under the proposed action, there would be no impacts to the special designation status of any of the lands within the project area. The Ruby-Horsethief Recreation Area would continue to encompass the area, and McInnis Canyons NCA would continue to surround the river at the 100 year high water mark.

Cumulative Effects: None.

3.5.4 Wild and Scenic Rivers

Current Conditions:

In 1979, the National Park Service conducted a study to determine if the Colorado River through the RHRA was eligible for Wild and Scenic River (WSR) status. This study identified a 27.7 mile segment of the Colorado River from Loma to Westwater Canyon to be eligible and suitable for WSR status. The 1979 study tentatively identified this segment as "scenic" due to the presence of outstandingly remarkable values related to scenery, recreation, geology, fish, wildlife, and archaeology.

The segment of the Colorado River from the Loma boat launch to the Colorado-Utah state line was found to be eligible for scenic status during the Grand Junction Field Office's Wild and Scenic River Eligibility Report evaluation in 2009. The determination of whether or not the river is suitable for designation will be made during the ongoing Grand Junction Field Office RMP revision and should be complete by 2013.

The outstandingly remarkable values identified during the eligibility evaluation include scenic, recreational, fish, wildlife, geological, and historical resources.

No Action

Direct and Indirect Effects: Under the no action alternative, there would be no impact to the eligibility status of the Colorado River from the Loma boat launch to the Colorado-Utah state line. Visitor conflict would be expected to increase, but would not likely impact the outstandingly remarkable nature of the recreation on that segment.

Cumulative Effects: None.

Proposed Action

Direct and Indirect Effects: Under the proposed action, there would be no significant impact to the attributes of this segment of the Colorado River that makes it eligible for scenic status. The Wild and Scenic Rivers (WSR) Act of 1968 requires a scenic river to be free of impoundment and largely primitive and undeveloped. The proposed action would not affect either of these attributes. The WSR Act also says that scenic rivers will be accessible in places by road and that the existence of longer stretches of inconspicuous railroads is acceptable. The proposed action does not include any changes in access and would not affect this attribute.

The proposed action would not negatively impact any of the outstandingly remarkable values for which the river segment was found eligible for WSR status.

Cumulative Effects: None.

3.5.5 Wilderness and Wilderness Characteristics

Current Conditions:

The Ruby-Horsethief Recreation Area encompasses lands designated as wilderness and wilderness study areas.

BLM-Colorado completed its intensive inventory of lands with wilderness character in 1980 and established two wilderness study areas in the proposed project area: the 18,150 acre Black Ridge Canyons WSA and the 54,290 acre Black Ridge Canyons West/Wrigley Mesa/Jones Canyon WSA. The northern boundaries of these two WSAs are formed by south bank of the river except in areas where there were or are private parcels. In 2000, Congress combined the two WSAs and designated them as the 75,500 acre Black Ridge Canyons Wilderness. Therefore, the land between the south bank of the river and the 100 year high water mark is wilderness study area while the land south of the 100 year high water mark is Congressionally-designated wilderness.

Many of the existing campsites are located within the wilderness study area, including Rattlesnake Canyon, Bull Draw, the Mee Canyon campsites, the Black Rocks campsites, and the Knowles campsites. The Salt Creek campsites are not in a WSA because they are located on land located between the two WSAs that was bisected by two routes. None of the Cottonwood campsites or the Fault Line campsites is within a WSA because they are located on land that was under private ownership at the time of the intensive inventory.

Recreational use of the area is high and increasing. There were more than 20,000 visitor nights in 2010, the highest use since BLM began accurate recording in 1992. Roughly 75% of the camping occurs within the two WSAs, and thousands of people hike up the main canyons and into the Black Ridge Canyons Wilderness. Most of the hiking takes place in the washes and canyon bottoms and has little or no impact on wilderness character.

Both the Wilderness and WSA maintain their natural character and are significantly untrammeled and undeveloped. Outstanding opportunities for solitude exist though decrease on weekends in high use areas such as Mee Canyon and Black Rocks.

No Action

Direct and Indirect Effects: Under the no action alternative, there would be no significant impact to wilderness character. No new campsites would be designated, and no new structures would be constructed.

Camping would not be limited to designated sites and would not be limited to 35 groups per night. Physical impacts to the WSA would likely increase due to overcrowding and multiple groups attempting to occupy the same site. Crowding

and conflict would not be mitigated and would decrease the opportunity for solitude. The opportunity for a primitive and unconfined type of recreation would continue to exist in its current form and would not be affected.

Cumulative Effects: None.

Proposed Action

Direct and Indirect Effects: Under the proposed action, there would be no significant impact to wilderness character in either the designated wilderness or the WSAs. Seven new campsites would be designated, two of which would be located with a WSA in the Black Rocks area. These sites would not be improved and the only permanent structure at each site would be a 5” x 5” wooden post and campsite location sign. These structures would be the minimum necessary for public health and safety in the use and enjoyment of the area, and therefore are permitted under BLM’s Interim Management Policy for Lands Under Wilderness Review. Ground disturbance at new sites will be relatively minor and are acceptable impacts under the IMP.

The wilderness character of the Black Ridge Canyons Wilderness would not be negatively impacted. By limiting the number of overnight groups to 35, recreational use of the area will be managed to prevent unreasonably crowded conditions at campsites and will therefore lead to less crowding within the wilderness.

Cumulative Effects: None.

CHAPTER 4 - CONSULTATION AND COORDINATION

INTERDISCIPLINARY REVIEW

NAME	TITLE	AREA OF RESPONSIBILITY
Christina Stark	Natural Resource Specialist	Riparian, Floodplains
Julia Christiansen	Natural Resource Specialist	Oil and Gas
Aline LaForge	Archaeologist	Cultural Resources, Native American Religious Concerns
Matt McGrath	Outdoor Recreation Planner	Recreation and social, Wilderness, Wild & Scenic Rivers, Special Designations, VRM, Economics
Jim Dollerschell	Range Management Specialist	Range, Wild Horse & Burro Act
Scott Gerwe	Geologist	Geology, Paleontology
Alan Kraus	Hazard Materials Specialist	Hazardous and solid wastes
Robin Lacy	Realty Specialist	Land Status/Reality Authorizations
Kristen Meyer	Wildlife Biologist/Ecologist	Migratory Bird Treaty Act, T&E Species, Terrestrial & Aquatic Wildlife,
Heidi Plank	Wildlife Biologist	Migratory Bird Treaty Act, T&E Species, Terrestrial & Aquatic Wildlife
Anna Lincoln	Ecologist	Range, Land Health Assessment, T&E Plant Species
Scott Clarke	Range Management Specialist	Range
Colin Ewing	Environmental Coordinator	Environmental Justice, Prime & Unique Farmlands, Environmental Coordinator
Nate Dieterich	Hydrologist	Air Quality Water Quality, Hydrology, Water Rights
Jacob Martin	Range Management Specialist	Range, Forestry
Mark Taber	Range Management Specialist	Invasive, Non-Native Species (Weeds)
Jeff Phillips	Fire Ecologist Natural Resource Specialist	Fire Ecology, Fuels Management

The BLM also completed necessary coordination and consultation with the State Historic Preservation Officer (SHPO) regarding archaeological and historic sites as described in section 3.4 of this EA, and with the US Fish and Wildlife Service through informal consultation.

CHAPTER 5 - REFERENCES

Bureau of Land Management. 1987. Grand Junction Resource Area Resource Management Plan and Record of Decision. Grand Junction District. Grand Junction, Colorado.

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APPENDIX A – ANALYSIS OF PUBLIC COMMENTS

The BLM made three separate formal requests for public comments during this planning process, as described in section 1.5 of this document.

In considering public comments, the BLM has a duty to consider and respond to those comments determined to be "substantive." Under the BLM's National Environmental Policy Act guidance, substantive comments are those that do one or more of the following: "questions, with reasonable basis, the accuracy of information contained in the EA; questions with reasonable basis or facts, the adequate of, methodology for, or assumptions used for the environmental analysis, presents reasonable alternatives other than those presented in the EA, or prompts the BLM to consider changes or revisions in one or more of the alternatives."[1]

All of the comments received during this planning process were reviewed, and substantive comments were pulled out and are either summarized or included in this appendix.

Commenting is not considered to be an opportunity to "vote" for what the BLM should do, and so in analyzing comments, the BLM is more likely to consider the substance of the comment versus how many times it was repeated. In some cases, the number of comments can provide some basic context for how relatively large of an issue the comment raised, and in some of those cases below, numbers of comments are provided to convey that context.

Overall, the BLM received 310 substantive and distinct comments on the fee and permit proposal during the three formal public comment periods provided between 2009 and 2011. The public comment opportunities through which these comments were gathered are summarized in section 1.5 of this EA.

[1] H-1790-1, National Environmental Policy Act Handbook, p. 135.

<u>Comments relating to Process</u>

Comments on BLM's use of data in designing the proposal:

- The lack of a ranger at Loma makes the BLM information on visitor preferences suspect as to its stratification-the formal visitor survey of public attitudes and use, including the stratification plan MUST be included in the final plan for public review and comment.
- Page II -Benefits Based Management (2.1 .2): (paragraph #3) Given the apparent lack of stratification, including the methodology of disseminating questionnaires to people, this paragraph and the resulting conclusions are extremely suspect. If you are going to base a long-term management decision partially, on public input the methodology and statistical results must be provided in the DRAFT Management Plan in order to be thoroughly considered by the public. Therefore the Draft Management Plan should be rewritten and the period for public review and comment extended.
- Page 16 -Recreational Use Statistics and Trends (2.3): The information provided here, without documentation, is anecdotal at best. It is no way a solid basis for such a long term plan. Visitor Use and Statistics, to be valid must be a complete plan (probably under an established academic mentor) that is stratified and completely looks at all forms of users and their opinions. Vehicle counters, sign in sheets, personal ranger contacts and such management actions are hardly the methodology to base a management plan on. What form of statistical checks were used in compiling visitor use statistics

validity? The recent MMS Categorical exclusion for oil and gas leases and the incident in the Gulf of Mexico should be a warning to the BLM of the folly of such simplistic management decisions.

