

Decision Memo

Washington Gulch Winter Recreation Management Forest Supervisors Special Order Implementation

USDA Forest Service
Gunnison Ranger District
Grand Mesa, Uncompahgre, and Gunnison National Forests
Gunnison County, Colorado

Background

Dispersed winter recreation planning in the Crested Butte area originated with the formation “Gang of Nine” stakeholders group in 1992. This community-based process resulted in the Forest Service releasing an Environmental Assessment for public comment in April, 1995. On November 27, 1995, Grand Mesa, Uncompahgre, and Gunnison National Forests Supervisor Robert L. Storch signed a Decision Memo addressing Winter Recreation in the Crested Butte Area. The purpose of the Decision was to balance the competing demands for a variety of types of recreation in the multiple drainage valleys surrounding the community of Crested Butte.

The Decision allocated a management designation to Washington Gulch, a popular, easy-to-access valley north of Crested Butte. The recreation emphasis in Washington Gulch was on cross-country skiing and non-motorized recreation. Snowmobiling was characterized as “discouraged”. The drainage was also closed to snowcats/snowcat skiing, commercial dog sledding, and commercial snowshoeing at that time.

Private snowmobile activity is perceived to have substantially increased in Washington Gulch since the 1995 Decision. This prompted vocal concerns from area citizens, and a subsequent Agency response to these concerns. A “Washington Gulch Working Group” was organized, representing local citizens’ approach to resolve differences between users. Volunteer citizen stakeholders representing the spectrum of interests in Washington Gulch convened seven meetings and a field-visit since autumn 2004. A formal public informational meeting on the proposal, organized by the Forest Service, was held in Crested Butte on November 3rd, 2005.

The goal of the group was to generate ideas and possible solutions through a consensus process for the Forest Service to bring forward for larger public involvement. The proposal from the Working Group to the US Forest Service represents a *short-term solution* to winter recreation management in Washington Gulch, until the Forest Service undergoes the next planning cycle of travel management in the Gunnison Basin. Long-term allocation of winter recreation uses in Washington Gulch must be examined through a comprehensive review of all the drainages of the upper East River Valley. This Decision also represents an amendment to 1995 Decision that designated Washington Gulch as a valley where snowmobile use is discouraged and reflects the effort to further define the term “discouraged”. This Decision is the result of scoping and analysis for the development and implementation of a Forest Supervisors Special Order Closure in Washington Gulch reflecting the proposal of the Working Group.

Decision

I believe that the proposal developed by the Washington Gulch Working Group represents a reasonable compromise among the different users, existing businesses, and private landowners in Washington Gulch. I have decided to implement the following items from the Working Group Proposal as they relate to management of National Forest lands on the Gunnison Ranger District:

1. At the National Forest boundary, snowmobiles will be allowed on the Washington Gulch Road #811 and the east side (Gothic) of the road. The west side of the road (Coney's/Anthracite Mesa) will be managed as skier domain where snowmobile use is prohibited (see attached map).
2. An area on the east side of the Washington Gulch road; the "Elkton Hills" located northeast of the Elkton Townsite, will be managed as skier domain where snowmobiling is prohibited (see attached map). This is proposed to protect the backcountry skiing experience for visitors to the Elkton hut system in addition to the general public skiing in this area.
3. All private, non-guided (USFS permitted operations) snowmobile users in Washington Gulch will be required to obtain a mandatory permit (required registration) to ride in Washington Gulch. The number of permits issued will *not* be limited. A fee will not be charged. The purpose of a required registration system is to achieve mandatory educational goals, help protect private property interests, and strengthen possible enforcement actions by Forest Officers.
4. As a cooperative effort, parties to the Working Group will undertake an effective program of visitor education, signing, boundary management, and monitoring. An education, enforcement, and monitoring plan will be developed and implemented.
5. The Gunnison Ranger District will seek authority to enforce elements 1-3, as listed above, through the implementation of a Forest Supervisors' Special Order closure.

