



COLORADO

Parks and Wildlife

Department of Natural Resources

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December 23, 2022

San Juan National Forest
Dolores Ranger District
Attention: Derek Padilla - District Ranger
29211 Highway 184
Dolores, CO 81323

RE: Dolores Recreation Access and Infrastructure Improvement Project # 62583 Draft
Environmental Assessment

Dear Derek,

Colorado Parks and Wildlife (CPW) appreciates the opportunity to review and provide comments on the Dolores Recreation Access and Infrastructure Improvement Project Draft Environmental Assessment (EA) in Montezuma County, CO. The proposed action is located on the Dolores Ranger District of the San Juan National Forest, in three discrete locations, including the Boggy Draw trail system, the Transfer Horse Campground Horse Corral, and Forest Service Road 385. The proposed action would expand one parking lot, construct three new parking lots, install two bathrooms, reroute approximately 4.6 miles of non-motorized trail, construct approximately 4,400 feet of new non-motorized trail, and redesignate approximately 11.4 miles of existing off-highway vehicle trail to permit vehicles up to 62 inches in width. The purpose of the trail reroutes is to resolve an objection to the Salter Vegetation Management Project (November 2021). Numerous wildlife species utilize the proposed project area and its direct surrounding habitats, including big game species such as deer, elk, and bear; small game species such as turkey and coyote; and non-game species such as small mammals, songbirds, and raptors. CPW offers these comments regarding potential conflicts with wildlife in the area of the proposed project.

Raptors

CPW is concerned about the displacement of breeding raptors with the proposed new trail and infrastructure construction, non-motorized trail reroutes, and the redesignation of motorized trails. There is an established body of evidence that human activities and habitat alteration in close proximity to raptor nest sites may adversely impact nest success (Oxley et al. 1974, Scott 1985, Knight and Skagen 1988, Homes et al. 1993, Schomburg 2003, Fuller 2010). Many raptor species return to the same nest locations annually, making their annual breeding success



sensitive to direct and inadvertent human disturbance and habitat alteration at existing nest sites (Megown et al. 2007).

CPW recommends that surveys for breeding raptors be completed prior to trail and parking lot construction or trail redesignation. Raptor surveys are being recommended in the OHV trail redesignation due to the need to widen the trail with heavy equipment. All surveys should take place during the raptor breeding season and be conducted for the entire surrounding 0.5 miles of the proposed trail reroutes, new trail construction, infrastructure construction, and trail redesignations. This recommendation is intended to avoid “incidental take” under the Migratory Bird Treaty Act (MBTA) and to comply with the Standards set forth in the San Juan Land and Resource Management Plan (March 2021). The MBTA defines “incidental take” as the taking or killing of migratory birds that results from, but is not the purpose of, an activity. Additionally, avoidance buffers and timing limitations for any active raptor nests within the project area can be found within CPW’s published [Recommended Buffers and Seasonal Restrictions for Colorado Raptors \(2020\)](#).

Boggy Draw Trail System - Non-motorized Trail Reroutes

The stated purpose of the EA is to construct trail reroutes to relocate trails off of timber sale or FS Level 1 roads as part of a settlement agreement on a timber sale unit. In our review of the EA, we could not locate a detailed map showing these haul route/level 1 road alignments in reference to the proposed trail reroutes. Without a detailed map we cannot evaluate if:

- The existing trails currently align with, are adjacent to, or are in close proximity with existing haul route/level 1 roads,
- If the planned trail reroutes avoid alignment or are in close proximity to planned haul route/level 1 road alignments, or
- If the reroute will achieve the desired results that were negotiated during the objection period of the Salter Vegetation Management Project.

CPW recommends that the EA be modified to include an accurate map, at sufficient scale and detail, for the public to assess which would aid in determining if the reroutes will achieve the intended purpose and need of the proposed action. CPW approved grant funds for Boggy Draw Trail Expansion in April of 2019. This grant was used to build over 20 miles of new trail including the Shush Bekeen Trail (formally known as the Nth Trail). Under the proposed action, this trail will undergo a significant reroute. Given CPW's investment in this trail, it comes as a disappointing and unfortunate turn of events. We encourage the FS to consider forgoing these reroutes as grant funding could have supported other projects that would have proven more durable and sustainable.

In our review of the EA, we did not see a discussion on how existing trails would be decommissioned and rehabilitated. CPW recommends that all trail segments receiving reroutes are reclaimed and deterrence measures put in place to prevent future use. Please include a reclamation plan for all decommissioned trail segments in the final EA. In addition, in order to prevent users from creating trails on Level 1 roads and logging haul routes, all logging routes should be seeded after use and deterrence measures should be put in place to prevent future motorized and mechanized use from occurring. Invasive weeds typically flourish following surface disturbance, and active weed management should also be incorporated during and after the lifespan of the proposed actions. CPW can provide, upon request, a recommendation for a seed mixture for reclamation activities.

Redesignation of Motorized Trails

The Draft EA proposes to redesignate approximately 11.4 miles of existing off-highway vehicle trails to permit vehicles up to 62 inches in width. This change in use will result in larger class vehicles traveling this trail network. CPW is concerned that the proposed action will increase both the duration and intensity of noise on the landscape. Foppen and Rieijnen (1994) found that the number of nesting birds increased as distance from roads increased, demonstrating that nesting birds are displaced by motorized travel. In our review, the EA does not disclose the effects resulting from this change in environmental conditions and the potential impacts to nesting and breeding birds as well as other wildlife. There is an extensive body of literature that examines the impacts of increased anthropogenic noise on wildlife (Bayne et al. 2008, Reijnen et al. 1995, Richardson and Miller 1997, Whittaker and Knight 1998). Please evaluate the impacts of this change in environmental conditions on nesting birds and wildlife.

In addition, CPW is concerned that this redesignation will add an additional burden to the limited law enforcement resources of CPW and USFS, which will result in a lack of compliance. CPW recommends that the EA address how this redesignation will be enforced and assess the need for additional USFS law enforcement personnel.

Parking Lot Expansion and Construction and Bathroom Installation

CPW does not have any additional comments in reference to the proposed parking lot construction and expansion and bathroom installations.

Thank you for the opportunity to comment on this proposed project. If you have any questions concerning these comments, please feel free to contact Dolores District Wildlife Manager Matt Sturdevant at 970-749-1435 or matt.sturdevant@state.co.us.

Sincerely,



Adrian Archuleta
Area Wildlife Manager- Durango, CO

Cc: SW Region File; Area 15 File; DWM: Matt Sturdevant; DWM: Andy Brown; SW Region Land Use Coordinator: Peter Foote

References

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