- Very little of this document appears to be based on scientific data that has been collected and analysed by standardly accepted methodology. How many calls to law enforcement to ameloriate conflicts will the plan reduce? How many acres of microbiotic soil or cottonwoods will it protect and/or improve? Those are a few of the obvious issues that are not quantified in the document.
- Page 31 monitoring standards should be sent out for review by the public.
- Page 34-35 -Carrying Capacity (4.2.10 ...): Any instituted study that will be used to determine management actions must be put out for public view prior to its acceptance as a BLM management tool.
- Any improvement of access and facilities will harm the resources, including the public experience, must be considered through a complete and thorough study as part of the draft. It should be noted that improved access and facilities brings ease of use and thus more people which then promulgates agency rules and regulations from the associated problems this document professes to mitigate.
- Page 14& 15- Benefits: What is the basis and quantifying of the "benefits" included in this section under the McInnis Canyons Canyon Area RMP?

BLM Response: In the past several years, the BLM has provided for greater ranger presence at Loma on busy weekends, and that ranger has helped refine our statistics and formulas. While our data are resolute enough to support a need for management change, the BLM openly acknowledges that our data on private use are subject to limitations; this is one of the challenges that the permit system was designed to address. Additional information necessary to predict a true capacity will be gathered through implementation of this permit system, and an adaptive management approach will be employed as we gather accurate data over the next three years. As our data improve, the ability to institute measurable indicators will improve as well, allowing us (over time) to respond to some of the issues raised in these comments.

Comment: The Colorado River is NOT part of the McInnis Canyons National Conservation Area. It was specifically exempted from the legislation creating the conservation area. Everything to the 100-year flood plane is exempted. This includes the camping areas in question.

BLM Response: The legislation establishing the NCA was clear on the point that the river corridor was excluded from the boundary of the NCA. However, the legislation also directed the BLM to develop a comprehensive management plan for the long-range protection and management of the Conservation Area and the Wilderness, and established that this plan should include "all public lands between the boundary of the Conservation Area and the edge of the Colorado River and, on such lands, the Secretary shall allow only such recreational or other uses as are consistent with this Act." As an activity-level plan for recreation that implements the management from the 2004 RMP, the management of recreation within the river corridor to provide for a high-quality recreation experience and protect natural resources is consistent with the NCA's legislation.

Comment: The Colorado River is a navigable waterway used for interstate commerce. Be aware of Colorado State law on this.

BLM Response: Acknowledged.

Comment: The river should be managed as an access point to wilderness and/or a recreational area with scenic qualities, rather than as a wilderness experience due to the freight train track along it.

BLM Response: The 2004 Resource Management Plan established, with full public involvement, the objectives, activities, experiences and outcomes that BLM management should support on the river. The objective for the river is: "By the year 2010, manage this zone to provide opportunities for visitors to engage in overnight flat-water boating for social group and family affiliation in a naturally-appearing red-walled river canyon, providing no less than 75% of responding visitors and affected community residents at least a "moderate" realization of these benefits (i.e., 3.0 on a probability scale where 1=not at all, 2=somewhat, 3=moderate, 4= total realization). Our management structure is tied to the expectation that we manage to support opportunities for public lands visitors to have the following experiences as they engage in overnight rafting, canoeing, kayaking, and associated camping and wilderness hiking:

- *Savoring canyon-country aesthetics*
- *Enjoying easy access to diverse back country recreation*
- *Enjoying the closeness of family and friends*
- *Enjoying exploration*
- *Escaping everyday responsibilities for a while*
- *Enjoying mental and physical rest*

This package of objective, activities, and experiences has been the foundation for development of this proposed action and outlines how the area should be managed as referenced in this comment.

Comment: During the 2010 comment period, there was a request to extend the comment period for 90 days. The same comment noted that multiple private boaters the individual was acquainted with were unaware of the proposed permit system, and noted problems with offering comment periods during the river season when outfitters and private individuals are busy. There was an additional comment requesting a 90 day comment extension. This comment compared the project to a recent review of environmental and planning documents related to the oil spill/drilling operations in the Gulf of Mexico, and posited the expectation that the BLM would want to do a more thorough job in all of its planning documents... "especially those that have potential for such significant long term affect. I believe the entire alternative section needs to be rewritten and thought out more thoroughly. Integral to that as Federal budgets wane with the obvious affect of deficits the draft should be looking at ways to reduce federal facilities and staffing requirements."

BLM Response: While the comment period wasn't extended, the BLM continued to accept comments throughout the process, through the three individual comment periods. Individuals using the river who read the board at Loma would have been aware of the proposal. The information posted at Loma provided an email address, and comments were accepted through that address throughout the process.

<u>Comments relating to the Fee</u>

Comment: **Place of fees in public lands management**: The section of river in question is a relatively easy float. There is a need for sections of rivers that do not require permits and/or fees. Permits and fees limit easy access for many people. Recognize that people will move to other unpermitted rivers, which will have an effect, probably to the Gunnison and the Colorado below Cisco.

BLM Response: The BLM acknowledges the desire to maintain unpermitted rivers, but based on visitor trends, there hasn't been an effective counter-proposal to address the social and biological concerns underlying the proposed permit system. We acknowledge the concern regarding shifting use, but have not determined that we can ignore impacts in one place simply because we are concerned about the interrelationship between this river and another river.

Comment: **Fee management**: A clear annual accounting should be provided for the fees. Any fees collected should be placed back into river management, not placed in general accounting funds.

BLM Response: Agreed.

Comment: **Appropriate use of any collected fees, according to boaters**: Fees should be used to provide a greater ranger presence at the parking and ramp areas and along the river corridor to enforce assigned campsites and be sure required equipment such as groovers and firepans are actually being used; opening of new areas for camping, increasing the total number of camping areas to allow for campsite rotation, maintaining existing camping sites, clearing brush and noxious weeds, reducing potential fire growth, removal of non native trees (Russian Olive as an example), good signage of camping spots, providing fire rings in lieu of fire pans.

Comment: **Justification/Support for the fee**: Page 24 -Camping Fees (3.2.3): That BLM spends more on one management activity than another is an invalid comparison. First of all, the government determines which costs are included to "manage an activity. How much does BLM recover from ranchers to issue and permit one AUM? How much does BLM expend per AUM in its grazing program? Similarly, how much does BLM recover from Oil & Gas exploration relative to the net value of that resource? It appears that you have picked a fee out of a hat in one management area and used that figure for the area in question.
The Recreation Fee Demonstration Area reference in this section is fully invalid as there has been no thorough and complete study to determine if additional facilities and staff are needed The Draft totally overlooks "out-of-the-box' processes that might solve use problems. It is as if the solution has been pre-determined and any anecdotal or verbal topic that reinforced that predetermined decision has been "thrown" into The Draft.

According to your daft of RHRA spends $60,000 to $80,000 on management of RHRA. On what? It's not visitor contacts, boat ramps, trails, bathrooms, picnic tables, or campsites. With that being said, RHRA had 17,020 camping nights which "approximately $3–$4 per user day". Why does the BLM want to charge $7 dollars per night when it costs $3–$4 per night. When did the government get in the business to make profit, charging double! What are you going to do the rest of the money? I would like to see fees applied to overnight user only $3-$5 per night. Add the fees but reduce them to $5 per person, all days of the week. Use a maximum of some multiple of the fee for groups? The $7 camp fee does not include the many of the camping service commonly provided on public land camps. Rafters will be providing their own water, portable toilet and trash removal. My read of the current DRAFT does not even include fees going toward the Westwater Ranger Station and its associated boat ramp. Currently there is no fee in the Moab district for camping at the Westwater Ranger Station, in this 'camp' water and toilet facilities are provided. A camp in Colorado National Monument provides all of the services mentioned here and would cost users MUCH less than half the presented fee in all cases except for groups of 3 or less.

BLM response: The benefit of management that the BLM applies on the river corridor is enjoyed almost exclusively by the boating public due to the lack of access by other means. To this end, the comparison of costs is valid because one specific group receives the benefit of those public funds expenditures, and the BLM received comments from many members of that group indicating support for sharing in the costs of managing the river corridor to provide a quality social setting and protect resources.

As part of the fee consideration process, the BLM prepared a Business Plan for review by the Northwest Resource Advisory Council. This Business Plan is available online and details what BLM currently spends and shows how fee revenues would be spent. A significant portion of the public funds expended on the river are spent on visitor contact. The Business Plan is available online at the following web address: http://www.blm.gov/co/st/en/nca/mcnca/what_s_news_.html

Comment: **Fee structure and group size**: Through the course of the planning process, the BLM received widely variable suggestions on fee amount and structure,

- The $7/person campsite fee is too high given the quality of the camping experience. Downstream users are asked

to pay that same amount and are guaranteed a 'wilderness' camp with far fewer users nearby.

- The [graduated group size] fee structures actually encourages larger parties so that the higher costs can be shared by all; ultimately bringing the per person cost down as you add more and more people. I would be in favor of a per person fee of $5 - $7 per night in the canyon, which alternative C seems to incorporate.
- A launch-based fee system would be preferable for outfitters, who budget and price a trip 12-14 months in advance. A flat fee per group or $7 per night as Westwater uses is not too much.
- The fee schedule will encourage people to request smaller sites and overpopulate them to avoid the excessive charge of a larger site. It would be mostly unenforceable.
- Can't you do it on a per-person basis for small groups and a lump fee for larger ones (to avoid groups of one or two paying the $20)? What if all the small group sites are taken, and I have only 2 people and I want a small site, will I be charged a large or medium camp fee if that is all that is available?
- Can you consider a greatly reduced fee for minors?
- While I have seen "assumptions" on campsite rates on Mountain buzz, $50 for midsized sites and $100 for large sites (15-25), I hope you at the BLM are considering lower rates! As I said earlier, we typically travel with 1-2 other families with young children. The young children make Ruby-Horsethief such an attractive float and has always been affordable to budget minded families.
- About the fees - we pay more for gas than these fees.
- You should NOT price camping permits beyond the reach of local families who want to recreate in their own back yard - we treasure this area and want to use it frequently
- Dogs should not be counted for the fee because it makes it expensive for families who want to bring a dog with them.
- Camping fees: I agree with charging overnight users a fee to camp and I feel fees should be focused to user during peak visitation May- September and NO FEE during the rest of the year. I feel this will allow all economic classes to be able to afford a river trip down Ruby Horsethief (average cost proposed per trip $56 per night camping 8 people * $7 each without rentals).
- I would encourage you to look at the management of the Green River Sections A, B and C. It is a very high use area and they just charge $14 per night for a campsite. I think a fee system of this nature would be much better. You could charge more for larger campsites. I don't mind paying a small fee such as the Green River Section 'B' ($14/night) so I would encourage you to ensure Ruby-Horsethief is kept an affordable option to families.
- It may be simpler and more reasonable to charge per group.
- A fee per camp site rather than a per person fee will be easier to manage and prevent abuse of the system. Large camp sites could be charged at a higher rate than small sites.
- You should consider charging more for using the developed campsites at Black Rocks than for other sites.
- I have floated Ruby/ Horsethief many times, recently with my 2 young kids as a 1 night on the river. I am in favor of a fee system instead of a permit system. I

usually try to camp at Black Rocks and have not had any negative encounters with others at campsites, but it is a fear of mine now that I am traveling on the River with my 2 little ones.

