



**DECISION NOTICE & FINDING OF NO SIGNIFICANT IMPACT**  
**GRAND MESA NATIONAL FOREST MECHANIZED TRAVEL RESTRICTION**

U.S. FOREST SERVICE  
GRAND MESA NATIONAL FOREST, GRAND VALLEY RANGER DISTRICT  
MESA COUNTY, COLORADO

## **I. INTRODUCTION**

An Environmental Assessment (EA) has been prepared that analyzes the effects of restricting mechanized travel (including mountain bikes) to designated routes on the Grand Mesa National Forest, Colorado. The proposed restriction is on National Forest System (NFS) lands managed by the Grand Mesa, Uncompahgre, and Gunnison National Forests (GMUG).

There has been extensive analysis done regarding travel management on the Grand Mesa National Forest. As interest in mountain bike use on the Grand Mesa National Forest increased, the Grand Valley Ranger District began exploring areas to accommodate future mountain bike growth. Since the development of the initial travel plan, there have been significant technological advances in the design of mountain bikes, as well as, the development of new “specialty” bikes to provide for a range of interests. These advances have allowed a greater number of mountain bikers to access areas that were seldom used or used previously by only the most advanced riders. The design of new bikes for specific experiences (i.e. “free riding”) has resulted in user-created routes to meet the specific desire of the new user.

The GMUG recognizes mechanized travel such as mountain biking as a desirable non-motorized recreational experience, but feels it must be done in a way that is sustainable and minimizes resource impacts. This EA provided the GMUG the opportunity to disclose the effects of restricting mountain bike (and other mechanized equipment) use to an existing and/or proposed system of routes.

## **II. SCOPE OF DECISION AND AUTHORITY**

### **SCOPE OF DECISION**

With respect to the National Forest System (NFS) lands, I have decided to restrict mechanized travel to designated routes and implement it through a slightly modified version of Alternative 3 including approval of new trails as described in the *Grand Mesa National Forest Mechanized (Mountain Bike) Travel Restriction EA* (EA, Section 1.3, 2.1. and 2.1.5) and briefly summarized in Section V of this document. My decision is detailed in Section III of this document.

### **AUTHORITIES**

#### **LAWS**

**National Trails System Act (82 Stat. 919, as amended, 16 U.S.C. 1241 (Note), 1241-1249)** establishes a National Trail System containing national recreation, scenic, historic, and connecting or side trails for the purpose of providing trail recreation opportunities. It prescribes administrative and development matters and encourages the use of volunteers in the trail program. It also establishes provisions for agreements to carry out the purposes of the act.

**National Forest Roads and Trails Act (78 Stat. 1089, as amended; 16 U.S.C. 532-538)** recognizes that construction and maintenance of an adequate system of roads and trails within and near the National Forest is essential to meeting the increasing demands for timber, recreation, and other uses. It authorizes and establishes procedures related to right-of-ways, easements, construction, record keeping, and agreements.

### *REGULATIONS*

**Travel Management (36 CFR Part 212, Subparts A, B, and C)** Subpart A establishes requirements for administration of the forest transportation system, including roads, trails, and airfields, and contains provisions for acquisition of rights-of-way; Subpart B describes the requirements for designating roads, trails, and areas for motor vehicle use and for identifying designated roads, trails, and areas on a motor vehicle use map (MVUM); and Subpart C provides for regulation of use by over-snow vehicles on NFS roads, on NFS trails, and in areas on NFS lands.

**Prohibitions section (36 CFR Part 261)** establishes prohibitions necessary to manage and control use on a National Forest System road or trail. It includes general prohibitions and prohibitions in areas designated by order. It is anticipated that to implement this decision a Forest Order would be necessary citing this CFR.

### *POLICY*

#### **Forest Service Handbook (FSH) 2309.18 (11, 12) (WO Amendment 2309-18-2008-3)**

Plan and develop trails based on decisions documented in the applicable land management plan. Many of the general objectives for trails are in the applicable land management plan or in more detailed travel management decisions.... Recognize the need for more detailed analysis when resource conditions change, new recreation opportunities are discovered, conflicts among uses arise, or new public issues emerge.

#### **Forest Service Manual (FSM) 2353.02**

1. Provide trail-related recreation opportunities that serve public needs and meet land management and recreation policy objectives.
2. Provide trail recreation opportunities that emphasize the natural setting of the National Forest and are consistent with land capability.

#### **FSM 2353.03 (2, 3, and 4)**

Provide a diversity of trail opportunities for experiencing a variety of environments and modes of travel consistent with the National Forest Recreation role (FSM 2302 and 2303) and land capability.

#### **FSM 7712**

Conduct transportation analysis at appropriate scales using the best available science that considers access needs and concerns. Coordinate the analysis with other ecosystem assessments and analyses.

#### **FSM 7712.02**

The objectives of transportation analysis are as follows:

1. To identify transportation management opportunities and priorities.

2. To assess transportation management needs, long-term funding, and expected ecosystem, social, and economic effects.
3. To establish transportation management objectives and priorities.

### **FSM 7712.03**

Forest Service regulations implementing the Forest and Rangeland Renewable Resources Planning Act, as amended by the National Forest Management Act, require integration of transportation planning into an interdisciplinary effort that produces Regional, Forest, and site-specific project plans. In planning for and analyzing the transportation system, perform the following:

1. Assess economic costs and benefits along with social and ecological factors when identifying forest transportation facility options.
2. Assess effects of forest transportation facility options on ecological processes and ecosystem health, diversity and productivity.
3. Consider the needs of all parties when developing transportation system opportunities in areas of intermingled ownership.
4. Consider long- and short-term uses, including possible mechanized, non-mechanized, and off-highway vehicle uses, when analyzing forest transportation facilities.
5. Actively engage the public in transportation analysis.

### **III. DECISION**

Based upon my review of the Grand Mesa Mechanized Travel Restriction Environmental Assessment (EA) and supporting information in the project file I have decided to 1) restrict mechanized travel (including “mountain bikes”) to designated routes on the Grand Mesa National Forest, Colorado and 2) implement this mechanized travel restriction through a modified version of Alternative 3, which proposed a restriction on mechanized use of the Kannah Creek area each year beginning October 1. I am modifying this alternative to provide for a *recommended* restriction for mechanized use beginning *September 15* and continuing through *April 15* annually, as I do not feel the compulsory restriction is necessary at this time due to the minimal safety hazards presented and extending the recommended restriction will also cover the fall season when equestrian use is highest. The recommended restriction does not prohibit use by mechanized users; however, it relies on voluntary compliance to avoid using the area when mountain bike and equestrian conflicts during hunting seasons are most likely to occur.

#### **System trails**

Designated routes are defined as those numbered motorized routes that appear on the *Grand Mesa National Forest’s Motor Vehicle Use Map* or numbered non-motorized as routes defined in the EA Section 2.1.2 which are portrayed on official *Visitor Use Maps*.

The decision provides access to approximately 306 miles of existing designated routes currently open, as well as, provides for 27 miles of additional designated routes that would be open only to non-motorized use such as mountain bike, hiker and horseback.

Routes that require reconstruction or new construction will be opened to use, contingent upon funding to complete the trail work.

### **User-created routes**

Since mechanized travel will be limited to designated routes, travel on several illegal /user-created routes will no longer be allowed. Closing/obliterating all existing and future “non-system” or “user-created” mechanized routes will continue to occur.

### **Groomed ski trails**

Mechanized travel will not be allowed on groomed ski trails during winter season (November 15 to April 30 annually).

### **Hiker and Horse Trails**

Existing hiker only trails at Mesa, Ward/Cobbett/Island Lakes and Crag Crest National Recreation Trail (upper portion) will remain hiker only and mechanized use will not be authorized on these trails (approximately 15 miles).

This decision does not alter or add more restrictive travel management restrictions to affected routes currently authorized, with the exception of Trail 527 (Battlements) and Trail 533(Raven), both in the Battlements area of the Grand Mesa National Forest (see table below). I have decided to restrict use to hiker/horseback only on these two trails to be consistent with the White River National Forest’s trail designations so that mode of travel does not change by crossing jurisdictional boundaries.

