



United States Department of Agriculture
Forest Service

Rico Trails Project – *Rio Grande Southern Trail*

Decision Notice and Finding of No Significant Impact

Dolores Ranger District, San Juan National Forest
Dolores County, Colorado

Derek Padilla
Dolores District Ranger

November 17, 2021

Date

Table of Contents

Introduction.....	2
Proposed Project Location	2
Purpose of and Need for Action.....	2
Public Involvement and Consultation	2
Decision	3
Specifics of the Decision.....	3
Design Elements	3
Rationale	6
Finding of No Significant Impact	6
Context.....	6
Intensity	7
Pre-decisional Administrative Review Process.....	Error! Bookmark not defined.
Implementation.....	9
Contact Persons/Further Information.....	Error! Bookmark not defined.
Responsible Official	9

U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication for program information (e.g. Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW., Washington, DC 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Introduction

My decision is to implement the newly designated Rio Grande Southern Trail component of Alternative 3 - Proposed Action as described in the *Rico Trails Project - Environmental Assessment*. The specifics of my decision are described below. My decision is based on the analysis described in the Environmental Assessment (EA) and the Project Record. The EA is available at the Dolores Public Lands Office in Dolores, Colorado.

The Spring Creek Trail, Circle Trail, and Ryman Trail re-route components of Alternative 3 were considered separately in a Final Decision Notice (DN) issued on January 8, 2021.

Proposed Project Location

The project area is in the vicinity of Rico, Colorado. The proposed Rio Grande Southern trail is located to the south of the Town of Rico. The proposed trail would generally follow the alignment of the former Rio Grande Southern rail line, parallel to, and west of, the Dolores River. The proposed trail would provide non-motorized connection from the Town of Rico (from National Forest System Route #422) to the existing Scotch Creek and Salt Creek/Ryman trailheads. The proposed trail is located on lands managed by the U.S. Forest Service, on the Dolores Ranger District of the San Juan National Forest.

Purpose of and Need for Action

Purpose - the proposed trail would provide connectivity and loop opportunities utilizing existing trail segments (where possible) and would provide better route alignments that protect sensitive resources. Designating trails with cooperating organizations provides volunteer commitment to trail maintenance and increased connection between local communities and adjacent public lands by way of recreation opportunity, trail work and social outreach between volunteers.

Need – respond to requests from the Rico Trails Alliance and the San Juan Trail Riders for additional trails and associated non-motorized and motorized recreation opportunities.

Public Involvement and Consultation

In September 2019 the Rico Trails Project was listed on the Forest Service's Planning, Appeals and Litigation System website (Project #56748) and in the San Juan National Forest Schedule of Proposed Actions. An information meeting for the project was held on September 23, 2019 at the Dolores Public Lands Office

A draft EA was released, and a 30-day public comment period was initiated on February 25, 2020. In addition, a request for comment letter for the draft EA was sent to 51 individuals, government agencies and interest groups. A revised draft EA was released, and a 30-day public comment period was initiated on June 24, 2020. A request for comment letter for the revised draft EA was sent to 51 individuals, government agencies and interest groups.

The Final EA was developed and the Spring Creek Trail, Circle Trail, and Ryman Trail re-route components of Alternative 3 were considered separately in a Draft Decision Notice. An objection period for the Final EA and Draft DN of these trail components was conducted, and the Final Decision Notice was signed on January 8, 2021. The Finding of No Significant Impact (FONSI) for these trails is found in the Final EA.

Consultation with the U.S. Fish and Wildlife Service was initiated on October 25, 2019.

In accordance with 36 CFR Section 800.3(f) and Section 106 of the National Historic Preservation Act, consultation was conducted with 25 federally recognized Native American tribes. Formal letters initiating consultation for the project were mailed to all federally recognized tribes on February 25, 2020.

A Memorandum of Agreement (MOA) between the San Juan National Forest (SJNF) and the Colorado State Historic Preservation Officer (SHPO) was signed in June 2021 to mitigate adverse effects of the proposed Rio Grande Southern Trail to historic properties. MOA Stipulation IA requires Level II Documentation at three historic properties. MOA Stipulation IB requires interpretative material development be implemented within 4 years, including signage at the north and south trailheads for three historic properties and a web-based storyboard on the history of the Rio Grande Southern Railroad. Additionally, MOA IB requires one appropriate regulatory or trail etiquette sign be placed between the north and south trailheads. The MOA requires all mitigations be reviewed by the SHPO. MOA Stipulation IA must be satisfied prior to creation of the trail, and Stipulation IB must be completed prior to expiration of the MOA.