- I would be happy to pay a per person fee to have a campsite assigned to me and know that my site will be clean of waste when arriving there. If this fee was used to have someone assigning campsites on the weekends and making sure that other river users were using firepans, groovers & packing out trash.

BLM Response: In the 2010 draft plan, a proposed $7 per person, per night camping fee was common to all alternatives. Many commenters indicated that this fee was too high, and the BLM began to evaluate reducing the fee to $5 per person per night. During discussions with the NWRAC McInnis Canyons NCA subgroup, it was suggested that a fee be charged based on the use of campsite rather than the individual size of the group. As a result of these discussions, the proposed action includes a fee based on group size rather than the number of people in a group. This change will provide more flexibility to overnight visitors while making administration of the fee system easier and more efficient by allowing groups to add or subtract people (within the range of their permitted group size) without having to contact BLM and without BLM having to get involved with a permit that has already been issued. BLM will monitor the effectiveness of this fee structure and could make future adjustments through the NW Resource Advisory Council if needed.

Comment: **Phase in fees**: Consider a trial period of fee collection that would only charge for high use periods, ie Friday and Saturday nights. If this is an option it may help to disperse use throughout the weekdays, taking pressure off of the area during the weekends and reducing visitor encounters by spreading use out into lighter use periods.

BLM Response: The intent of the fee is not to discourage or spread out use, but to support improvements and enhancements that will benefit users, whether they float the river on a weekend or weekday. For that reason, the fee will be implemented all week long during the "high use" season of May 1-September 30, but will not be implemented during the less busy season between October and April.

<u>Preference comments for how the system would be managed</u>

Comment: Stop telling the public that you are considering a "permit" system for Ruby-Horsethief Canyons. Tell the public you are considering a Camping Access Management Plan (CAMP) for Ruby-Horsethief.

Permit weekends only, Hold some camps open for short notice trips, Allow trips of 6 or less people to camp on undesignated beach.

BLM Response: The permit system is the proposed method for delivering the limits on camping that are referenced in the first portion of the comment. Regarding permitting weekends only, we are seeing enough use during the season from May to October that the interest in managing visitor use through a permit system occurs regardless of weekend/weekday, although we acknowledge that weekdays are currently less busy.

As a practical matter, the BLM has marked most of the legal available camps, and some of the beach areas are on private lands.

Comment: **Flexibility**: My concern with a permit system is that it very well could limit access to a number of people who would otherwise normally be able to run this stretch on short notice. If a camping permit system is to be implemented, then the question of implementation comes into play. Will it be online, with easy access for someone to call and reserve a campsite on the date they would like?

BLM Response: The BLM intends to transition to an online permit system in the future. Some visitors enjoy telephone systems and talking to a person, while others prefer online systems. For at least the first year, the BLM determined that a call in system would allow the BLM to connect

with visitors, and provide information and answer questions while also getting the permits out.

Comment: **Carrying Capacity:** I believe a carrying capacity should be established for both seasonal use (impacts to resources) and for daily use (social experiences). A group size of 25 people with up to 35 groups (up to 875 people) on the river at one time could lead to a tremendous amount of impact to natural resources in high use areas, to trails, and to social experiences. Consider lowering maximum group size (possibly for private parties only) and also trying to spread use out to lower use periods during the weekdays (through no weekday fees, not constructing an additional 7 campsites) to reduce both the resource and social impacts.

Comment: **Experience**: Though many folks are enjoying the river as an interactive social experience with their group and with other groups, many others are seeking a level of solitude and remoteness from the wilderness aspects of Ruby and Horsethief Canyons. By managing the area with flexibility in permit processes, fee structure, campsite options, reasonable group sizes, and numbers of groups, both of these recreational opportunities can exist for a diversity of users.

Overall, I support the efforts outlined in the Plan to make for a safe, enjoyable visitor experience and to help recoup some costs in management through a fee system. You have chosen to use a camping based permit system. I think this falls short of what is really needed i.e. a true permit system that manages "use" through limiting numbers of launches each day and collects fees based on launches rather than nights camping. I urge you to reconsider a true permit system in the near future.

BLM Response: The permit system will allow the BLM to gather the data necessary to determine if a true capacity-based system is warranted. As more data are gathered on the amount of private use, the capacity of the river corridor will be evaluated and adjustments to implementation of the permit system could be made through an adaptive management approach with involvement through the Northwest Resource Advisory Council and additional environmental analysis, if needed.

In the meantime, the number of launches are not the issue of concern, as parties on the water tend to spread out and may not see each other other than at the put in—it's the number of people camping that causes impacts to the social setting and biological and cultural resources in the river corridor. Over time, the BLM will evaluate (through contact with visitors) whether the upfront reservations and knowing what campsite is available to them achieves the desired effect of providing opportunities for visitors to escape everyday responsibilities for a while and enjoy mental and physical rest as identified in the Resource Management Plan for this area.

Comment: **Season**: If crowding and poor camping behavior are only a problem in the summer, do a permit season as so many rivers do. Paid permits in peak season, self-permitting the rest of the year. Perhaps permits only on weekends except from Memorial Day through Labor Day? Don't limit outside the high-use season.

BLM Response: The management plan implements this suggestion.

Comment: **General preferences**: *Some comments just provided general preferences*—for example, I like Alternative C, I would like to see a ban on jet skis and dogs, as a canoeist I would like to see WAG bag systems to be an acceptable method of waste removal, I would recommend a ban on campfires, except for emergencies.

BLM Response: These comments were considered. However, comments that provided a rationale for the suggestion were given comparatively more "weight" in the analysis of comments (see next set of comments).

Comment: **Drawbacks of permit systems**: The section of river in question is a relatively easy float. There is a need for sections of rivers that do not require permits and/or fees. Permits and fees limit easy access for many people. Recognize that people will move to other

unpermitted rivers, which will have an effect, probably to the Gunnison and the Colorado below Cisco.

BLM Response: See above, process section.

Comment: **Approach**: The BLM received a wide range of comments endorsing one alternative over another. Some commenters preferred the current system, noting that the flaw in the current system is due to parties who expect the voluntary campsite registration to be mandatory-some of these commenters advocated a shift to first-come, first-served management to reduce conflicts.

Commenters who endorsed the proposed plan of issuing permits through the office on Friday and Saturday nights noted that they use the area on the weekends and recognize the role of designating campsites; they noted that the system would provide freedom for weekday users who do not want to call ahead for a permit, the theme of offering "a good balance between protection of resources and continued opportunities for many people to float the river and experience the great outdoors". Several commenters noted that regulating weekend use through the office will lead to enough more mid-week trips, and anticipated that in 5 years there will be a need to permit the river 7 days/week-several of these commenters noted that it's good to compromise in the meantime by allowing permits to be picked up at the launch. Several commenters noted their agreement that the BLM should address only the specific time and season causing a problem—leaving the remainder as free as possible. They noted that the partially-office issued permits solution leaves room to expand the high-use rules if it becomes necessary to do so.

Some commenters preferred to go to full, office-issued permits immediately to avoid "kicking the can down the road."

Some commenters believe that the issues in Ruby-Horsethief are better addressed through education. Several examples of these comments are provided here:

- The driving issue is that BLM is using requiring permits is based on resource damage, overcrowding and user conflict. Quite simply, people need to learn to get along on the river. They need to learn HOW to be gentle on the resource. Requirements to limit use do not solve the underlying issues of resource damage and user conflict. Fees and permits are only one tool to correct user conflict and resource damage, and one that bureaucrats favor because of its seeming ease of administration. In addition fees usually increase over time and permit restrictions tighten. For example, most BLM river offices (customer service????) do not answer their phones after noon. Because this is such an easy section of river it would be a more effective measure to have rangers AT the Loma Boat Ramp to educate and control users. My current experience is that Rangers spend very little time at the boat ramp, and prefer to "patrol" the river. I have observed rangers leaving a crowded ramp in turmoil because they didn't want to deal with the people there. River patrol is a good way to solve conflict and resource damage, but it does not presently seem to be emphasized as Rangers spend little time intermingling with groups. In addition, because the Black Rocks section seems to be a place of major conflict it would seem wise to have a ranger there during the hours that groups come into camp. Communication with the Ranger at Loma would be quite simple: USE A RADIO!
- People who use the river need to learn to get along and to take reasonable actions to protect the river environment. My experience is that the people who will secure a permit or pay a fee are least in need of controls. The people who need the education, mostly local novice river runners, will not use the area if permits or

fees are instituted. Thus the agency will loose the opportunity to educate them and modify their behavior...I am familiar with the effectiveness of educational tools in changing behavior. Perhaps the BLM officials who are proposing these preposterous regulations should read the writings of Freeman Tilden and take courses in behavioral sciences.

- It isn't the number of people on the river, it's the trash they leave behind for somebody else to clean up. You folks don't have either the manpower nor the money to clean and/or police this 25 miles.
- I would do this: I would, in big letters, post signs at both ends stating "THIS 25 MILES OF RIVER WILL STAY OPEN FOR YOUR USE UNTIL IT IS COMPLETELY FILLED UP WITH TRASH. THEN IT WILL BE BE CLOSED FOR USE PERMANENTLY . IT IS UP TO YOU".

BLM Response: While acknowledging the diversity of viewpoints on what is needed, some of these comments were addressed in the design of the proposed action. Flexibility was important to private boaters, so the BLM will seek to maintain some flexibility as long as possible by allowing midweek trips to be largely self-assigned the day of launch. In addition, we have put resources on the weekends toward providing a ranger at Loma, and while our ability to do this fluctuates year-to-year, we show significantly better results when a ranger is present. The fee proposal will allow this to happen on a much more regular basis. That being said, there are some weekends when there are simply too many people trying to camp on the river, and so some upper limit, achieved in this proposal by limiting camping to designated sites, is necessary from the BLM's perspective. Finally, enforcement will continue to be needed when education is not enough; the BLM has put significant effort into educating boaters over the years, but enforcement continues to be needed.