Designated routes open to mechanized use (mountain bikes) will be focused in four main areas or ‘complexes’:

### **Scales Lake Complex**

The ‘*Scales Lake Complex*’ is located on top of the Grand Mesa and will be accessed by the Mesa Top Trailhead. Most routes within this complex will be either old logging roads or single track routes that overlay the trails that skiers and snowshoers utilize during the winter months at the Skyway and County Line winter recreation areas.

The Scales Lake complex will include 16.1 miles of trails of various lengths and difficulties and should appeal to more diverse user groups, such as families and a variety of abilities. Routes will be opened and signed once all appropriate surveys and trail work occur to ensure resource protection and appropriate trail specifications are met.

### **Flowing Park Complex & Kannah Creek Basin**

The ‘*Flowing Park Complex*’ which will also be accessed by the Mesa Top Trailhead will connect existing and under-construction designated routes and creates an additional and more challenging 7 mile single-track opportunity. This route will be constructed as funding becomes available.

The Flowing Park complex will connect with the Kannah Creek trail system and will provide seasonal use of 34 miles of non-motorized routes from spring until September 15 each year.

Kannah Creek is used heavily by equestrian hunters during the fall months. A recommended seasonal trail restriction will be implemented for mechanized travel within the Kannah Creek Basin from September 15 through April 15 annually, for the following reasons: 1) to protect the safety of both equestrian and mechanized user groups, 2) to preserve the management emphasis of semi-primitive backcountry as it relates to equestrian-supported hunting experience and 3) to protect big game winter

range consistent with other seasonal closures.

This recommended restriction may be converted to a compulsory restriction if determined through monitoring that conditions (such as increased use patterns, deteriorated trail conditions, etc.) have changed or safety of user groups becomes more of an issue. Monitoring with trail counters and user surveys will be conducted approximately every 2-3 years to monitor use. If the compulsory restriction is warranted, the public will be notified of this change a minimum of 60 days prior to the effective date. There will not be additional NEPA analysis required as the compulsory restriction has already been analyzed; however, a second decision may be required.

### Mesa Lakes Complex

The *'Mesa Lakes Complex'* will focus on the popular and existing West Bench trail as well as adopting 3.5 miles of trail near Mesa Lakes Ranger Station and terminating at the old Mesa Creek ski area at Highway 65 and the area known as the 'sledding hill'. The Mesa Creek Trail will be brought up to Forest Service trail standards and all current 'structures' will be removed. The complex includes such routes as the Lake of the Woods, Bull Creek Cutoff, and Deep Creek Trails.

### Fruita Division Complex

The *'Fruita Division complex'* is currently popular with mountain bikers on such trails as Turkey Flats, Haypress and Reservoir #1 Trails. This emphasis will continue.

### Trails open to mechanized travel

The following trails define the routes that are now designated as open to mechanized travel. **Orange** highlighted routes are currently open and available for travel, with mechanized travel emphasized. **Blue** highlighted routes will be open once appropriate trail work is completed (contingent upon funding). **Green** highlighted routes will have a recommended seasonal closure period beginning September 15 annually. **Gray** highlighted routes changed from non-motorized to hiker/horseback only.

Trail Number	Name	Maximum Use	Design Miles	Comments
<b>501</b>	<b>West Bench</b>	<b>Mtn. Bike</b>	<b>5.5</b>	<b>Mesa Lakes complex</b>
504	East Brush Creek	ATV	3.4	
<b>506</b>	<b>Lake of the Woods</b>	<b>Mtn. Bike</b>	<b>5.22</b>	<b>Mesa Lakes complex</b>
<b>506.1A</b>	<b>Bull Creek Cutoff</b>	<b>Mtn. Bike</b>	<b>1.2</b>	<b>Mesa Lakes complex</b>
507	Bull Basin	ATV	1.3	
508	Youngs	ATV	1.25	
<b>509</b>	<b>Lily Lake</b>	<b>Mtn. Bike</b>	<b>0.8</b>	<b>Cottonwood Lakes</b>



Trail Number	Name	Maximum Use	Design Miles	Comments
				<b>area</b>
510	Carpenter	ATV	0.68	
511	Crum Reservoir	ATV	3.42	
512	Bonham	ATV	3.6	
513	West Salt Creek	ATV	0.87	
514	Salt Creek	ATV	6.75	
515	High	ATV	8.57	
516	Beaver	ATV	3.25	
517	Silver Spruce	ATV	10.4	
518	Monument	ATV	13.31	
519	Buzzard Park	ATV	5.06	
520	Power Line	ATV	4.15	
521	Two Peak	ATV	4.3	
522	Burn	ATV	4.22	
523	Divide	ATV	0.96	
524	Hightower	ATV	3.02	
525	Boundary	ATV	7.24	
526	Boundary Cutoff	ATV	2	
527	Battlement	ATV	20.3	Mud Hill to Kimball Creek
527	Battlement	Hiker/horseback	0.5	Kimball to WRNF (closed to mech. On WRNF) – Battlements area
529	Brush Creek	ATV	3.75	

Trail Number	Name	Maximum Use	Design Miles	Comments
530	Hawxhurst	ATV	3.5	
531	Smalley Mountain	ATV	4.31	
532	Kimball Creek	ATV	4.43	
533	Raven	Hiker/horseback	0.5	Closed to mechanized on WRNF – Battlements area
534	Porter	ATV	3.23	
535	Porter Cutoff	ATV	1.92	
536	Buzzard	ATV	2.47	
539	Owens Loop	ATV	3.57	
<b>700</b>	<b>Whitewater Basin</b>	<b>Mtn. Bike</b>	<b>3.75</b>	<b>Flowing Park complex</b>
702	Coal Creek	* Mtn. Bike	9.01	* = Seasonal Restriction 9/15 - 11/30 – Flowing Park complex
703	Coal Creek Basin	* Mtn. Bike	4.67	* = Seasonal Restriction 9/15 - 11/30- Flowing Park complex
705	Switchback	* Mtn. Bike	0.91	* = Seasonal Restriction 9/15 - 11/30-Flowing Park complex
706	Kannah Creek	* Mtn. Bike	8.75	* = Seasonal Restriction 9/15 - 11/30-Flowing Park complex
707	Spring Camp	* Mtn. Bike	7.72	* = Seasonal Restriction 9/15 - 11/30-Flowing

Trail Number	Name	Maximum Use	Design Miles	Comments
				Park complex
707.1A	Blue Lake	* Mtn. Bike	0.82	* = Seasonal Restriction 9/15 - 11/30-Flowing Park complex
708	Indian Point Cutoff	* Mtn. Bike	2.1	* = Seasonal Restriction 9/15 - 11/30-Flowing Park complex
709	Deep Creek (TR 501 to RD 100)	Mtn. Bike	6.01	Mesa Lakes complex
709	Deep Creek (Rd 100 to TR 702)	* Mtn. Bike	1	* = Seasonal Restriction 9/15 - 11/30-Flowing Park complex
710	Currant Creek	Mtn. Bike	4.3	Green Mtn area
711	Crag Crest (West TH to TR 712)	Mtn. Bike	1.5	National Recreation Trail
711.1A	Crag Crest Loop	Mtn. Bike	3.56	National Recreation Trail
712	Cottonwood	Mtn. Bike	1.78	Cottonwood Lakes area
715	Indian Point (Rd 109 to Indian Pt)	Mtn. Bike	4	Flowing Park complex
715	Indian Point (Indian Pt to FBDY)	* Mtn. Bike	5	* = Seasonal Restriction 9/15 - 11/30-Flowing Park complex
716	Sissy	Mtn. Bike	0.3	Leon Lake area
717	Leon Lake	Mtn. Bike	1.8	Leon Lake area
718	Cedar Mesa	ATV	3.15	