Decision

I have reviewed the EA and the information contained in the project file. I have also reviewed and considered the public comment submitted on this project. I have determined that there is adequate information to make a reasoned choice among alternatives. It is my decision to select and implement the new designated Rio Grande Southern Trail component as described in Alternative 3 - Proposed Action of the Final EA. This decision incorporates the stipulations of the 2021 MOA between the SJNF and SHPO to mitigate adverse effects to historic properties.

Specifics of the Decision

This decision designates one new 4.3 mile non-motorized trail with a new approximately 0.1 mile bridge route. The following is a summary of the general location and proposed use of the trail.

Rio Grande Southern Trail - the proposed Rio Grande Southern Trail would be designated for non-motorized use and would provide connection from the Town of Rico (from NFSR #422) to the existing Scotch Creek trailhead, and Salt Creek/Ryman trailhead. The proposed trail would generally follow the alignment of the former Rio Grande Southern rail line, parallel to, and west of, the Dolores River. A bridge crossing is proposed to provide access to Scotch Creek trailhead. The existing Montelores Bridge would provide access to the Salt Creek/Ryman trailhead. The proposed non-motorized trail would be approximately 4.3 miles in length, and the proposed new bridge route would be approximately 0.1 miles.

Design Elements

Cultural

1. If a previously undocumented historic property is discovered, or if inadvertent effects occur to a historic property, all work in the vicinity of the property shall cease and a SJNF archaeologist shall be notified immediately. The property shall be protected and project

activities in the immediate vicinity of the property shall not resume until any actions necessary to resolve adverse effects to the property have been completed.

2. Upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony, a SJNF archaeologist shall be immediately notified by telephone, with written confirmation. All project activities shall cease in the vicinity of the discovery, and the discovery shall be protected for 30 days, or until the contractor is given notice to proceed by a SJNF archaeologist

Hydrology and Soils

1. Select stream/ditch crossings that are hardened by gravel, cobble, or bedrock. If none exist or in the case of swales or ephemeral drainage crossings, use local material to manually harden trail crossings.
2. Establish crossings at right angles to streams/ditches, where the stream/ditch is relatively straight and shallow, and where stream/ditch banks do not exceed a 30% slope.
3. Use hand tools to construct trail inside riparian areas.
4. Refer to and follow all applicable best management practices (BMPs) for motorized and non-motorized trails (pages 91-93) outlined in FS-990a, *National Best Management Practices for Water Quality Management on National Forest System Lands*. These BMPs are critical to address erosion potential that would otherwise be high, as well as other concerns.
5. Route or reroute trail alignments to avoid wetland features. The recommended minimum buffer distance is equal to 2 times the maximum diameter of the wetland up to a maximum of 100 feet.
6. Avoid the wetland during proposed bridge construction at the Scotch Creek trail head.
7. Design trail to protect against slope failure.
8. Minimize potential for head-cutting and channel incision by ensuring application of BMPs in locations where trail alignments cross intermittent drainages.

Rangelands and Rare Plants

1. Ground disturbance activities associated with trail constructions should be limited to the footprint necessary for trail establishment. This generally occurs in a linear feature. Weed prevention and suppression efforts will continue to occur throughout the project area.
2. Continue to install trail cattleguards or turnstiles at all fence crossings to minimize the need for trail users to open and close gates. In instances where a cattleguard is not feasible, a swing gate may be installed.
3. Equipment shall be washed before entering a new area of project implementation.

Recreation

1. The project would be implemented according to trail management direction described in Forest Service Handbook 2309.15. Trails would be managed as a standard terra trail of

Trail Class 2 or 3, with allowed uses of Pedestrian, Pack and Saddle, and Bicycle for the non-motorized trail proposals. Design specifications associated with several types of trail use may be incorporated in order to effectively manage and maintain a trail segment. For example, trail management may include vegetation clearing limits associated with Pack and Saddle in order to allow safe passage for stock. These same trails might also incorporate some tread width, grade, and surface design elements from design parameters associated with bicycles. Additional information about trail management concepts is provided in Forest Service Handbook 2309.18.