An Alternative E is needed, which would be to manage NOT BY CAMPING NIGHTS/RESERVATIONS but by a true LAUNCH BASED PERMIT SYSTEM. We feel it is a serious oversight not to include this as an option/alternative in the DRAFT Plan. In this Alternative E, there would be a limit placed on the number of multiday groups allowed to launch. If there are indeed 35 camps at most water levels, then limit the number of total groups to LESS than 35 such as 30. The launch allocation would be split between commercial and private, giving larger share to private based on your historic use data. We are most supportive of a launch system with maximum group size. Limit the number of groups so that there are plenty of campsites and thus a campsite reservation system is not needed. OR match the Westwater system and still limit launches and group size but assign camps with a ranger at the put-in.

BLM Response: This suggested alternative was included in the EA as an Alternative Considered but not analyzed in detail. With 35 camps, the complexity of assigning camps at the launch is greater than at Westwater, and this proposal does not fully achieve our purpose of and need for action (see the EA for a description of this), which has been clarified to clearly articulate the outcomes that the BLM is managing toward in the river corridor.

<u>Coordination with Westwater</u>

Twenty of the 310 overall comments dealt specifically with combining Ruby-Horsethief and Westwater trips. Comments ranged from simply making it easy to sign up online, to timing reservation periods to allow Westwater permit holders to call into Ruby two days later, to requests to "guarantee" or "reserve" Ruby campsites for those wishing to make a combined trip, to suggestions to consolidate administrative efforts. Comments from commercial outfitters noted that it is imperative for commercial permittees holding both Ruby-Horsethief and Westwater launch dates to have assigned launch access to match or allow a float through OR to create a system with 11-12 months notice, and some suggested that existing Westwater and Ruby outfitters should be given priority access to

just enough Ruby launches to match the equivalent Westwater launches downstream. Finally, several commenters noted the practical need for those who launch in Colorado on a combined trip to follow Utah State Parks regulations as well.

One commentor who valued combined Ruby-Westwater trips noted the assumption that because Horsethief and Ruby Canyons are administered by another BLM office (indeed another state) it will be complex if not impossible to secure a permit that allows a run-through of both river segments.

BLM Response: Based on the amount and clarity of the public comments on this issue, the BLM recognizes that this is an important issue to the boating public.

The BLM has adjusted the timing for reservations from 42 to 60 days so that weekend Westwater visitors can call in on the same day to determine whether they have an opportunity for a Ruby permit. The idea of setting certain permits aside for Westwater boaters would have implications for boaters who don't run Westwater, so this timing change was preferable in that it allows for Westwater coordination without excluding non-Westwater boaters from the process.
Based on these comments, the BLM has also changed the procedures for commercial permittees who may wish to combine a trip down Westwater, by allowing commercial outfitters the opportunity to reserve weekday camps at the same time that they reserve weekend camps, within the overall limit of six camps per night for commercial outfitters. Over time, the BLM will examine opportunities to combine procedures with Westwater to determine if more of a "one stop shopping" opportunity exists. At this beginning stage, visitors will at least be able to determine on the same day if they can secure both trips.

Dogs
Nineteen of the 310 overall comments dealt specifically with dogs. Of the commenters who indicated a firm preference to allow or not allow dogs, there was a slightly higher number who supported banning dogs entirely (5) than allowing them without limiting numbers (3). Comments were generally supportive of counting dogs as part of groups-acknowledging that dogs cause some of the waste and wildlife disturbance impacts that humans do. There was also good support among the comments for dogs being leashed in high-use areas such as the boat launch.

BLM response: Dog guidance will be implemented as described in the draft plan. This allows the experience of traveling with a dog but limits the degree of impacts associated with waste, wildlife disturbance, and social impacts by limiting the number to two and reflecting dogs in the fee structure.

Look at/emulate other systems
Commenters who suggested emulating Flaming Gorge: Partial reservation for high-demand camps, reservations tied to season of use.

Commenters who suggested emulating Westwater or Desolation Canyons, or the San Juan, typically referenced their preference of allowing for first come, first served campsite selections, but ensuring a campsite for all by limiting launches. One commentor suggested emulating Gunnison Gorge's non-limited permit system, such as is in place for the Gunnison Gorge, would not place too much burden on the users, and that a reasonable fee ($5?) per person per day is acceptable.

BLM Response: The BLM considered these systems in developing the original proposal. Based on the number of camping sites and the potential for impacts, we chose to continue with the reservation system for all 35 sites, but adjusted the fee structure as determined through feedback from the Northwest Resource Advisory Council subgroup.

Day Use
I strongly oppose limiting day use. I strongly oppose any effort to control the access to this area by sportsmen who are fishing or hunting. However sportsmen should have to comply with all camping regulations. I strongly oppose any attempt to regulate the motorized boat traffic on this river if the boat is in compliance with state laws. I am aware that the Loma boat ramp is a

sportsman access ramp paid for by DOW license fees that is jointly managed and maintained with BLM. But do not lose sight of the fact of how this boat ramp property was acquired and for what purpose it was intended.

Support not limiting day use BUT object to day users not having to get a simple self-issue permit and pay launch fees. You have chosen a camping based system but in doing so you are not addressing all management, launch and takeout costs (ranger labor, trash service, infrastructure needs.) At some point you will need to ask all users to pay a share of cost.

I think everyone should pay some kind of launch area usage fee - a reasonable per person fee is probably the fairest way to do it. People who use the launch beach to swim or fish or hang out should pay the fee, as well, which means that a fee station could be set up above the parking area, which might help with some problems.

No charge for day trips and no limit on numbers for day Trips, [because] these should be self-limiting due to trip length.

What about hiking and camping in one of the side canyons? Do I need to pay a fee to camp up Mee or Knowles Canyon? A fee should be for all using the area, those that are floating through on a day basis, those that are biking, hiking, four wheeling and every other recreational opportunity occurring in McInnis Canyons. $7 is too much for a reservation system, the fact is, those camping on the river would be subsidizing law enforcement and other management actions in the Conservation Area. I believe river runners are being singled out for excessive fees in the DRAFT plan.

BLM Response: *At this point, the BLM is interested in monitoring day use through a simple day-use permit that day boaters could obtain at Loma, but most of the conflicts and setting problems addressed in the purpose and need for this planning effort are specific to overnight camping. In addition, day use users do not specifically benefit from the enhanced management efforts that the fee is designed to support-those too relate to overnight camping, with the exception of potential improvements at the Westwater site in Utah. At this point, day use limits have not been included in the proposed action because it is not clear that there are any impacts/problems associated with that use down the river corridor.*

Comment: I prefer alternative A or B, where campsites are not assigned. My husband and I have enjoyed floating the Loma to Westwater corridor in a canoe. We like to beach the canoe in an unused area and backpack up the side canyons for several days at a time.

BLM Response: Backpackers who use the river as access and backpack up into the side canyons would still need to obtain a day use permit, but as long as they were camping up one of the canyons in the wilderness, they would not be required to obtain a camping permit.

<u>Operational Questions</u>

Comment: Please allow requests for specific campsites when people are calling in to obtain permits or signing in at the put-in.

Comment: Require reservations for Black Rocks, first come, first served for the rest.

Comment: In 10 years boating, I have had serious campsite issues only once. It is true that I have tried for campsites that were taken before I got there, but that is the nature of the activity, and we moved on to the next site. Furthermore, what happens when there is an on-river issue that a group needs to deal with? Suppose the not uncommon hurricane force winds pick up early, 5 miles from an Agency assigned site. Should I be forced not to stop early for the day, but continue down flat water in 50 mph winds? Or suppose someone on the trip misses the eddy. Would the Trip Leader be liable for the group camping at a lower site if the assigned site gets missed? For these reasons I think it is important to maintain flexibility in campsite selection, even if it is absolutely necessary to create a limited permit system. Yampa Canyon, for instance, is highly permitted, but campsites are first-come, first-served. The Grand Canyon is this way, as well.

If it is determined that the number of people should be limited on a daily basis, I hope this will be done without limiting camping areas and without assigning camp sites. Perhaps layover days could be allowed anywhere except Black Rocks, where the use is heavier. I hope camping several nights in a row will not be limited in other areas. I would prefer first come, first served camping. The voluntary campsite system is just that, and can cause conflicts when boaters choose to camp in an area that others have signed up for.

The requirement to camp only in designated sites should only apply upstream from Knowles. We once camped on an island downstream from there that had cattle on it--if cows can use the beach, people should be able to as well. We normally have a very small group, and always use a firepan and groover, so we have a small impact--certainly smaller than cows.
It's scary to me to think that you might restrict usage of Ruby Horsethief to only the number of developed campsites along that stretch. (The number I hear rumored is 35.) While the Black Rocks area gets crowded, I don't think the rest of that stretch of river is over-used at all.

With respect to assigned sites, I have mixed feelings. In some cases, high water makes it difficult to "catch" your assigned site (particularly with the currents at Black Rocks, but also at sites with a steep bank and fast current). Also, we were floating through Black Rocks the day that Knowles caught on fire, and seeing the smoke, we elected to stop at the last Black Rocks space rather than proceed around the corner into a wildfire. (We worked out a sharing arrangement with the group that had signed up for that site.) I'm not sure where May Flat is, but it would be nice to have a designated overflow area somewhere within the canyon, and not down in the farmland near Westwater.

Comment: Overflow: The “overflow” i.e. missed -my -campsite option at May Flat should not be necessary if fewer groups are allowed to launch each day and if campsites continue to be assigned in advance or at the launch point.

Several comments noted the desire to continue to facilitate camp sites (plant posts and work the sites – consider volunteer efforts). I strongly support the development of additional campsites, and elimination of shared sites.

You might consider designating a few more campsites below Black Rocks, since camping in that area is sparse and could be attractive to those who are traveling through Westwater Canyon.

Public support for permit system: We received many comments during initial scoping that supported the need for a permit system. A sampling of those comments is included here.

- I would have no problem with having to contact the BLM office in advance for a permit to camp on this section of river...and as long as the fee was comparable to other stretches of river that are similar...I would have no problem paying the fee. I consider it a small price to pay to keep these areas free of eyesores and traffic...as well as helping ensure a balance to the surrounding environment.
- I have seen first hand the conflicts that arise due to the over crowdedness and lack of camps. This section of river simply cannot accommodate the type of numbers that is seeing currently and it seems that numbers increase every year. The Ruby/Horsethief section of the river is simply overused and undermanaged, and I have been suggesting that the section be permitted for several years. I think that all overnight trips from May through September be required to have a permit with assigned camps.
- I remember quiet, enjoyable times on R/H with friends in years past, and would hope that a permit system would alleviate the overcrowding and restore this experience for all boaters. We are in favor of a permit system during heavy use, and I think a ranger or volunteers need to be present at the boat launch every day, even during the week, to tally

how many folks are putting on so you can get a better idea of when “heavy use” occurs. You might also consider that some people float down from launches above Loma. I would be willing to pay a fee for use and camping. We already do that for the San Juan, Green and other portions of the Colorado. I think it’s time to save Ruby Horsethief.