Trail Number	Name	Maximum Use	Design Miles	Comments
719	Green Mountain	ATV	15.51	
720	Elk Park	ATV	2.29	
721	Greenwood	ATV	2.4	
<b>722</b>	<b>Blue Grouse</b>	<b>Mtn. Bike</b>	<b>4.9</b>	<b>Dirty George area</b>
724	Bull and Brown	ATV	1.59	
725	Point Camp	Motorcycle	3.3	
726	Drop Off	Motorcycle	2.31	
<b>727</b>	<b>Farmers</b>	<b>* Mtn. Bike</b>	<b>1.4</b>	<b>* = Seasonal Restriction 9/15 - 11/30</b>
<b>728</b>	<b>Carson Lake</b>	<b>Mtn. Bike</b>	<b>1</b>	<b>Flowing Park complex</b>
729	Hay Park	ATV	1.8	
730	East Leon	ATV	9.33	
731	Last Chance	ATV	1.4	
732	Ella	ATV	2.2	
733	Reynolds	ATV	1.9	
734	Eureka	ATV	3.6	
734.1A	Eureka Cutoff	ATV	0.37	
736	Triangle Stomp	ATV	1.7	
743	Trout Lake	ATV	1.12	
752	Scotland	ATV	2.36	
753	Aqueduct	ATV	2.5	
754	Skimmed Milk	ATV	0.8	

Trail Number	Name	Maximum Use	Design	Miles	Comments
755	Willow	Mtn. Bike		1.49	Leroux Creek area
TBD	Flowing Park Loop	Mtn. Bike		10	Constructed from 2004 - 2008 – Flowing Park complex
646	Ridge	ATV		4.15	
647	Black Pine	Mtn. Bike		2.1	Fruita Division complex
648	Little Dolores	ATV		1.57	
661	Turkey Flats	Mtn. Bike		2.88	Fruita Division complex
662	Haypress	Mtn. Bike		1.6	Fruita Division complex
663	Reservoir #1	Mtn. Bike		1.51	Fruita Division complex
TBD	Mesa Creek	Mtn. Bike		3.5	Existing Single Track Trail (used by Hikers & Mtn Bikes)- Mesa Lakes complex
TBD	Mesa Top	Mtn. Bike		6	New construction of Single Track-Flowing Park complex
TBD	FP Loop	Mtn. Bike		1	Conversion of logging road (non-system)-Flowing Park complex
TBD	Crane Lake Loop	Mtn. Bike		3	Conversion of 2 track (non-system)-Flowing Park complex
TBD	Scales Lake	Mtn. Bike		1.98	Conversion of old

Trail Number	Name	Maximum Use	Design Miles	Comments
	Connector			logging road-Scales Lake complex
TBD	Lion's Loop	Mtn. Bike	2.11	Conversion of old logging road-Scales Lake complex
TBD	Timber Sale Loop	Mtn. Bike	3.05	Conversion of old logging road-Scales Lake complex
TBD	1-2-3 Loop	Mtn. Bike	4.97	Conversion of old logging road-Scale Lake complex
TBD	Dog Loop	Mtn. Bike	1	Conversion of old logging road-Scales Lake complex
TBD	Mesa Top to Dog Loop	Mtn. Bike	0.3	New construction of Single Track-Scales Lake complex

This decision will be implemented through issuance of this Decision Notice (DN), upon completion, minor signing on the travel routes, and additional requirements found in EA at 2.1.6 Design Criteria. Additional Forest Closure Orders are needed to be able to enforce this decision. It is estimated that this Order will be in place by September, 2010.

In the event of any contradiction or conflict between descriptions or depictions of authorized actions, my decision is to be taken from the project documents in the following order of precedence: first the description in this DN, second the descriptions in the EA, and finally representations on the Appendix A- Decision Map.

#### IV. DECISION RATIONALE

The GMUG has identified a need to require non-motorized, mechanized use to travel on designated routes only on the Grand Mesa National Forest. The purpose of the agency's action is to address a mode of travel that was silent in previous analyses; prevent continued resource damage from a proliferation of user-created routes; and, further, identify a system of routes that can be built upon in the future as resource protections, funding and user group cooperation to address future demand for mechanized travel.

The project responds to the general direction outlined in the *Amended Land and Resource Management Plan Grand Mesa, Uncompahgre and Gunnison National Forests* (1991) (GMUG LRMP) by providing

for non-motorized recreation opportunities and aligns with other travel management proposals and decisions (Gunnison National Forest and Uncompahgre National Forest) on the GMUG.

The EA documents the environmental analysis and conclusions upon which this decision is based.

I have determined that this restriction is not detrimental to the public interest and that the benefits to be derived from this alternative minimize the impacts of the resource disturbance from continued mechanized cross-country travel while enhancing recreational opportunities and management emphasis area on the forest.

### **APPLICABLE LAWS, REGULATIONS, AND POLICY**

This decision is consistent with applicable laws, regulations, and policies (Sections II and VIII of this document and EA, Section 1.5) and is consistent with Forest Land and Resource Management Plan (LRMP) direction (EA, Section 1.5.4).

### **HOW ISSUES WERE CONSIDERED**

This overarching concern was described in the Grand Mesa Travel Restriction History and Issues (EA, Section 1.1 and 1.7.1) that were analyzed in the EA. Potential resource impacts will be mitigated by curbing cross-country mechanized travel and through proper trail design and placement for new trails. Benefits such as improvements to the existing mechanized travel and recreation opportunities, as well as, improved resource conditions to the NFS lands will occur from implementation of my decision.

### **FACTORS OTHER THAN ENVIRONMENTAL EFFECTS CONSIDERED IN MAKING THE DECISION**

Purposes of this decision is also to address a mode of travel that was silent in previous travel analyses and to identify a system of routes that can be built upon in the future as resource protections, funding and user group cooperation to address future demand for mechanized travel.

My decision fulfills the Federal Government's policy to plan and develop trails based on decisions documented in the applicable land management plan, provide trail-related recreation opportunities that serve public needs and meet land management and recreation policy objectives, and provide a diversity of trail opportunities for experiencing a variety of environments and modes of travel consistent with the National Forest Recreation role (FSH 2309.18, FSM 2353.02, FSM 2353.03, FSM 7712.02). My decision further complies with the GMUG Forest Plan direction.

The No Action Alternative (EA, Section 2.1.1) was not selected because it does not meet Forest Plan and policy direction FSH 2309.18, FSM 2353.02, FSM 2353.03, FSM 7712.02

### **IDENTIFICATION OF THE ENVIRONMENTAL DOCUMENTS CONSIDERED IN MAKING THE DECISION**

This decision was made after carefully considering the contents of the EA, public comments, agency response to comments, and the supporting project file. The GMUG Forest Plan was reviewed and this decision determined to be consistent with it.

### **HOW CONSIDERATIONS WERE WEIGHED AND BALANCED IN ARRIVING AT THE DECISION**

The resource impact analyses presented in the EA (Chapter 3, and summarized in Table 2.3) show that

potential impacts to surface resources are very low through implementation of this alternative.

## **RELATIONSHIP TO PUBLIC INVOLVEMENT**

Using the comments from the public, user groups, other agencies, and GMUG staff, the interdisciplinary team developed a list of issues to address. Other comments received were addressed in the EA (Section 2.2 Alternatives Considered but Eliminated from Detailed Study) or in the project file (Response to Comment).

## **V. SUMMARY OF ALTERNATIVES CONSIDERED**

Eight alternatives were considered in the EA (Sections 2.1 and 2.2) with four being carried forward for detailed analysis. The selected action is the Alternative 3. A summary of the alternatives considered in detail in the EA follows:

### **No ACTION**

Under the No Action alternative, current Travel Management Plans would continue to guide management of the project area. Mechanized uses would continue to occur throughout the Grand Mesa National Forest without specific direction. This alternative would not be consistent with current National policy and direction and other travel management plans on the GMUG.

### **COMMON TO ALL ACTION ALTERNATIVES**

The FS proposed to restrict non-motorized, mechanized travel (including “mountain bikes”) to designated routes. Restrictions would apply on the Grand Mesa National Forest, Colorado. Designated routes are defined as those numbered motorized routes that appear on the *Grand Mesa National Forest’s Motor Vehicle Use Map* or numbered non-motorized as routes identified in section 3.6 of this document which are portrayed on official *Visitor Use Maps*.