Additional elements of the Decision

In addition to the above elements 1-5, and as a result of public comments received by the Gunnison Ranger District on this proposal, I have decided to modify the original Working Group Proposal as follows:

1. I am requesting (dependant on the willingness of stakeholder involvement) that members of the Working Group continue to function in a loosely structured organizational capacity to help advise, implement, and monitor, the success or failure of this Decision in managing winter recreation in Washington Gulch.

Scoping and public involvement did not reveal the presence of extraordinary circumstances having effects which may significantly affect the environment. This action is categorically excluded from documentation in an environmental impact statement or an environmental assessment because the proposal does not have a significant effect on the quality of the environment. In accordance with Forest Service Handbook (FSH) chapter 1909.15 Sec. 31.1a and Sec. 31.1b, the categories utilized for this project are: 1. Orders issued pursuant to 36 CFR Part 261--Prohibitions to provide short term resource protection or to protect public health and safety; and 2. Educational and informational programs and activities.

Response to comments not integrated into the Decision

I reviewed and considered the public comments that were submitted to the Forest Service on the proposal. After careful consideration, I have determined not to integrate the following concerns into my decision. My reasoning is outlined below:

- 1. Skier-Snowmobile “Right-of Way” on Washington Gulch Road:** The concept of “right-of-way” between skiers and snowmobile riders will be implemented as an education/outreach element of the proposal. Some citizens had requested that user right of way decisions be implemented through Forest Service regulation. “Right-of-Way” is a complex user interaction that depends primarily on speed, mode of transport, terrain, visibility, and vegetation. The decision hierarchy for “right-of-way” is difficult to regulate and impossible to enforce. In this case, users are best served by approaching “right of way” on a case-by-case approach in the field, grounded and guided by courtesy, common sense, education and information. Information on trail etiquette will be posted on the trailhead, published in the permit information, and generally made available to winter visitors in Washington Gulch.
- 2. Restricting travel to Washington Gulch Road through private land:** I reviewed several comments that raised concerns about requiring skiers and snowmobile riders to remain on the road until the National Forest boundary. Some voiced the belief that skiers and snowmobile users will be forced closer together and aggravate existing conflicts, or increase the potential for accidents. Some comments suggested providing a groomed route for skiers within the 60-foot width of the County Right of Way, requiring users to remain on separate sides of the road, or establishing “right-of way” rules between users. This element of the Working Group proposal reflects the wishes of private property owners (Allen Ranch). It falls outside the jurisdiction of the Forest Service. Visitors are not confined to the road on National Forest, and thus it should be possible to attain separation between snowmobile users and skiers on the National Forest.
- 3. Close Washington Gulch to all snowmobile use:** A total restriction on snowmobile use of Washington Gulch is outside the scope of the proposal. This Decision represents a modification to an existing 1995 Decision which *discouraged* snowmobile use in Washington Gulch. The proposal attempts to refine existing direction until a comprehensive re-assessment of winter travel management is undertaken on the Gunnison Ranger District.
- 4. Do not close any additional areas to snowmobile use:** This Decision represents a modification to an existing 1995 Decision which *discouraged* snowmobile use in Washington Gulch. The approach taken by the Working Group was based on the concept of a spatial separation of conflicting uses. The result of this approach is that some areas will be restricted to certain uses. The closure areas meet the intent of discouraging snowmobile use in areas which are important to non-motorized users, while allowing for continued snowmobile access. This Decision also serves to balance the needs of commercial uses in Washington Gulch, including Action Adventures snowmobile tours, Crested Butte Mountain Guides, Crested Butte Nordic Center, and the Elkton hut system.
- 5. Washington Gulch should be managed as “multiple use”:** This Decision retains the multiple use philosophy of National Forest management in Washington Gulch. With the exception of uses which were previously excluded by the 1995 Decision (snowcat touring/skiing, commercial dogsledding, and commercial snowshoe touring), no additional uses are excluded. The Decision does limit snowmobiles from using certain areas in Washington Gulch in an effort to minimize conflicts between motorized and non-motorized users.