- I have been down this stretch of the Colorado many times, and have always enjoyed the pristine beauty and solitude of the is special place. Now apparently, it has become over-run by people with little regard for both safety and preserving it's natural beauty.
- Although I would be saddened to have to apply for a permit to experience Ruby & Horsethief, if this is what has to be done to protect it from the less appreciative crowds, then so be it.
- This area deserves to be protected for future generations, so my five year old daughter can experience what I experienced years ago. Please do whatever it takes to ensure Ruby & Horsethief remains the beautiful place it always has been.
- I regret that I must support adding Ruby Horsethief Canyon to the list of permitted rivers. The environment simply can't support the number of people floating the canyon, particularly those who travel in large packs, with their pets, perhaps with guns (I'm not kidding), and without sanitation facilities or firepans. A permit system may cut down the chance of boating into a nasty situation. Please consider a permit system for Ruby Horsethief
- In recent years, the weekend overcrowding, drunk floaters, conflicts over campsites, vehicle break-ins at the put-in, and resource damage (including careless fires, trash, human waste disposal, etc.) seems to have become the norm. I will not float it on a weekend anymore. While part of me dislikes fees and permits, I dislike what is happening there even more.
- I know there is no guarantee that permitting will insure that ALL boaters will comply with the groover regs , but maybe paying a small fee for the permit would enable the BLM to hire a ranger to enforce this .
- I believe requiring payment for campsites will significantly reduce the problem of people taking campsites without signing up for them.
- I believe instituting (and enforcing) a permit system will greatly alleviate the issues of trash, improper fire management, human waste management and campsite crowding / competition. I do have several concerns with the permit system however.
- I like having the flexibility to plan my trip a few days before after checking the weather, flows, etc…., so I am not in support of having to pull a permit 6 weeks ahead of time. I do not feel like too many people are on the river, just that too many are trying to camp at the same sites.
- **Managing camping**: Camping may be better managed on the river. There is an increased use of the river and this use is having an impact on the riparian environment. I do support a camping fee, dedicated camping areas, use of fire pans (if fire rings are not provided by BLM) a requirement that you bring your own firewood and portable toilets on the river.

BLM Response: Over the three years we collected public comments, the BLM received numerous different suggestions focused on

varying levels of restrictions. Among these, commenters offered different perspectives on the question of whether campsites should be assigned or not; some commenters wanted to avoid the stress of racing down the river for a desired site, while others have boated in areas where the approach of limiting group numbers but assigning campsites works well.

Because the following experiences and benefits (excerpted from our Resource Management Plan for the NCA) are being affected by the current situation, the proposal was developed to provide greater certainty in experiences, for the purpose of improving the chance to:

- *Escaping everyday responsibilities for awhile (experience)*
- *Enjoying mental and physical rest (experience)*
- *Restored mind from unwanted stress (personal benefit)*
- *Greater environmental awareness and sensitivity (personal benefit)*
- *Increased stewardship and protection of Colorado River Corridor (environmental benefit)*

The concept of signing up at the launch midweek provides some degree of flexibility, although not to the extent favored by some commenters-the primary tradeoff is between flexibility and certainty, and as this proposal was being designed, it seemed that assigning camps struck the best compromise between resolving the conflicts noted with the voluntary system and still allowing visitors to achieve the experiences and benefits of rest and relaxation developed through the 2004 management plan.

Comment: Layovers: Some commenters noted that providing an opportunity to "lay over" at Black Rocks, or anywhere else is a very positive management action. Referring to several of the previous social preferences, laying over provides the opportunity to relax, hike and explore, and better appreciate an area. Other commenters noted that limiting to one night at Black Rocks is fine for Friday and Saturday nights, that they could select a different site for layover days. At least one commentor noted the value of excluding layover days at Black Rocks so that "more people get to experience that unique area".
One comment noted that not allowing for layover days at Black Rocks will lead to noncompliance as groups will attach different names to the permits to allow them to stay two nights.

BLM Response: The Final plan maintains the limitation on layovers at Black Rocks over the weekend. Layovers would be available at other sites and during the week at Black Rocks.

Comment: I would advocate designating more small camps with limits of 12 people (more than just Rattlesnake and Knowles 2). If these small capacity sites could be located in more remote stretches of the river visitor experience for these small groups may be enhanced by the solitude.

To reserve the developed campsites, I think: Large parties need much more regulation than smaller ones, but they should probably get dibbs on the larger campsites. Perhaps more small campsites should be designated for small parties so that they do not occupy the large group campsites. I desire the opportunity to camp at smaller, more isolated sites. RH is popular with large groups who like to have big fires, drink some beers, and tell stories and laugh late into the night. I am glad that they can do so; however, for a small group seeking a quiet outdoor experience, it is hard to find a suitable camp. Most camps host two or more groups, and single camps often fill early. Camping at Black Rocks or Cottonwood, it is almost a guarantee that another group will have off-leash dogs, screaming kids or waterfights, or will want to party late into the night. I would like to request the creation of several small, single camps to support quiet recreation.

BLM Response: The permit system will allow the BLM to gather the data necessary to determine if a true capacity-based system is warranted. As more data are gathered on the amount of and patterns surrounding private use, the capacity of the river corridor will be evaluated and adjustments to implementation of the permit system could be made through an adaptive management approach with involvement through the Northwest Resource Advisory Council and

additional environmental analysis, if needed. Over time, this would allow the BLM to potentially make adjustments in the number of small, medium and large campsites to be closer to the true use, which may create additional demand for small camps.

Comment*: Collection of operational suggestions: Throughout the process, commenters submitted a wide variety of questions that helped the BLM develop the proposals. Some of these dealt with the permit system itself, others dealt with on-the-ground concerns, signage, educational messages and contact with rangers.*

Examples of comments related to the permit system itself are provided here:

- Is the permit telephone number toll free? Will someone answer it during all business hours (8-noon) Mon-Fri? Not always the case on other river permit offices due to limited labor resources. Can permits be done online instead? Can the permit be transferred to someone other than the trip leader and alternate? Can the permit holder pay for just one person or have to pay for all at once? When are the remaining fees due?
- How does permit issuing occur at the put-in?
- If a group size increases, can the group pay the additional fee?
- I don't have a credit card. A pay box at the put-in such as you find at any drive-in campground, or the ability to pay at the Moab office would save me a lot of driving since I come up from the SW.
- Prefer online reservations-this would require that the ranger at Loma keep it current with info he gets via cell phone or laptop with wireless internet access.
- It would be great if I could pick up a permit at the BLM office on my way through Moab rather than having to drive into GJ.
- Please make it so I can just drop into the BLM office and fill out the paper work, hand over ten or twenty bucks, and be on my way, not an on-line, pay by CC only system. The offices are staffed anyway; please make the permits available on a walk-in basis.
- Reservations- allow more than one alternate trip leader or allow permit holder to transfer to anyone on his/her trip.
- If camping permits are not used by private trips will they be available for use by the outfitted public? or vice versa?
- Reservations: Use an online system, they are easy to use and work well. Offer several different options-online, phone, fax. Make permits available in advance so we don't have to go to the office. Put the permit calendar online so people can see crowding issues.
- It is poor customer service to only answer phones for part of the day (e.g., 8am-12pm as many systems do)
- Reservations – currently all call in. PLEASE- consider making it online so folks can pick up cancellations electronically.
- Cancellations: What are the penalties for no-shows? Will you provide for refunds to create an incentive to return a permit if it won't be used?

BLM Response: All of these comments were considered in developing the proposed action. Some of them will be addressed in the system, while others will not. The BLM will begin by accepting reservations between the hours of 8 am and 12 pm; while this does not address the preference to accept reservations during business hours, it achieves cost efficiencies by not spreading reservations across every day, all day, which will decrease the staffing resources necessary to run the system. Over time, it may be possible to transition to a fully online system, but

accepting phone reservations initially will allow the BLM to exchange information with visitors and ensure that first-time boaters know what to expect when they get to the launch.

Cancellations: In the draft plan, private permits could be cancelled and refunded minus a $20 fee. This option was eliminated in the proposed plan meaning that permits would be non-refundable. This change was made after discussions with boaters and the NWRAC subgroup, the latter believing it would reduce the amount of administration BLM had to perform to operate the permit system. Permits would be able to be transferred to another trip leader or cancelled, but refunds would not be given.

Page 32 -Campfires (4.2.6): How will BLM know if a group without a fire pan is going to have a campfire or not? Other management areas require carrying of a firepan irregardless of the user's intentions to build a fire. The same should hold true for Ruby/Horsthief.

BLM response: Firepans are required equipment; this will be reinforced through the Special Recreation Permit stipulations.

I am not clear from the proposal if the self-issued permits (Sunday-Thursday) have the same stipulations as the Field Office permits. Initially, I was under the belief that the permits would be for the busy weekends but would be relaxed for less hectic times. This should include the fees and limitations when unnecessary.

BLM response: All permits during the high season will have the same stipulations. Fees and permits are relaxed during the "low season" of October 1-April 30. As use continues to increase, the BLM anticipates that weekdays will become more busy as well, and so the system starts by implementing common approaches regardless of weekday/weekend use as a way of planning for and recognizing the likelihood of continued increasing use into the future.

Comment: **Information and Education**: Regardless of whether campsites are assigned or not, I would like BLM to provide information (both at the launch, and on your website) describing the sites. It would be helpful to know whether sites have a beach or bank landing, which sites have a useable landing at high water, and which sites have shade. (Even after 20 years, I can't remember all of them.) On our trip last week, we signed up for Knowles 2, only to find that it had a steep muddy bank with sharp sticks and a snag immediately downstream, and since the current was strong, this would be a dangerous place for anyone to slip into the water.

Please develop a comprehensive map of this corridor to include assigned campsites (size, availability at different water levels, etc…). This will help lessen confusion on where camps are located and hopefully minimize the fallback use of May Flat campsite.

Develop clear watering instructions for cottonwood and willow watering projects and include in every permit receipt packet. Many boaters do not know what to do with the big orange barrels. Buckets are obvious, barrels are not so obvious.