- The restriction would also prohibit use of mechanized transport on designated winter (over-snow) trails. Mechanized travel would not be allowed on groomed ski trails.
- The routes open to mechanized use on the Fruita Division would be the same for all action alternatives as shown on Fruita Division map.
- Hiker only trails (Mesa Lakes, Ward Lake Complex, Crag Crest and others) would not be included (approximately 15 miles) as decisions for these trails have already been issued.
- Decommissioning of all existing and future “non-system” or “user-created” mechanized routes would continue to occur.

### **ALTERNATIVE 1 – PROPOSED ACTION (EXISTING DESIGNATED ROUTES)**

Routes open to mechanized use would be approximately 306 miles and would include the following:

- Formally restricting mechanized travel to currently designated (National Forest system) routes.
- No off route use would be allowed including those trails currently being utilized that are not “National Forest System” routes.

## **ALTERNATIVE 2 (ADDITIONAL ROUTES)**

Routes open to mechanized use would include approximately 27\* additional miles above Alternative 1.

Alternative 2 would include the following:

- Formally restricting mechanized travel to currently designated routes.
- Designating use of selected Nordic ski trails (approximately 16.1 miles) for summer use by mechanized travel. This area will be referred to as the “Scales Lake Complex”. These routes would not be open until all appropriate surveys and trail work occurred to ensure resource protection and appropriate trail construction specifications are met.
- Constructing approximately 7 miles of new mechanized trails in the Flowing Park Area which includes constructing a connector trail to allow access to Flowing Park area from Mesa Top Trailhead.
- Designating an approximately 3.5 mile-long non-system trail along the Mesa Creek drainage as a non-motorized system trail open to mechanized uses, horses and hikers.

## **ALTERNATIVE 3 (ADDITIONAL ROUTES WITH SEASONAL RESTRICTION)**

Alternative 3 is similar to Alternative 2 in miles of routes open to mechanized use and new trails except would include the following additional restriction: Implement seasonal trail restriction to mechanized travel within the Kannah Creek Basin during the fall season when equestrian use is the heaviest (approximately October 1 annually) for the safety of both user groups and to preserve the management emphasis of semi-primitive backcountry. This seasonal restriction would affect approximately 34 miles of trail in the 23,000 acre Kannah Creek Basin.

## **VI. PUBLIC INVOLVEMENT**

The Notice of Opportunity to Comment was published in the *Grand Junction Daily Sentinel* on January 12, 2009. The Notice of Opportunity to Comment asked for public comment on the proposal from January 12 to February 12, 2009. In addition, as part of the public involvement process, the GMUG sent out approximately eighty letters with maps to interested parties, user groups, businesses, and Local, State, Federal and Tribal entities; sent press releases to all area newspapers (at least three published); provided a radio interview (KVNF); and posted information to the GMUG’s and to Agency’s Schedule of Proposed Actions websites. Twenty-five comments were received primarily from mountain bikers and associated groups.

The EA lists agencies and people consulted in Chapter Four.

## **VII. FINDING OF NO SIGNIFICANT IMPACT**

Based on my review of the EA, public comments on the EA, the agency responses to comments (EA, Sections 1.7 and Chapter 3, Project File, Response to Public Comment), the supporting project record,

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\* Note the scoping notice had a decimal point in the wrong place which made this number significantly higher.

and upon my analysis immediately below, I find that actions resulting from my decision do not constitute major Federal actions significantly affecting the quality of the human environment, as defined in the Code of Federal Regulations Title 40 Part 1508, section 27 (40 CFR 1508.27) in terms of either context or intensity; therefore, an environmental impact statement will not be prepared. I base my finding on the following:

## **CONTEXT**

### *LOCALITY*

This decision would directly affect about 6.5 acres of NFS lands on the Grand Mesa National Forest. This number represents the acreage in the project area (EA, Figure 3, and Chapter 3) that would result in new disturbances from trail construction and designation of previously disturbed areas. In context of the surrounding area, other mechanized travel restrictions have been authorized on the Grand Mesa, Uncompahgre and Gunnison National Forests and throughout public lands on the Western Slope and in Colorado. The acreage involved in this restriction represents a very small percentage of all the lands (federal and private) currently committed to travel restrictions.

The effects on public land and users over both the short-term and long-term would remain consistent with that which is presently occurring and has occurred in the past decade. No short or long term significant impacts are expected as a result of this decision in the local context (EA, Chapter 3).

### *AFFECTED INTERESTS AND AFFECTED REGION*

Affected interests for this project are people who use the project and adjacent areas for recreation and people using public and Forest trails other than for recreation. This decision allows continued use of the area by livestock permit holders, outfitter guides, recreational users of the areas, etc. Monitoring and mitigation measures have been designed into this project to protect and preserve other forest uses. No short or long term significant impacts on affected interests are expected as a result of this decision in the regional context (EA, Chapter 3).

### *SOCIETY AS A WHOLE*

This decision provides the opportunity to address a recreational travel niche and provide opportunities for a wide variety of mechanized and non-motorized users while still maintaining the existing trail system open to motorized users of the National Forest. Due to the very small amount of acreage affected by new construction and designation of existing disturbances, there would be no impacts to society as a whole.

## **INTENSITY**

### *CONSIDERATION OF BENEFICIAL AND ADVERSE IMPACTS*

Beneficial and adverse impacts were described in the EA (Sections 2.3 and Chapter 3) and considered in Section III of this Decision Notice. Impacts of this decision will be similar to those of previous actions regarding restriction of travel to designated routes in nearby areas on the GMUG and on other public lands in Colorado. Benefits of this project will be reduced resource impacts from cross-country travel and recreational and management opportunities being addressed. Although both beneficial and adverse effects are disclosed, none are severe enough to be considered significant. None of the expected beneficial or adverse impacts have a significant amount of intensity that would require documentation in

an EIS.

### *CONSIDERATION OF PUBLIC HEALTH AND SAFETY*

I considered public health and safety issues in this decision. There will be no significant effects on public health and safety (EA, Sections 1.1, 1.7, 2.1, 2.2, 3.6 and 3.7). Routes being designated/ approved are characteristic of routes across the Forest and surrounding public lands. Most routes have been used by mechanized users in the past and none represent any specific hazard to users beyond the ordinary risks associated with this type of activity.

### *CONSIDERATION OF UNIQUE CHARACTERISTICS SUCH AS PROXIMITY TO HISTORIC OR CULTURAL RESOURCES, PARK LANDS, PRIME FARMLANDS, WETLANDS, WILD AND SCENIC RIVERS, OR ECOLOGICALLY CRITICAL AREAS*

Historic and cultural resources are addressed in the section 3.7 of the EA and in the project file. There are no prime farmlands, rangeland, or forest land as defined in the Secretary of Agriculture's Memorandum Number 1827, Supplement 1, identified on the Grand Mesa National Forests proposed disturbed area. Wetlands would not be affected, as no delineated wetlands are known to exist in the proposed disturbed area. There are no identified parklands or Wild and Scenic Rivers in proximity to the proposed disturbed area. The area of my decision has not been identified by any source as an ecologically critical area.

### *CONSIDERATION OF THE DEGREE TO WHICH THE EFFECTS ON THE QUALITY OF THE HUMAN ENVIRONMENT ARE LIKELY TO BE HIGHLY CONTROVERSIAL*

This decision and its effects are not unique. Travel management decisions have been made on this National Forest for the past 15 years and trail-use and design decisions have been made for many decades. Resource related impacts are expected to be consistent with past impacts from similar projects in this project area and elsewhere in the project vicinity. The quality and use of the human environment in the project area is understood, has been analyzed, and is not highly controversial from a scientific standpoint. Given that activities will occur sporadically at various locations, there is very low risk of effecting local communities. Information or data that would demonstrate that the effects described in the EA are highly controversial have not been brought forward. Given the small scale of disturbance, localized impacts associated with this restriction and designation, the intensity of this factor does not require documentation in an EIS.