6. The proposal discriminates against the elderly or physically unfit by denying motorized access: The Decision does not deny motorized access to Washington Gulch by unfit or elderly citizens. Snowmobile access in Washington Gulch will continue, albeit two areas of National Forest will be restricted to snowmobiles. All visitors will continue to have snowmobile access to the Elkton Huts and the base of Anthracite Mesa. The Decision does not limit private landowner access in Washington Gulch.

7. Modify the boundaries of the snowmobile turn-around area: We received one comment from citizens requesting modification of the boundary of this area. The area was specifically designed and excluded from the closure area to meet the needs of the snowmobile tour operator in Washington Gulch. In addition, it serves as an area for private snowmobiles to turn around before reaching private land at Elkton townsite. Concerns raised in the letter included increased trespassing, noise, soil erosion, and litter on private land resulting from keeping this area open. After considering those concerns and balancing the needs of recreational and organized snowmobile riders, I have decided that the boundaries of the closures will remain the same as originally proposed in this area.

8. Modify the northern portion of the Elkton Hills restricted area: We listened to one comment which was received orally that suggested that the Forest Service modify the boundary on the north end of the Elkton Hills. The purpose for this boundary modification would have delineated a recognizable boundary to the Elkton Hills closure for snowmobilers, in addition to protecting the boundary integrity of the existing Gothic closure in the Rock Creek area. The motorized representatives of the Working Group objected to this adjustment on philosophical grounds. In order to balance the wishes of this group, the adjustment was not included in my Decision. The map boundaries on the attached map remain unchanged from the original Working Group process.

Public Involvement

The deliberations of the Washington Gulch Working Group itself were a critical element of public involvement for this Decision. This group held seven meetings which were open to public attendance. Group deliberations during the meetings were usually reported in the Crested Butte News. The working group was composed of a variety of stakeholders and community interests as follows:

Chuck McGinnis--Meridian Lake/Pristine Point Subdivision
Alan Bernholz--Crested Butte Mountain Guides/Backcountry skier
Rob Boyle--Gunnison Country Snotrackers/Snowmobile rider
Phillip Chamberland-- Gunnison Country Snotrackers/Snowmobile rider
Keith Bauer--Nordic Skier/Crested Butte Nordic Center
Jim Starr--Gunnison County Commissioner
James Utt--Action Adventures Snowmobile Tours
Sandy Allen-Leinsdorf--Allen Ranch
Jed and Mary Frame--Elkton Cabins
Kai Allen--US Forest Service
Jon Morrissey--US Forest Service

Several other citizens joined the meetings and contributed to the discussions in a more informal manner.

The Group forged a proposal for the Gunnison Ranger District to bring forward for larger public involvement. The details of the proposal were developed through a mutual consensus process. A formal public meeting on the proposal was held at the Crested Butte Town Hall on November 3rd. The public meeting date and information detailing the proposal were featured in November 3rd, and October 27th editions of the Crested Butte News. A legal notice outlining the proposal was published in the Gunnison Country Times and Crested Butte News on November 10th. The scoping period ended on December 8th.

Findings Required by Other Laws

This decision is consistent with the 1991 GMUG Land and Resource Management Plan (Forest Plan) as required by the by the National Forest Management Act. The actions in this Decision comply with the Standards and Guidelines, goals, and management direction in the LRMP. In addition, this Decision for Washington Gulch is generally consistent with the forthcoming draft of the 2006 GMUG Land and Resource Management Plan. The Decision is consistent with the 1995 Decision for Winter Recreation in the Crested Butte area.

Implementation Date

This project will be implemented starting immediately after my signature of this Decision. Several elements of the Decision (signing, implementing a permit system, pursuing a Forest Supervisors Order) will require additional time for implementation. Therefore, implementation will be a gradual process during the winter of 2005-2006, with full implementation expected by winter 2006-2007.

Administrative Review or Appeal Opportunities

This decision is not subject to administrative appeal.

Contact Person

For additional information concerning this decision or the Forest Service appeal process, contact Kai Allen at the Gunnison Ranger District at the following address: 216 N. Colorado Street, Gunnison, Colorado 81230. Telephone: (970) 642-4417. Email: kallen01@fs.fed.us



JAMES R. DAWSON
District Ranger
Gunnison Ranger District



Date