There needs to be a simple somewhat large sign on river right above the Loma boat ramp: Pull In Here - Pay Fee, Campers - Reserve Camp Site Fire Pan and Groover Required.

The sign-in board needs to clearly show camp sites and state the regulations. Supply hand-outs on trash, fire pan and groover usage (this is a training ground for new boaters – communicate at a 3rd grade level). Have a fee drop box for when the ranger is not present (there will be some who don't pay, but the majority will – we must accept this and not get to crazy about it).

Consider publishing a list of places at which the porta-potties can be emptied (Fruita welcome center) and where dog feces can be safely discarded.

Page 28 -"Wilderness": I am curious to learn how camp site signs are an accepted practice in designated Wilderness or WSA 's.?

BLM Response: Through public comment, the BLM heard that enhanced education and information is one of the primary objectives that

the fee should support. In addition, having a front-desk visitor presence for weekend permits will allow visitors to ask questions and receive assistance in selecting a campsite (acknowledging that the river is a dynamic environment and some of these conditions change year-to-year).

Regarding the camp site signs, the campsites are not included in the Wilderness as the boundary exists today. The BLM specifically manages to minimize the on-site signing, which is why the signing is typically limited to a simple wooden post with the name of the campsite engraved on it-this level of signing has been found to be the minimum necessary to get campers to the correct spot.

Operational suggestions: Several comments suggested ways that the BLM could be more efficient or provide a desired service.

- Use a motorized jetboat instead of the motorized rafts for routine daily use-the rafts take extra manpower and vehicles to provide the daily shuttle, and take significant time. You are in need of a motorized jet boat for patrol, firefighting, education, rescue and conservation. I would like to see my dollars used more efficiently to provide services.
- I am concerned with the Quagga Mussel and the Zebra Mussel threat to our waterways-consider inspection, cooperate with the proactive approach the State is taking.

BLM Response: There are a range of visitor preferences regarding use of motors and jetboats. The use of a motor on a raft is a concession for routine patrols allows our park rangers to travel the river for single-day patrols. While jetboats are useful in emergency, fire, and resuce operations, many visitors would also say that their experience would be changed if our employees routinely went down the river solely for the purpose of enforcement or for routine visitor contacts in a jetboat.

The BLM will coordinate with the State in providing Quagga and Zebra Mussel information to boaters.

Use of volunteers: Why not take advantage of the users in providing manpower for various maintenance/improvement measures? For instance, offer advance reservations or increase permit availability to groups that are willing to work with the Agency to remove invasive species after the Agency has treated them. Or assign a campsite for a group to "rehab" by removing partially burned wood/coals from beaches, removing trash, and closing social trails for revegetation. We are out here and we want to help!! Even if such a program were limited only to times when Agency crews are on site and able to supervise and direct activities, such manpower as the boating public can provide would be an invaluable resource.

BLM Response: These sorts of efforts are positive and highly valued by the BLM. 2012 marks the fourth year of just such a successful partnership with Volunteers for Outdoor Colorado and Centennial Canoe, organized around restoration of native species and tamarisk removal. Another successful project, supported by Adventure Bound outfitters, has helped the Colorado Canyons Association restore native Fremont cottonwoods at Black Rocks. At a much more informal level, the cottonwood watering buckets are another example of recreationist-powered restoration. Some projects require archaeological and sensitive species clearances prior to initiation, while others require the BLM to consider economy of scale (e.g., getting all volunteers out for one big project), but in general the agency is very interested in these "citizen service" opportunities and will continue to solicit ideas from the public and through its partner organizations. We will also consider including information through the permit system on good, basic practices (e.g., packing out ashes, scattering fire rings) that can be done without resource damage for boaters interested in remediating the effects that other campers have left behind.

<u>Commercial</u>

Commercial/Private Split: *Several commenters expressed a concern that after formal permitting is instituted, the commercial sector will pressure for and eventually win a greater share of use, irrespective of relative commercial demand. Other examples of comments related to commercial permits are provided below.*

Commercial outfitters should NOT get any preference or special allotment of camping permits, they should pay considerably more than private boaters for camping and launching permits (they are using our public lands to make a profit!), and they should NOT receive camping permits for summer weekends, when the demand for camping is at its peak.

In addition, we support the distribution of private use to commercial use (80%/20%) and limiting commercial companies use.

Reserve 3 large camps for exclusive use of Commercial trips that are isolated, not the best ones. (I assume there would most likely only be 3 commercial trips on a given night, you have the stats.)

Commercial outfitters press for, and often win, a disproportionate share of access and eventually come to view it as a property right. This makes downward adjustment of commercial allocation politically impossible and the split proportion becomes hotly contested, as has happened many times before.

If permitting is instituted, permits should be offered in a universal permitting system, where a trip leader reserves the permit for his or her group via a single common system, whether the group is noncommercial, commercial, or nonprofit.

From the presentation of July 16, 2009, it appears to be a foregone conclusion that a permit system will require a split allocation for commercial versus private permits. We are certain that this will, if not now than certainly in the future, be a source of contention that can be avoided. The split is always randomly determined and cannot be a true reflection of relative demand between commercial and noncommercial users.

Consider adding unused commercial allotment into the private pool on weekends where private use maxes out.

The current Plans states "To promote the achievement of targeted benefits, limit the number of commercial float outfitters to current levels and do not issue additional permits if existing outfitters relinquish their permit." We question whether research backing up formulation of the new plan alternatives clearly indicates that problems (resource damage, camping at "non reserved" campsite, issues with dogs, taking space and time at the ramps, etc) are stemming from commercial or private groups? From our company experience, as well as experience as a private boater, most of these difficulties appear to be coming from the private sector.

BLM Response: Commercial outfitters do compensate the public in return for the privilege of operating on public lands, providing 3% of their gross receipts back to the BLM for use on the public lands in the area (e.g., in this case, within the NCA). The outfitters will also pay the camping fee associated with this proposal.

From an economic standpoint, these outfitters are often small business-people who provide contributions toward stable and diverse local and state economies. Beyond that, the BLM recognizes that outfitters also have a role in getting the public out onto their public lands—especially those citizens who lack the equipment or expertise to run their own trip. It is important to acknowledge that the BLM does have an objective in permitting these activities that goes beyond the simple opportunity to sustain businesses.

Regarding the commercial-private split, the draft plan proposed a private-commercial split of 80%-20%. This percentage was based on the number of people camping, and was found to be confusing when the change was made to basing the entire campsite permit system on the number of groups rather than the number of people in the group. The proposed plan now relies wholly upon the number of groups and the private-commercial allocation in the proposed plan is now 83%-17%,

meaning that 6 of 35 campsites will be available to the outfitted public. Following the draft plan, the decision will also be made that outfitters can reserve these camps any night of the week in the fall of the preceding year, at the same time their weekend permits would be allocated.

One of the challenges in instituting a commercial-private split is that BLM does not have the same quality of data for private boating as we do for outfitter numbers. No new commercial permits have been issued since 1998, while private use has not been limited at all. Certain outfitters have noted that their current use is lower than their historic use; as the recreational setting declined, they had a more difficult time selling and ensuring quality trips. By providing for six of 35 campsites to be used nightly by the outfitted public, the BLM will create an opportunity for commercial operators to respond to improved conditions, and for historic outfitters to offer overnight trips again (similar to historic levels) while also creating time for the "market" and associated commercial use patterns to become more stable as experiences improve. At the end of the first three years, the BLM will evaluate whether outfitters are consistently using the six campsites available to them on a nightly basis, and resultingly, whether the 6 of 35 ratio campsites is an acceptable and manageable proportion.

Educational trips/categories: We support careful issuing of new outfitter permits as may be warranted. However, we oppose the creation of an "in between" new category later outlined for "educational groups." We are an established educational outfitter who meets all state and federal licensing and permit requirements including insurance that co-insures these agencies. We have long invested in a business model that includes fundraising to help underwrite youth fees and offer scholarships. We have a curriculum that matches Utah and Colorado science standards and train our guides not only in river skills but to be effective outdoor educators. We oppose the periodic issuing of "educational" permits to groups that are in fact commercial i.e. faculty being paid but yet are not meeting requirements of Utah and Colorado State Parks as commercial outfitters.

BLM Response: Colorado BLM developed and implements a policy regarding public school groups, which lays out the criteria to be used in determining whether an educational trip is commercial in nature. Our policy differentiates public school groups from other educational groups based on payment of tuition and fees; and also considers whether the trip is primarily recreational or educational. The BLM will continue to strive for consistency in administering educational trips.

Allocating sites among outfitters: The 'action' alternatives all constrain Outfitters to a historical number based on the last five river seasons. Not only is it patiently unfair to constrain 20% of the users (public outfitters), but it is simply meaningless when 80% of the users do not have this kind of restriction. This is also a period of time when we have pulled away from camping in Ruby Canyon because the experience was becoming more and more overrun and did not meet the standards we work toward and have the ability to provide in Westwater Canyon, Canyonlands National Park, Desolation Canyon and Dinosaur National Monument.

1.2 Purpose and Need states that that commercial outfitters were capped at 34 in 1998 and down to 30 in 2009. Later in 2.4.5 it states that there are currently 21 commercial outfitters permitted in RHRA. I am curious as to the difference in number, what happened to the 9 outfitters that were formerly permitted?

In this section it is noted that the relinquishing of commercial permits is an unfair decision. It is difficult to understand why one of the user components who have the least impact upon the Canyons should be the portion of users to be discriminated against. This is especially as (page 23 -3.2.2) your statistics indicate that there is already a decrease in the percentage of commercial use.

BLM Response: Multiple outfitters noted concerns with limiting their ability to run trips based on historic use; as the social setting degraded over the past few years or they were not assured of being able to secure a campsite, they

chose not to camp in Ruby. There is a concern that those outfitters will now be unable to camp in Ruby because of their low historic overnight use.

The BLM will use historic use as a means of allocating sought-after weekend permits. More historic use means more chances to pick desired dates. However, the opportunity for outfitters to provide camping opportunities at up to six sites per night (17 percent of available camps) will provide some opportunity for some outfitters to expand slightly on their historic user days, most likely during the less-busy midweek timeframe. This approach of allocating six sites throughout the high use season was designed to allow for a slight increase above current use as the experience improves, while still being well below the 80/20 split that has been discussed throughout the process with the public. Again, this will be fine-tuned over the next three years as historic data are refined through administration of the permit system. This also allows for three permits to be available to outfitters running Westwater (see next series of comments).