### *CONSIDERATION OF THE DEGREE TO WHICH THE POSSIBLE EFFECTS ON THE HUMAN ENVIRONMENT ARE HIGHLY UNCERTAIN OR INVOLVE UNIQUE OR UNKNOWN RISKS*

This decision is not unique for this area, as trail designations have been previously approved in the analysis area. The Forest Service has experience in implementing and monitoring similar restrictions and designations, the effects of which have been found to be reasonably predictable. While there is minor public disagreement regarding the type of use that should be allowed on each trail on the Grand Mesa, there is no scientific controversy over the impacts of actually designating use. No effects from this decision would be classified as highly uncertain or involving unique or unknown risks. The intensity of this factor does not require documentation in an EIS.

### *CONSIDERATION OF THE DEGREE TO WHICH THE ACTION MAY ESTABLISH A PRECEDENT*

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*FOR FUTURE ACTIONS WITH SIGNIFICANT EFFECTS OR REPRESENTS A DECISION IN PRINCIPLE ABOUT A FUTURE CONSIDERATION*

Implementing travel restrictions will not create a precedent for future discretionary decisions. My decision follows the legal direction for travel decisions (EA, Section 1.5) and is an identified and anticipated activity in the GMUG Forest Plan. My decision is limited to routes addressed. New trails for mechanized and non-motorized use are a very small percentage of the total number of miles of trails available for various activities on the Grand Mesa. Any future trail proposals would have to be evaluated on their own merits based on the issues and effects related to the location, timing and intensity of each action. My decision does not set a precedent or represent a decision in principle about a future consideration; therefore, documentation in an EIS is not required.

*CONSIDERATION OF THE ACTION IN RELATION TO OTHER ACTIONS WITH INDIVIDUALLY INSIGNIFICANT BUT CUMULATIVELY SIGNIFICANT IMPACTS*

No reasonably foreseeable future projects have been identified that would, in connection with this decision, produce cumulative effects beyond those currently occurring or identified. The limited scale of activity creates minimal individual effects, as well as minimal cumulative effects when added to the existing situation and other potential activities. The decision through construction of 7 miles new trail will remove existing vegetation within the trail footprint (approximately 1.7 acres). It will generally not impact other uses.

*CONSIDERATION OF THE DEGREE TO WHICH THE ACTION MAY ADVERSELY AFFECT AREAS OR OBJECTS LISTED IN OR ELIGIBLE FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES OR MAY CAUSE LOSS OR DESTRUCTION OF SIGNIFICANT SCIENTIFIC, CULTURAL, OR HISTORICAL RESOURCES*

The project record and field reviews support that no cultural or historic sites would be affected by this decision (EA, Section 3.7 and project file). The SHPO was consulted, and concurred with these findings. When implementing the decision, any previously unidentified sites inadvertently discovered would be avoided or mitigated so there would be no effect upon them.

*CONSIDERATION OF THE DEGREE TO WHICH THE ACTION MAY ADVERSELY AFFECT AN ENDANGERED OR THREATENED SPECIES OR ITS HABITAT HAS BEEN DETERMINED NOT TO BE CRITICAL UNDER THE ENDANGERED SPECIES ACT*

A Biological Assessment has been prepared for this decision (EA, Section 3.3 and Project File). All known endangered or threatened species in the area were considered. Due to “may affect not likely to adversely affect” determinations for Canada Lynx, the US Fish and Wildlife Service (FWS) was consulted and a concurrence letter received in return to our designations. This decision will not affect any other listed species. If additional findings regarding threatened or endangered, proposed or sensitive species are discovered, a new biological assessment or evaluation will be written, and any mitigation incorporated into future travel decisions.

## *CONSIDERATION OF WHETHER THE ACTION THREATENS A VIOLATION OF LAW OR REQUIREMENT IMPOSED FOR THE PROTECTION OF THE ENVIRONMENT*

To the best of my knowledge, this decision does not threaten violation of any laws and regulations imposed for the protection of the environment (refer to Section VIII of this document).

### **VIII. FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS**

To the best of my knowledge, this decision complies with all applicable laws and regulations. In the following, I have summarized the association of my decision to some pertinent legal requirements.

#### **FEDERAL LAND POLICY AND MANAGEMENT ACT OF 1976**

This Act encourages the continuing inventorying of land and their resource and other values including outdoor recreation to reflect changes in conditions and to identify new and emerging resource and other values. This decision and related analysis address this consideration.

#### **NATIONAL FOREST MANAGEMENT ACT OF 1976**

The Forest Plan was approved in 1983 and amended in 1991, as required by this Act. This long-range land and resource management plan provides guidance for all resource management activities in the Forest. This decision is consistent with the GMUG National Forest Land Management Plan (1983), as amended. The project was designed in conformance with The Amended LRMP, dated September 1991, for the GMUG National Forests is consistent with the proposed action for the protection of soils, vegetation and wildlife habitat by restricting non-motorized, mechanized travel to designated routes. The LRMP also provided for applicable stipulations to be utilized for protection of specific surface resources as addressed in Section III, pages 9a-200; however, none of these were specific to non-motorized, mechanized travel. The following multiple use management area prescriptions are designated for the Grand Mesa National Forest:

1B - Emphasis on ski area. Management integrates ski area development with resource management to provide healthy tree stands, vegetation diversity, forage production for wildlife/livestock and opportunities for non-motorized recreation.

2A- Emphasis is on Semi-primitive motorized recreational activities in a natural appearing environment. Range management minimizes conflicts between recreationists and livestock. Vegetation treatment enhances diversity.

2B- Emphasis is on roaded natural and rural recreation opportunities. Major travel routes maintain or improve visual quality. Range management minimizes conflicts between recreationists and livestock. Vegetation treatment enhances visual quality, recreation setting and diversity.

3A-Emphasis is on semi-primitive non-motorized recreation opportunities. Vegetation treatment enhances visual quality and diversity. User density is controlled by access.

4B- Emphasis is on wildlife habitat management for management indicator species. Semi-primitive non-motorized, Semi-primitive motorized and roaded natural recreation opportunities are provided. Livestock grazing is compatible with wildlife habitat management. Vegetation treatment enhances diversity.

4D- Emphasis is on aspen management. Area is managed to maintain or improve aspen and provide wood fiber, wildlife habitat, visual quality and diversity. Semi-primitive non-motorized, Semi-primitive motorized and roaded natural recreation opportunities are provided. Livestock grazing is compatible.

5A- Emphasis is on big-game winter range in non-forested areas. Semi-primitive non-motorized, Semi-primitive motorized and roaded natural recreation opportunities are provided. Vegetation treatment enhances diversity. Livestock grazing is compatible, but favors wildlife habitat.

6B – Emphasis is on management for livestock grazing. Range condition is maintained through use of forage improvement practices, livestock management, and regulation of other resource activities. Motorized recreation on roads is to prevent stress on big-game animals. Vegetation treatment enhances diversity.

7A- Emphasis is on timber production on slopes less than 40%. Semi-primitive motorized and roaded natural recreation opportunities are provided. Vegetation treatment enhances diversity.

This mechanized restriction is consistent with prescriptions for all management areas above.

### **NATIONAL TRAILS SYSTEM ACT, AS AMENDED**

This Act establishes a National Trail System containing national recreation, scenic, historic, and connecting or side trails for the purpose of providing trail recreation opportunities. It prescribes administrative and development matters and encourages the use of volunteers in the trail program. While the trails in this decision will not be on the National Trails System (such as the Crag Crest trail within the analysis area), consideration has been given to the network of trails that would affect trails on this list. Further, this decision encourages the use of volunteers such as COPMBA to help construct trails and self-police members of their user-group for the recommended closure and to stay on trails. This decision is consistent with this Act.

### **NATIONAL FOREST ROADS AND TRAILS ACT, AS AMENDED**

This Act recognizes that construction and maintenance of an adequate system of roads and trails within and near the National Forest is essential to meeting the increasing recreation and other uses. It authorizes and establishes procedures related to right-of-ways, easements, construction, record keeping, and agreements. This decision is consistent with this Act.

### **CLEAN AIR ACT OF 1955, AS AMENDED 1977**

This Act required States to develop plans to implement, maintain, and enforce primary and secondary ambient air quality standards for any criteria air pollutants, and called federal agencies to prevent deterioration of air quality. Effects on air quality as a result of this project were analyzed and showed that this project will have negligible effects on air quality (EA 2.3 and 3.1). Due to the nature of the project (i.e., public travel on designated routes) specific permit requirements do not apply.