2. Trails would be built with an eye towards sustainability, site specific resource protection and low-cost maintenance vs. steep, unsustainable trails that require frequent maintenance. In addition, sustainable trails can also be maintained by volunteers who are able to complete light maintenance activities with limited FS oversight.
3. This FS would continue partnership programs with local motorized, horse, hiking, and bike organizations to include trail maintenance, weed control and visitor education.
4. Monitor dispersed camping impacts while maintaining camping within 100 yards of a Forest System Road.
5. If funding is available, interpretive trail etiquette signs will be added that address all users including hikers, motorized users, horseback riders and mountain bike riders.
6. Install single track cattle guards and pedestrian gates where any trails cross fence lines.
7. Post "Please close gates" at locations where any trails cross fence lines.

Threatened, Endangered, Sensitive, and Species of Local Concern

1. Contact the district biologist if specific impacts to threatened, endangered, proposed, Region 2 sensitive species, or SJNF species of local concern and/or their habitats are identified prior to or during project implementation. Management of the project (e.g., timing restrictions or project boundary) may be adjusted as necessary to reduce impacts. The Region 2 sensitive species most likely to be present are Northern goshawk and Largeflower triteleia.

Vegetation and Fuels

1. If future vegetation management projects (timber or prescribed fire) occur within the proposed project area coordination between the SJNF Recreation, Fire, and Timber programs will occur prior to implementations. Temporary roads will be allowed to cross trails.

Wildlife

1. Survey for active raptor nests should be undertaken before constructing new sections of trails. If a raptor moves into an area near an existing designated trail, consult the SJNF Wildlife Biologist. Address new nests in accordance with Forest Plan Guideline 2.3.49 and Forest Plan Table 2.3.2.
2. The proposed trail use and management would conform with the Rico West Dolores Project Record of Decision, including the identified adaptive management options.

Rationale

Factors I considered in making my decision included the need for the action, analysis of impacts by Forest Service staff specialists, consequences of implementing the proposed action, consequences of *not* implementing the proposed action, best available science in the analysis and issues and public comments.

The proposed action builds on and continues the important collaboration between local interest groups, local government, and the Dolores Ranger District. These collaborations provide opportunity for community members to participate in trails management and gain appreciation of the hard work needed to maintain and improve trails. In addition, the proposed action utilizes existing travel corridors and trails, minimizing new impacts. The proposed action was also designed to utilize route alignments that reduce impacts to natural resources. The proposed action also fulfills the commitment identified in the Rico/West Dolores Travel Management Planning effort to consider these options at a later date in a separate analysis.

The proposed trails provide connectivity and loop opportunities which improve the recreation experience for all user groups. The proposed trails are relatively short segments that create larger loops that can be accessed from different locations which will spread out users and provide more opportunity for access to trail opportunities.

I closely considered comments that were received from the public. Some of the comments were incorporated into the preferred alternative, other comments were outside the scope of this analysis, but were provided to appropriate specialists for consideration during future project activities.

Finding of No Significant Impact

As the responsible official, I am responsible for evaluating the effects of the project relative to the definition of significance established by the CEQ Regulations (40 CFR 1508.13). I have reviewed and considered the EA and documentation included in the project record, and I have determined that the alternatives considered for the Rico Trails Project would not have a significant effect on the quality of the human environment. As a result, no environmental impact statement will be prepared. My rationale for this finding is as follows, organized by sub-section of the CEQ definition of significance cited above.

Context

For Alternative 2 and Alternative 3 (action alternatives) and the no action alternative, the context of the environmental effects is based on the analysis in this EA. Disclosure of effects in the EA may differ by the resource being analyzed and the scale of the analysis. The project is a site-specific action that does not have an international, national, region-wide, or state-wide importance. The discussion of significance criteria that follows is within the context of local importance in the Rico Trails Project analysis area.

This discussion of the project's context provides meaning to the intensity of effects described below to support the rationale for a finding of no significant impact related to each factor.

Intensity

Intensity is a measure of the severity, extent, or quantity of effects, and is based on information from the effects analysis of this EA and the references in the project record. The effects of this project have been appropriately and thoroughly considered with an analysis that is responsive to concerns and issues raised by the public. The Forest Service has taken a hard look at the environmental effects using relevant scientific information and knowledge of site-specific conditions gained from field visits. My finding of no significant impact is based on the context of the project and intensity of effects using the ten factors identified in 40 CFR 1508.27(b).

1. Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.