Coordination with Westwater: The plan fails to sort out the details concerning how the camps will be divided between outfitters. We hold a BLM Special Use permit in Westwater Canyon, no consideration was made in the plan concerning the coordination of the launches we hold 'downstream'. Please take a look at several assumptions in your Plan and proposed actions that will pose serious problems for "doing business" as commercial outfitters, in particular those of us with Westwater launch dates.

While we welcome a management plan for the Ruby-Horsethief Recreation area, none of the DRAFT Alternatives offer an annual launch calendar with three launches/camps per day that are synchronized with the Westwater management plan's launch calendar. This downstream plan has been in place for nearly 4 decades and the eighteen outfitters and their public have long established use patterns than should be acknowledged by this upstream late comer. In the current DRAFT plan alternatives 3 of the 7 proposed Commercial camps should be dedicated to this calendared launch system for the downstream Westwater Permit holders and their public. With this calendar in place there is no need for user day averaging or placing other limits on commercial allocation. The 3 launch/camp per day Ruby/Westwater outfitter Calendar becomes the use control for that group.

BLM Response: The BLM is interested in providing opportunities for outfitters to combine Ruby-Horsethief-Westwater trips, but at the same time, it would be unfair to penalize outfitters who operate under a different business model that does not include whitewater opportunities. A significant percentage of our overall outfitted publics are canoeists who do not continue through Westwater. The final plan does make some adjustments to enhance the ability to coordinate Westwater trips, without giving strict preference to Westwater outfitters at the expense of non-Westwater outfitters.

Logistic questions unique to outfitter operations:

Comment: The defined group size implies that Outfitters will be held to a group size of 25 including guides. This will cost our company jobs and will be a detriment to the resource. The plan needs to acknowledge the need to have a full staff to provide quality care to the public and to best protect the resource.

BLM Response: The 2004 MCNCA RMP established a group size limit of 25 people for both private and commercial groups, and this limit was carried into the draft plan. All comments received from commercial outfitters noted logistical concerns with this requirement, and to address it, the proposed plan maintains a group size limit of 25 for private groups but changes the group size limit for commercial groups to 25 plus guides based on the desire for consistency with procedures on other area rivers (there were far more rivers following the 25+ guides than following the Colorado's 25 including guides model).

Comments: Multiple outfitters commented regarding timing:

How will commercial training trips will be managed (will these count against one of our trips allowed per year, or just if the trip falls between

May 1-September 30? Will campsite reservations and payment be required for these training trips for trainees as well as guide trainers? In a trip that is mixed commercial customers and trainees and guide/trainers, how will trainees be counted and assessed?

A possible December 15, deadline to submit trip dates-I should have my following season schedule complete by then but schedule changes may occur as late as May or June. A Dec. 15, deadline would remove a lot of flexibility to satisfy customers that arrange their trips later in the spring.

December requests for February decisions are far too late in terms of knowing what DATES the trip will start and end. We create trips to be sold for the following year starting in August with the lion's share of bookings by schools completed by Thanksgiving for the following spring-summer season. Having some flexibility as to the actual campsite as the trip gets closer is preferable as final group size may vary.

Commercial Outfitter permits – Friday and Saturday nights. We oppose making January the month in which outfitters can request campsites. CFI sets our schedule of trips for the following year in August and September of the previous year. I believe we are typical of most outfitters. We begin our planning for this stretch of the Colorado when the Moab BLM issues their "next year" launch calendar August 1 (i.e. August 1 2011 they will release the calendar for 2012.) In this month of August, we would like to be able to CONFIRM that we will have a campsite in Ruby! How can we in good faith schedule, advertise and sell a trip to a school or family group in September, 2011 for specific dates at a specific length and cost for 2012 "hoping" that we get the campsites in January? This method you propose is not practical for our business purposes. Please consider making the campsites available in August of previous year to match Moab BLM Westwater calendar release. Alternatively consider a preference/assignment of camps for those holding Westwater launch dates on Saturdays and Sundays and require a hefty cancellation requirement/penalty (such as 60 or 30 days prior if not going to use and penalty if no notice; see BLM Price, Utah Desolation Canyon management.)

BLM Response: These details were not included in the EA. The intent was to obtain public and commercial outfitter comment on the broad strokes of the system, and then to work out the details through an outfitter's meeting where adjustments could be made if needed. That being said, the BLM recognizes that many of these details are critical to outfitters' understanding of the system, and that there will be a substantial interest in these details until we've worked through the process once. There is some flexibility both in terms of timing for commercial allocations and the procedure for allocating among outfitters, and those details will be worked out in coordination with the outfitters.

<u>Enforcement</u>

Seventeen comments dealt specifically with enforcement. Examples are provided below.

- Don't implement a permit system, but require people to sign up for a campsite and enforce when they don't.
- Require proper equipment, firepans and groovers always. Meaningful enforcement of the existing toilet and firepan regulations, especially during high season, is the single most important thing BLM can and should do to protect the resource.I also believe there does need to be tighter control over the requirements for toilet systems, firepans, etc.
- When we are on the river, I never feel crowded. The push for a permitting system to fix behavior problems does not make sense to me. Requiring firepan, groover and campsite selection before launching seems like a good idea. That could be done just like following rules on any public lands are handled-enforcement at the put-in. Not sure how restricting capacity got set into the mix of a permit system other than crowding at the takeout.

- Overall enforcement of regulations is a major concern of mine. BLM historically makes new regulations in an attempt to manage the land. Most people are compliant with the existing rules, regulations, and laws. It is a small percentage of the public who openly refuse to follow any of these regulations. BLM makes more regulations to correct the few that don't comply. These regulations cause me additional restrictions. If BLM does not include LAW ENFORCEMENT of existing regulations and proposed new regulations I will oppose any changes that BLM suggests
- Alcohol and drug abuse, loud music from boom boxes, nudity and foul language hardly "increase the quality of life" as mentioned in bullet #5 listed above. The seventh bullet above might be the key to solving this problem by distributing a pamphlet at the Loma launch site educating people about river etiquette.
- Who enforces the camping permits? What happens when one group decides not to move out of "their" non-assigned campsite?
- The crowding and chaos have gotten much worse at the launch area, especially on the weekends. But once people get out on the river, the groups really spread out and the experience is very pleasant. There are a lot of people at the put in who do not respect the fact that others want to use the ramp area, too. It's not unusual for people to spread their boats out across the waterline and sit there for 1.5 hours or longer while they run their shuttle. Dogs run wild, as do small children that no one seems to be watching as others are driving vehicles around and backing trailers in. A little official direction and etiquette education could go a long way in preventing a lot of the problems.

BLM Response: Education will always be an appropriate means of dealing with certain situations that result from inconsiderate behavior or lack of knowledge; ramp etiquette is a good example of this. Having staff or volunteers at the ramp to remind boaters about keeping their dogs leashed and their activities as efficient and tight as possible is a good approach, and one that will be easier to implement once the fee is in place.

Regarding enforcement of fire pans and portable toilets, these requirements have been strictly enforceable since they were published as final supplementary rules in the Federal Register in August 2010 (Federal Register / Vol. 75, No. 127 / Friday, July 2, 2010 / Notices). These rules were specifically written and passed into regulation based on the 2004 McInnis Canyons RMP, to make the specific planning decisions (e.g., use of firepan and toilet) legally enforceable with fines for non-compliance. Because NCA staff have long educated and informed the public of the use of both firepans and portable toilets, the BLM strictly enforces violations of these two rules. The supplementary rules also provide a basis for enforcing group size limits, parking in non-designated spots, and travel off of designated routes, all of which can cause resource damage.

The requirement to camp only in reserved sites will be enforced through the requirement to obtain a special recreation permit for camping in the river corridor between May 1 and September 30.

There is a public land regulation for disorderly conduct that allows the BLM to use enforcement as a tool in dealing with unacceptable situations around nudity and drunkenness. Implementation of the permit system may alleviate the intensity of these impacts by reducing proximity and overcrowding, but the BLM will continue to use the general public land rule of disorderly conduct as needed to address these issues on a case-by-case basis.

Commenters also indicated (relating to enforcement) that the launch is the only problem. The BLM agrees that conflicts are acute at the launch, and that use typically spreads out while

recreationists are on the river, but campsite conflicts were one of the primary underlying issues to which the BLM is responding in developing this proposal. At certain times, there are more groups wishing to camp in the river corridor than we have campsites to accommodate.

Motors

The BLM received feedback from both sides on motorized watercraft, 11 distinct substantive comments in all. Comments ranged from suggesting that no motorized watercraft should be allowed at all, to more nuanced management suggestions that there should be a speed limit or no upstream travel for jet boats. There was a clear delineation in regard to jet boats vs. jet skis, with jetboats tending to be more acceptable to some commenters than jet skis. The primary comments received are summarized below.

- I am NOT in favor of limiting travel upon the river because of perceived wildlife issues not based on study, fact and public input. The closure of upstream travel after the Utah State Line is an example of creating closures that concern me. I realize this is Utah BLM's directive and not Grand Junction's BLM closure. But as a sportsman I will be carefully monitoring any such travel/wildlife restrictions that may be proposed within Colorado.
- Please eliminate jet skis from the Ruby/Horsethief river corridor- they are very obnoxious (both in behavior and noise). They go up and down continuously (not like a power boat that passes at most twice). Kind of like a chainsaw running in the background of such a peaceful canyon.
- If there is an issue that needs control within Ruby and Horsethief Canyons it is the use of personal water craft. The users of personal water craft do not carry human waste systems, garbage containers, fire pans and other items required of river runners. This issue (personal water craft) needs a more thorough treatment in The Draft.

BLM Response: Jet Skis may not launch at Loma based on State regulations but do launch above Loma occasionally. This is an issue that requires future monitoring; the BLM does have the authority to regulate uses that occur on the surface of the water but would need to show a clear link to impacts occurring on BLM-managed land in order to consider this restriction.

Facilities

- Please use fees to defray the costs associated with enlarging the parking area at Loma to support more shuttle vehicles with trailers
- Current plans state "BLM will increase on-site presence at the put-ins." Elsewhere it is proposed to upgrade the Fruita launch site and consider additional launch sites. From our experience in working with establishing a pilot and final private permit system for Labyrinth Canyon on the Green River, we learned that having multiple launch sites is more a curse than blessing in terms of meeting administrative objectives of limiting use, visitor education and fee collection. Several times in outfitter meetings with State Parks and BLM, it was determined that stricter limits on use or campsite assignments/enforcement would have been easier if there was once launch site for Labyrinth. More sites means more cost and likely greater difficulty in meeting administrative goals.
- Page 32 -Improving the Loma Boat Ramp: This is a part of the oxymoron in the draft. Improving the Loma Boat Ramp will INCREASE the ease of use and thus INCREASE the number of users. A great example of this was the improvement of the access roads to and from Westwater. Prior to improvement one had to consider the weather and road conditions to access and leave the river.