### **CLEAN WATER AMENDMENTS OF 1972**

This Act requires State and Federal agencies to control and abate water pollution. This project was designed to comply with this Act (EA, Section 2.1.6) by avoiding wet areas with trail alignments. This decision is consistent with this Act.

## **EXECUTIVE ORDER 11990 AND 11988**

The management of wetlands and floodplains are subject to Executive Orders 11990 and 11988, respectively. The purpose of the EOs are to avoid to the extent possible the long and short term adverse impacts associated with the destruction or modification of wetlands and floodplains and to avoid direct or indirect support of new construction in wetlands wherever there is a practical alternative. This order requires the Forest Service to take action to minimize destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands. In compliance with this order, Forest Service direction requires that an analysis be completed to determine whether adverse impacts would result (EA, Sections 2.1.6, 2.3, 3.2). No wetlands or floodplains within the analysis area would be impacted by trail construction or designation. This decision is consistent with these Orders.

## **NATIONAL HISTORIC PRESERVATION ACT**

The proposed trail alignments/designations have been surveyed for cultural resources and no historic/cultural properties found. Hence, there is no impact to significant cultural or historic properties (Section VII). Ongoing consultation has identified no places of American Indian cultural or religious significance (EA, Section 3.8).

## **ENDANGERED SPECIES ACT**

Compliance with this Act is addressed in Section VII, of this document.

## **NATIONAL ENVIRONMENTAL POLICY ACT**

The documentation for this project supports compliance with this Act. The process of environmental analysis and decision making for this proposed action, and the associated documentation, have been conducted to fully comply with the requirements of NEPA. These include requirements of the Act itself, CEQ regulations at 40 CFR 1500 and, Forest Service policies at 36 CFR Part 220 the requirements that evolved through the practice of NEPA, and from case law.

# **IX. IMPLEMENTATION DATE AND ADMINISTRATIVE REVIEW AND APPEAL OPPORTUNITY**

## **IMPLEMENTATION DATE**

If no appeal is received, implementation of this decision may occur on, but not before, five (5) business days from the close of the appeal filing period.

## **ADMINISTRATIVE REVIEW (APPEAL) OPPORTUNITIES**

This decision is subject to administrative review pursuant to Federal Regulations at 36 CFR 215.11. Appeals (including attachments) must be in writing and filed (regular mail, fax, e-mail, hand-delivery, express delivery, or messenger service) with the Appeal Deciding Officer (§ 215.8) within 45 days following the date of publication of the legal notice in the *Grand Junction Daily Sentinel*. The publication date of the legal notice in the *Grand Junction Daily Sentinel* is the exclusive means for calculating the time to file an appeal (§ 215.15 (a)). Those wishing to appeal should not rely upon dates or timeframe information provided by any other source. Pursuant to 36 CFR 215.13 (b), only those individuals or organizations who submitted comments during the comment period may file an appeal.



The addresses for filing appeals are:

USDA, Forest Service, Region 2  
Attn: Appeal Deciding Officer  
740 Simms Street  
Golden, CO 80410

Fax: 303-275-5134 to the attention of Appeals;

Email: [appeals-rocky-mountain-regional-office@fs.fed.us](mailto:appeals-rocky-mountain-regional-office@fs.fed.us).

It is an appellant's responsibility to provide sufficient activity-specific evidence and rationale, focusing on the decision, to show why the Responsible Official's decision should be reversed. At a minimum, an appeal must include the following (§215.14): (1) Appellant's name and address (§ 215.2), with a telephone number, if available; (2) Signature or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the appeal); (3) When multiple names are listed on an appeal, identification of the lead appellant (§ 215.2) and verification of the identity of the lead appellant upon request; (4) The name of the project or activity for which the decision was made, the name and title of the Responsible Official, and the date of the decision; (5) The regulation under which the appeal is being filed, when there is an option to appeal under either this part or part 251, subpart C (§ 215.11(d)); (6) Any specific change(s) in the decision that the appellant seeks and rationale for those changes; (7) Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement; (8) Why the appellant believes the Responsible Official's decision failed to consider the substantive comments; and (9) How the appellant believes the decision specifically violates law, regulation, or policy. Notices of Appeal that do not meet the requirements of 36 CFR 215.14 will be dismissed.

Pursuant to 36 CFR 215.9(a), if no appeal is filed, implementation of this decision may occur on, but not before, the fifth day from the close of the appeal period.

**CONTACT**

For additional information concerning this decision, contact: Niccole Mortenson, NEPA Specialist at (970) 874-6616 or Loren Paulson, Recreation Manager at (970) 242-8211.

*Charles Richmond*

*7/28/10*

Charles Richmond

Date

Forest Supervisor

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## APPENDIX A. DECISION MAPS

**Grand Mesa National Forest  
North Side  
Mechanized Travel Decision**



**Mechanized And Motorized Travel  
Restricted to Designated Routes**

**1 of 4**

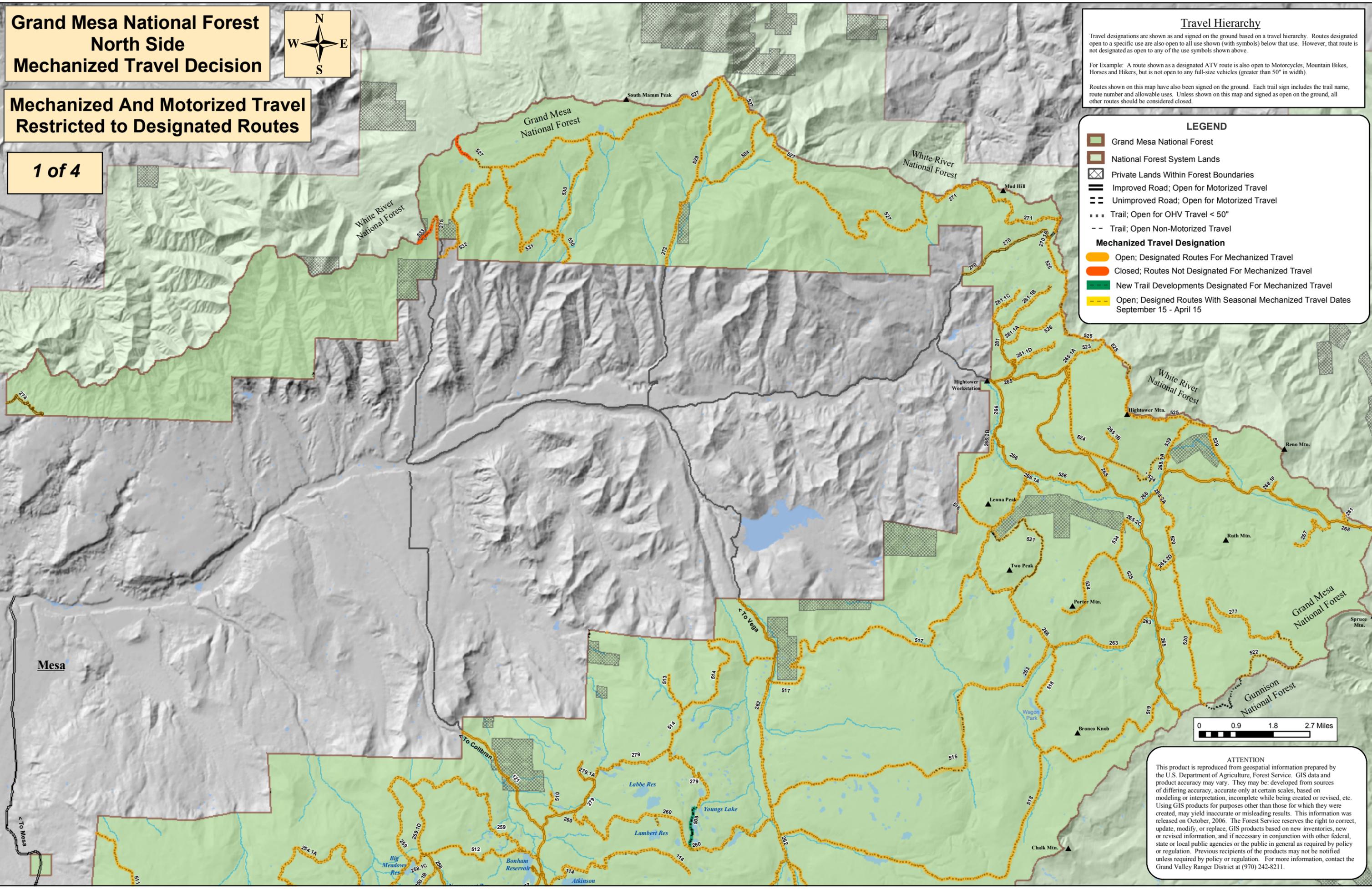
**Travel Hierarchy**  
 Travel designations are shown as and signed on the ground based on a travel hierarchy. Routes designated open to a specific use are also open to all use shown (with symbols) below that use. However, that route is not designated as open to any of the use symbols shown above.  
 For Example: A route shown as a designated ATV route is also open to Motorcycles, Mountain Bikes, Horses and Hikers, but is not open to any full-size vehicles (greater than 50" in width).  
 Routes shown on this map have also been signed on the ground. Each trail sign includes the trail name, route number and allowable uses. Unless shown on this map and signed as open on the ground, all other routes should be considered closed.

