

## Decision Memo

### Drone Prohibition at Maroon Lake

#### USDA Forest Service

Aspen-Sopris Ranger District, White River National Forest  
Pitkin County, Colorado  
Township 11S, Range 86W, Section 13

#### **Decision**

I have decided to prohibit the use of drones at the Maroon Lake Scenic Area. This decision ensures that the character of the Scenic Area is maintained. This decision will accompany a Forest Order for the Maroon Lake Scenic Area. The Order will outline the prohibition of drones and any exemptions.

#### **Purpose and Need**

The Maroon Bells Scenic Area is one of the most popular recreation destinations in the area and one of the most well-known and well-photographed natural features in the state. Visitation continues to rise and, with that, the number of visitors bringing drones to the Scenic Area is on the rise. The use of drones at the Scenic Area is the primary complaint Forest Service staff receives from visitors. The noise and unsightliness of the drones provides a negative impact to other visitors' experience. Including a prohibition on drones at the Scenic Area will give Forest Service staff the ability to enforce this more effectively. The Maroon Bells Scenic Area borders the Maroon Bells-Snowmass Wilderness Area where drones are already prohibited.

#### **Reasons for Categorical Exclusion**

I have concluded that this action can be categorically excluded from documentation in an environmental impact statement or environmental assessment as it is a routine activity within an approved category of exclusion under 36 CFR 220.6(d): (1) **Prohibition to provide short term resource protection or to protect public health and safety.** There are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment. The following resource conditions were considered as part of this analysis:

Findings for each of the 7 extraordinary circumstances 36 CFR 220.6(b):

- (i) Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species. This project has been determined to have impacts.
- (ii) Flood plains, wetlands, or municipal watersheds. None are present.

- (iii) Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas. The Maroon Bells-Snowmass Wilderness is adjacent to the project area. The project has a positive impact on the adjacent Wilderness area.
- (iv) Inventoried roadless area or potential wilderness area. None are present.
- (v) Research natural areas. None are present.
- (vi) American Indians and Alaska Native religious or cultural sites. None are present.
- (vii) Archaeological sites, or historic properties or areas. None are present.

### **Public Involvement**

The proposal was presented to public partners in April 2019. Roaring Fork Outdoor Volunteers and Forest Conservancy provided verbal support for the project. In addition, my Recreation Staff presented the project to WRNF resource specialists in April 2019.

### **Findings Required by Other Laws**

This decision is consistent with the White River National Forest Land and Resource Management Plan (Forest Plan) as required by the National Forest Management Act. The project was designed to conform to the Forest Plan. Standards and guidelines will be applied as appropriate to meet Forest Plan goals, objectives, and desired conditions.

This decision is compliant with the Endangered Species Act.

This decision is compliant with the National Historic Preservation Act.

### **Administrative Review or Appeal Opportunities**

The approved activities within this decision are not subject to appeal in accordance with the Consolidated Appropriations Act of 2014, Pub. L. No. 113-76, 128 Stat. 5 (2014). Section 431 of the Act directs that the 1993 and 2012 legislation establishing the 36 CFR 215 (post-decisional appeals) ... “shall not apply to any project or activity implementing a land and resource management plan...that is categorically excluded...under the National Environmental Policy Act (NEPA).”

## Implementation Date

The Drone Prohibition at Maroon Lake project will be implemented on or after the signature date of this Decision Memo.

## Contact Person

For additional information concerning this decision, contact Shelly Grail, Recreation Manager, 970-404-3155; sgrail@fs.fed.us



Karen Schroyer  
DISTRICT RANGER

4/22/19

Date

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