Both beneficial and adverse effects of the proposed action have been disclosed and considered. The effects analysis in the EA (pages 7-17) state that some indirect, direct, and cumulative effects are expected in the context of the analysis area. Design features have been agreed upon by the ID Team to ensure that effects to resources would not be significant

2. The degree to which the proposed action affects public health or safety.

Any potential for increases in recreation conflicts would be mitigated through implementation of Design Elements described above, such as trail design, education, and interpretation (EA pages 5-6). Implementation of these measures would reduce or eliminate potential effects on public health and safety.

3. Unique characteristics of the geographic area such as the proximity to historical or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

No actions would occur within or affect prime farmlands, wilderness areas, or wild and scenic rivers. The proposed project is consistent with the Colorado Roadless Rule because no road construction or tree cutting is proposed within designated roadless areas. Design elements have been included for hydrology and soil resources (EA pages 4-5). See below for a discussion of historical and cultural resources.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

Note: The term “controversial” in this context refers to cases where substantial scientific dispute exists as to the size, nature, or effects of a major Federal action on some human environmental factor, rather than to public opposition of a proposed action or alternative.

These types of trails have been constructed throughout the National Forest system for decades and their associated effects have been documented in the existing body of scientific literature. There is no evidence of any substantial scientific dispute regarding the size or nature of the effects.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The project is not unique on the San Juan National Forest. When professional experience is paired with the substantial body of literature on the subject, there is little uncertainty regarding effects.

6. The degree to which the action may establish precedent for future actions with significant effects or represents a decision in principle about a future consideration.

This is a stand-alone project and its associated actions would not set a precedent or make a decision in principle about future actions or considerations. Any new proposals for trails, similar to or entirely different from the proposed action, will be subject to further site specific evaluation and analysis as required under the National Environmental Policy Act.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

The effects of one project must overlap in time and space with the effects of other projects in order to produce a cumulative effect. The spatial and temporal scales considered for cumulative effects varied depending on the resource analyzed. No significant cumulative effects associated with the proposed action were identified for any resources, and when viewed together, no major effects are considered likely (EA pages 7-17).

8. The degree to which the action may adversely affect districts, sites, highways, structures, 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.

A cultural resources inventory of the proposed project's Area of Potential Effects was performed prior to project approval. Three historic properties were located along the proposed Rio Grande Southern Trail. After applying the criteria of adverse effect (36 CFR § 800.5(a)), the Dolores Ranger District determined that the construction, maintenance, and use of the Rio Grande Southern Trail, including anticipated increased visitation, may adversely affect all three historic properties and result in the physical destruction of all or part of each property (36 CFR § 800.5(a)(2)(i)). As a result, the DRD recommended a finding of adverse effect for the proposed activities along the Rio Grande Southern Trail in accordance with 36 CFR § 800.5(d)(2). Concurrence with this finding was received on May 19, 2020.

The MOA between SJNF and SHPO as described above will mitigate adverse effects of the proposed Rio Grande Southern Trail to historic properties. MOA stipulations will be implemented.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

Suitable habitat and individual Canada Lynx (federally threatened) species are present within the proposed project area. A Programmatic consultation concurrence was conducted with U.S. Fish and Wildlife Service (USFWS) for travel management authorizations on and a concurrence letter was issued from USFWS on 09/27/17 for proposed activities and the proposed project was determined to "not likely to adversely affect" Canada Lynx. (TAILS # 06E24100-2017-I-0070). In addition, for the project analysis, a Southern Rockies Lynx Amendment-Canada Lynx Decision Screen was conducted for the construction of trails and a Not Likely to Adversely Affect determination was made based on Screen # 6 (See Biological Assessment Appendix A).

There are no other federally listed wildlife species that have habitat or known occurrences within the analysis area. Since there are no federally listed threatened or endangered plant species known or suspected to occur in the project area, and there is no habitat for these species in the

project area, a determination of “**no effect**” was reached for federally listed species, besides Canada Lynx. Based on the no effect and not likely to adversely affect determination, consultation with the U.S. Fish and Wildlife Service was not required for this project.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

This action complies with Federal laws imposed for the protection of the environment. Local County and Town of Rico officials were consulted and no conflict with local land use plans was identified.

Implementation

No objections were received during the objection resolution period. Implementation may begin after Stipulation IA of the MOA between the SJNF and SHPO is satisfied.

Responsible Official

The District Ranger of the Dolores Ranger District of the San Juan National Forest is the official responsible for the final decision for the Rico Trails Project.