**LEGEND**

- Grand Mesa National Forest
- National Forest System Lands
- Private Lands Within Forest Boundaries
- Improved Road; Open for Motorized Travel
- Unimproved Road; Open for Motorized Travel
- Trail; Open for OHV Travel < 50"
- Trail; Open Non-Motorized Travel

**Mechanized Travel Designation**

- Open; Designated Routes For Mechanized Travel
- Closed; Routes Not Designated For Mechanized Travel
- New Trail Developments Designated For Mechanized Travel
- Open; Designated Routes With Seasonal Mechanized Travel Dates September 15 - April 15



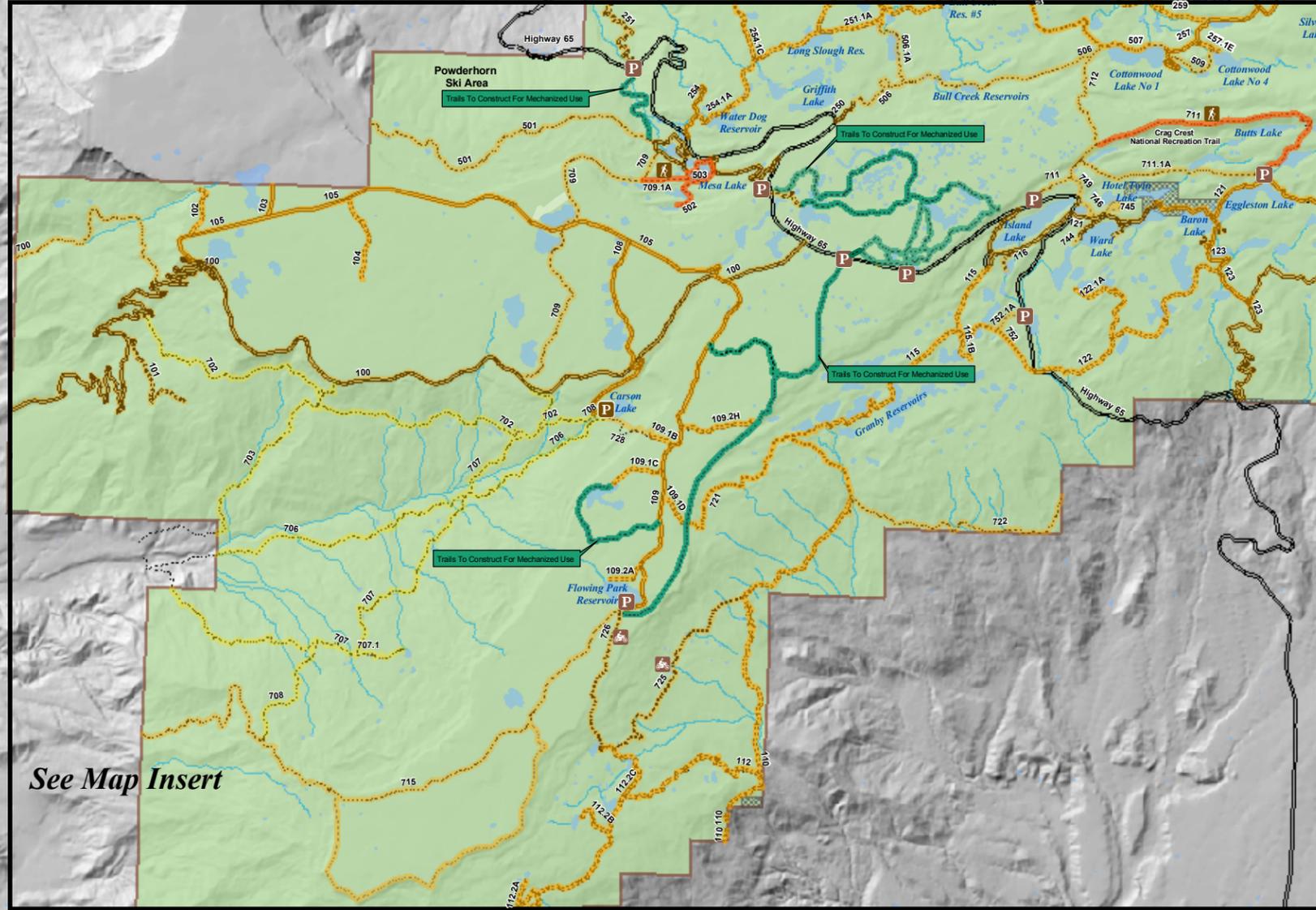
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**Grand Mesa National Forest  
South Side  
Mechanized Travel Decision**



**2 of 4**

**Mechanized And Motorized Travel  
Restricted to Designated Routes**



*See Map Insert*

**Travel Hierarchy**

Travel designations are shown as and signed on the ground based on a travel hierarchy. Routes designated open to a specific use are also open to all use shown (with symbols) below that use. However, that route is not designated as open to any of the use symbols shown above.

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**LEGEND**

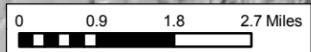
- Grand Mesa National Forest
- National Forest System Lands
- Private Lands Within Forest Boundaries
- Improved Road; Open for Motorized Travel
- Unimproved Road; Open for Motorized Travel
- Trail; Open for OHV Travel < 50"
- Trail; Open Non-Motorized Travel

**Mechanized Travel Designation**

- Open; Designated Routes For Mechanized Travel
- Closed; Routes Not Designated For Mechanized Travel
- New Trail Developments Designated For Mechanized Travel
- Open; Designated Routes With Seasonal Mechanized Travel Dates September 15 - April 15