When the roads were improved there was all associated increase in use. Consideration should be given to NOT improve the Loma boat ramp.

- 3.2.8 Access. I strongly recommend against developing additional boat ramps. You are increasing administrative costs and creating administrative nightmares for permit management if you do so.

BLM Response: The BLM takes note of the concerns listed in these comments. The BLM will continue to manage for primary access to occur at Loma, and the EA and plan will be updated to remove the focus on managing for additional access locations.

Outside the Scope

The BLM received several comments through this planning process that were considered to be "outside the scope" of this analysis.

Comment: The Plan lists a number of objectives to reduce visitor conflict, protect resources, support businesses, etc. Although the BLM appears not to have authority to manage the water within the Canyons on the Colorado River, to overlook the effect of dams, excess withdrawals, and diversions above and within the Canyons certainly will have an impact upon recreation and natural resources is an oversight. There have been and are multiple plans to dam, withdraw and divert water above and within the Canyons. The Management Plan MUST include the affects of dams and water withdrawals. That statement MUST clearly state the negative effects dams and withdrawals will have on the recreational use, local economy, and natural resources.

Comment: Within the plan the BLM MUST include a firm and conclusive statement on achieving Scenic River Status for Wild and Scenic River Status.

Comment: Page 6 -Management Authority (1.7): The authorities quoted in this section are meager at best. While they include some Federal and State adjudications and legal decisions they do not include some of the most important, which leads one to suspect that either the draft has not been thoroughly review by a solicitor or there are ulterior motives for overlooking those decisions. Some of the more important decisions are:
-43 CFR Beneficial Use of Colorado River Water -CWBB recent recognition and decisions for instream flows required for resources other than fish (Merriman & Janicki) -California v US 438 U.S. 645 -Cappaert v Nevada & United States v Nevada June 7, 1976 -Federal Water Rights task force Summary -Justice Hobbs on Colorado water Law -Winters v Montana #158 -Solicitor's opinion HM-36914, June 25, 1979 -United States v Kansas File #PN OIl. February 1988. Fort Larned. KS.
The oversight of these decisions and opinions and the lack of a strong statement in the Draft Management Plan indicates that the BLM is not willing to fight for protection of all Resources (water) within Ruby Horsethief Canyons. The final Plan MUST include a complete solicitors review and statement concerning the requirement to maintain a free-flowing river and basic flows through Ruby and Horsthief Canyons. It is very obvious that you want to manage people, but not water.

BLM Response: Water supply and management, and Wild and Scenic River eligibility/suitability, are complex issues and were determined to be outside the scope of this analysis, which (based on its purpose and need) was more narrowly focused on managing the effects of recreation (people) associated with overnight camping use. It is not clear that management changes associated with water supply would change the management situation regarding conflicts among users or the other effects of recreational use on natural resources. Eligibility and suitability of the Colorado for Wild, Scenic or Recreational status under the Wild and Scenic Rivers Act is currently being assessed through the update of the Grand Junction Resource Management Plan, which is the appropriately broad scale for these questions to be considered, as compared to this project-specific analysis.

Page 12-14 -Ruby Canyon-Black Ridge Resource Management Plan (2.2.2): The inclusion of this information is meaningless to the public for comment unless some form of more specific

weighting is includes. As an aside, as one who has traversed these Canyons for over 35 years, the one use that seems to have been overlooked is consumption of alcoholic beverages. It seems to be a rather large part of the users of this resource, yet the draft makes no mention of that activity and how it interweaves into the management plan. Were questions about alcohol consumption asked to river users?

BLM Response: The BLM does not actively involve itself in managing alcohol consumption by public lands visitors, nor were specific questions asked regarding alcohol consumption. Public comments do note the issues surrounding overconsumption of alcohol. On a case-by-case basis, there are public lands rules pertaining to disorderly conduct that allow for specific enforcement options related to over-consumption of alcohol and related behaviors when those behaviors are disruptive to other public lands visitors.

Comment: Colorado Discover Ability would like the BLM to implement a pilot program that provides a user-day allocation for access to the Colorado River in the Ruby-Horsethief Recreation Area for people with disabilities. Although CDA currently has a Special Recreation Permit (SRP) issued by the BLM and is thus a licensed commercial river outfitter for this stretch of river, there are many non-profit organizations (typically with a 501c3 tax status) which provide educational and therapeutic services to people with disabilities (typically referred to as “adaptive sports organizations” that already do not have fair access rights to eight (and, if Ruby-Horsethief use is limited, to nine) stretches of river managed by the BLM.

We envision this pilot program to be similar to the pilot program established by Dinosaur National Monument thirty years ago, but limited to people with disabilities. The reason for this limitation is not because that population is served in particular by adaptive organizations, but because the US Congress passed the Americans with Disabilities Act in 1990 and other populations have not been given protection from discrimination under federal law. The pilot program should be flexible enough to accommodate fair access to a limited resource. A fair percentage based on the current used days data should be reserved for organizations that provide educational or therapeutic services to people with disabilities. If this pilot program is successful, it will serve as a model for fair access for the disabled to other restricted access river segments managed by the BLM. We believe that such a program could be deployed within existing management plans.

There are several reasons we believe such pilot program would be viable under proposed Ruby-Horsethief Recreation Area Management Plan :

1. Seeing what has already happened on other, BLM-managed, allocated rivers, it is clear that the few companies with Special Recreation Permits that can provide trips for people with disabilities do not meet the demand and/or do not meet the care requirements provided by the adaptive organizations. Such pilot program would allow for increased demand by people with disabilities and would prevent creation of commercial-outfitter-only monopolies.
2. Adaptive river outfitters focus on educational and therapeutic river trips for the disabled and can better satisfy the demand.
3. The existing commercial river outfitters that would like this business don't have the resources to focus on river trips that provide therapeutic benefits and don't meet such demand.
4. Most commercial river outfitters must charge a much higher fee for their services than organizations such as CDA, which are powered by volunteers, donated river equipment, donated transportation equipment, and receive donations for administrative costs. The typical commercial cost is up to 200% greater than the cost for most adaptive sports organizations. As a result, in order for non-profit adaptive organizations to provide educational and therapeutic services to their clients on rivers where BLM regulations force them to buy trips from an existing vendor, adaptive organizations must reduce the number of clients they can serve by 50% or more.
5. Adaptive, non-profit organizations concentrate their efforts on specialized, adaptive trips, to include development of such trips, underwriting the cost, and marketing to appropriate audiences. We would like to make sure that any proposed plan does not create a situation where adaptive

groups must buy trips from existing permit holders in order to float through Ruby-Horsethief. A Resource Management Plan that would not accommodate unique dynamics of the adaptive organizations and that would prevent them from running their own trips without a commercial SRP, would take away the incentives for investing in the development and operation of adaptive river trips. As with most companies, adaptive organizations develop and fund their programs based on ownership of those programs. BLM should prevent the permit holders from viewing the adaptive organizations mainly as their booking agents and as a means for providing administrative overhead, developing the client base, and a funding source for commercial operators that have no obligation to reinvest or invest into programs for people with disabilities.

Currently, the BLM has a provision for anyone to apply for a Special Recreation Permit for most land areas and many river segments that are not fully allocated and these are one-at-a-time SRPs. Currently BLM issues SRPs for annual use with multiple entries for river segments with limited commercial access, which is very different from the one-at-a-time SRP. We would suggest that the pilot program begins by issuing one-at-a-time SRPs to adaptive sports organizations, perhaps on a lottery basis if demand exceeds capacity. The details can be worked out in consultation with interested adaptive sports organizations. If BLM chooses to model its pilot program on NPS's Dinosaur National Monument program, we would like to provide a set of suggestions on how to modify and update that model to turn it into a truly viable opportunity for adaptive river outfitters and for people with disabilities that rely on them.

BLM Response: The purpose of and need for action for this project was focused on providing for recreational use of the public lands while responding to social and resource damage issues associated with increasing visitation.

The question of whether an appropriate mix of opportunities is available to the recreating public, including those members of the public who may have specific needs for adaptive recreation/sports, is a longer-term one, and one that the BLM does consider through administration of its Special Recreation Permits. Over time, the BLM evaluates whether the outfitters and organizations providing services through Special Recreation Permits meet management objectives and serve an appropriately broad sector of the recreating public. Focusing specifically on Ruby-Horsethief, several currently authorized outfitters and organizations, including CDA, do provide trips with an adaptive sports focus, which suggests that this need is being met at this time to some degree on Ruby-Horsethief.

Additionally, when considering the scope of this particular project, the specific suggestion to develop a new type of pilot program would require a coordinated examination outside of this project planning process with other BLM offices to ensure full consideration of implications for other recreation management programs administered by the BLM. Because this is a site-specific proposal focused on resolving identified resource management issues using existing policies and administrative tools, and because those current administrative tools (e.g., SRPs) seem to be working to provide for this use on Ruby-Horsethief, the suggestion of using Ruby-Horsethief as a pilot for a different preferred approach or policy was determined to be outside the scope of this project.

APPENDIX B - LIST OF EXISTING AND NEW CAMPSITES

1. Rattlesnake Canyon
2. Bull Draw
3. Beaver Tail (new camp)
4. Cottonwood Camp 1
5. Cottonwood Camp 2
6. Cottonwood Camp 3
7. Cottonwood Camp 4
8. Cottonwood Camp 5
9. Salt Creek 1
10. Salt Creek 2
11. Fault Line 1
12. Fault Line 2
13. Mee Corner
14. Mee Bench 1
15. Mee Bench 2
16. Mee Bench 3
17. Mee Bench 4
18. Mee Canyon
19. Split Rock (new camp)
20. Blackrocks 1
21. Blackrocks 2
22. Blackrocks 3
23. Blackrocks 4
24. Blackrocks 5
25. Blackrocks 6
26. Blackrocks 7
27. Blackrocks 8
28. Blackrocks 9
29. Blackrocks 10 (new camp)
30. Blackrocks 10a (new camp)
31. Island Camp (new camp)
32. Knowles 1
33. Knowles 2
34. TBD (new camp)
35. TBD (new camp)