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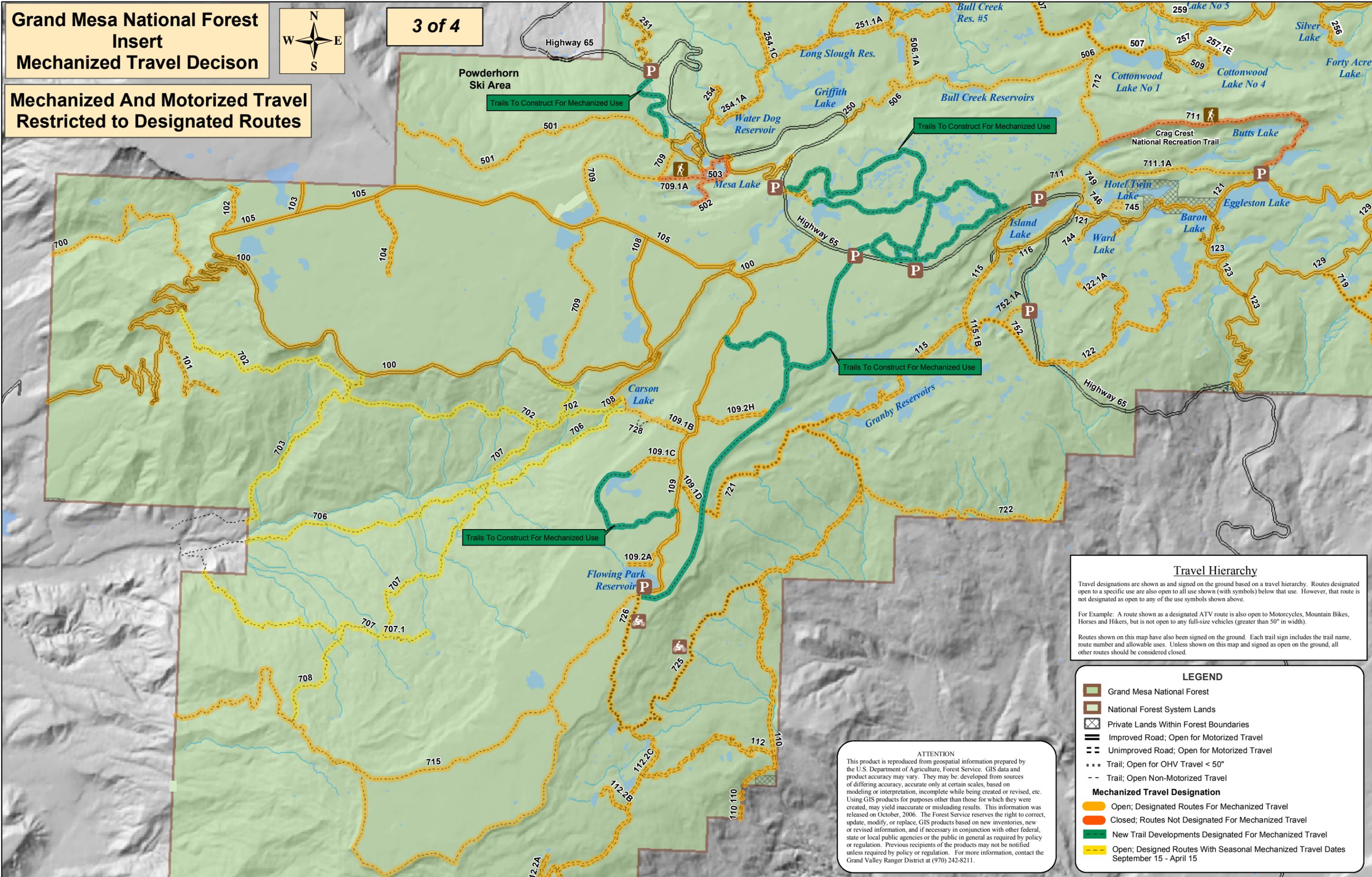


**Grand Mesa National Forest  
Insert  
Mechanized Travel Decision**



**3 of 4**

**Mechanized And Motorized Travel  
Restricted to Designated Routes**



Trails To Construct For Mechanized Use

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**LEGEND**

- Grand Mesa National Forest
- National Forest System Lands
- Private Lands Within Forest Boundaries
- Improved Road; Open for Motorized Travel
- Unimproved Road; Open for Motorized Travel
- Trail; Open for OHV Travel < 50"
- Trail; Open Non-Motorized Travel

**Mechanized Travel Designation**

- Open; Designated Routes For Mechanized Travel
- Closed; Routes Not Designated For Mechanized Travel
- New Trail Developments Designated For Mechanized Travel
- Open; Designated Routes With Seasonal Mechanized Travel Dates September 15 - April 15

**Grand Mesa National Forest  
Fruita Division  
Mechanized Travel Decision**



**Mechanized And Motorized Travel  
Restricted to Designated Routes**

Map 4 of 4-

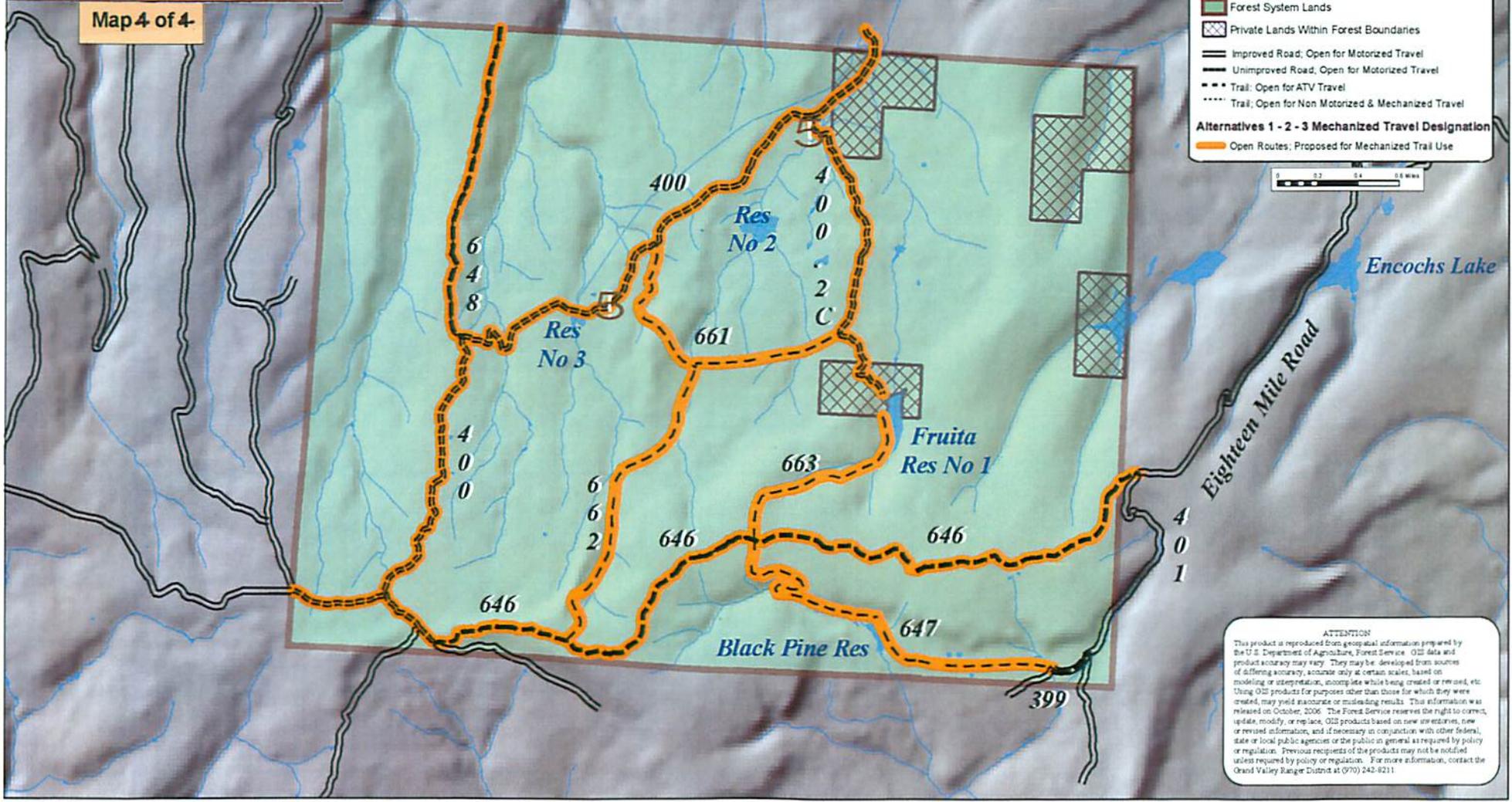
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**LEGEND**

- Forest System Lands
- Private Lands Within Forest Boundaries
- Improved Road; Open for Motorized Travel
- Unimproved Road; Open for Motorized Travel
- Trail; Open for ATV Travel
- Trail; Open for Non Motorized & Mechanized Travel

**Alternatives 1 - 2 - 3 Mechanized Travel Designation**

- Open Routes; Proposed for Mechanized Trail Use



**Encochs Lake**

**Eighteen Mile Road**

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