United States Department of the Interior  
Bureau of Land Management  

Categorical Exclusion  
for  
Gunnison Gulch Route Gate  

Dominguez-Escalante National Conservation Area  
2815 H Road  
Grand Junction, Colorado 81506

DOI-BLM-CO-S090-2018-0002-CX  

August 2018
The Bureau of Land Management is responsible for the stewardship of our public lands. It is committed to manage, protect, and improve these lands in a manner to serve the needs of the American people for all times. Management is based on the principles of multiple-use and sustained yield of our nation’s resources within a framework of environmental responsibility and scientific technology. These resources include recreation, rangelands, timber, minerals, watershed, fish and wildlife, wilderness, air, and scenic, scientific, and cultural values.
INTRODUCTION:
BLM law enforcement has reported numerous boundary violations in which off-highway vehicles (OHV) have entered Dominguez Canyon Wilderness Area along the Historic Pack Trail of the Gunnison in Dominguez-Escalante National Conservation Area. Motorized vehicles are prohibited in federally designated wilderness under section 4(c) of the Wilderness Act (16 U.S.C. 1131-1136). The use of motor vehicles in wilderness diminishes the wilderness qualities of the undeveloped nature of wilderness, and opportunities for solitude. The 2017 Dominguez-Escalante National Conservation Area (D-E NCA) Resource Management Plan directs the BLM to preserve, protect, or enhance the qualities of wilderness character in the Dominguez Canyon Wilderness (WIL-GOAL-01).

This project would improve wilderness character in Dominguez Canyon Wilderness by restricting motorized access along a former motorized route, Route ID DE-576. The route is designated as open for administrative use, and open to foot and horse travel on the 2017 Dominguez-Escalante Approved Travel Management Plan (TMP). The route intersects with the Historic Route of the Gunnison Pack Trail, a hiking trail in the wilderness with a primary objective of providing recreation experience using propulsion by foot and/or stock animal. Ongoing monitoring has shown evidence of OHV use extending into the wilderness to points up to seven miles towards the Gunnison River.

LEGAL DESCRIPTION:
New Mexico PM, T. 51 N., R. 14 W., sec. 10, E½

APPLICANT:
Bureau of Land Management

DESCRIPTION OF PROPOSED ACTION:
The Proposed Action is to install a gate along route DE-576 in D-E NCA (designated as administrative use, open to foot and horse travel) to prevent the passage of motor vehicles into Dominguez Canyon Wilderness. The gate will be located at approximately 38.69506 N x 108.4175 W (see Figure 1), in a location where existing topography can prevent motorists from circumventing along the sides of the route. The gate would include a pass through to allow for foot and horse travel. All permittees that have historically used this route for livestock grazing operations will still have access both by horseback and motorized means. Wing fencing would be installed extending from the gate perpendicular to the route for up to 30 feet to the southeast (towards the Wilderness boundary), and up to 100 feet to the northwest. Existing downed vegetation would be placed along the periphery of DE-570 to prevent motorized vehicles from traveling cross-country to access the route (see map below for route locations).
Figure 2. Proposed gate location along route DE576

PLAN CONFORMANCE REVIEW:
The Proposed Action is subject to and has been reviewed for conformance with (43 CFR §1610.5, BLM §1617.3) the following plan:

Name of Plan: Dominguez-Escalante National Conservation Area Resource Management Plan

Date Approved: January, 2017

Decision Number/Page: TRV-OBJ-01/page 68, TRV-MA-01/page 68, and WIL-GOAL-01/page 76.

Decision Language:

TRV-OBJ-01: Manage the D-E NCA’s route system to meet objectives for the purposes of the D-E NCA (including recreation), while allowing continued use of the D-E NCA for livestock grazing, land authorizations and access to non-Federal property.
TRV-MA-01: Designate the Dominguez Canyon Wilderness as closed to off-highway vehicle (OHV) use.

WIL-GOAL-01: Preserve, protect, or enhance the qualities of wilderness character in the Dominguez Canyon Wilderness.

CATEGORICAL EXCLUSION REVIEW:
The proposed action qualifies as a categorical exclusion under H-1790-1, Appendix 4, Letter G. Transportation, and Number 2. When no extraordinary circumstances apply, the following types of Bureau actions normally do not require the preparation of an Environmental Assessment or Environmental Impact Statement: “Installation of routine signs, markers, culverts, ditches, waterbars, gates, or cattleguards on/or adjacent to roads and trails identified in any land use or transportation plan, or eligible for incorporation in such plan.”

EXTRAORDINARY CIRCUMSTANCES
There are no extraordinary circumstances having effects, which may significantly affect the environment. I considered the following resource conditions in determining whether extraordinary circumstances related to the proposed action warranted further analysis and documentation in an EA or EIS (516 DM 2, Appendix 2):

1. **Have significant adverse effects on public health and safety.**

   The proposed action is not expected to impact public health and safety because it involves installing a gate along a route that not open to motorized use, and would prevent the use of motor vehicles in areas where motor vehicles are prohibited.

2. **Have adverse effects on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands, floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.**

   Historic and Cultural Resources: A cultural resource inventory has been completed for the gate location to comply with Section 106 of the Nation Historic Preservation Act. No cultural resources were located within the project area.

   Wilderness Characteristics: The areas was inventoried for wilderness characteristics as part of the 2012 Dominguez-Escalante National Conservation Area Updated Inventory of Lands with Wilderness Characteristics. The report concludes that the area of the Proposed Action does not contain wilderness characteristics.

   Migratory Birds: Construction of the fence will be completed outside of May 15 to July 15 to mitigate potential impacts to nesting migratory birds.
Wildlife: This project is in bighorn sheep, elk, and mule deer habitat but the relatively small nature of the barrier (up to 130 feet) is not expected to significantly hinder the movement of wildlife.

3. **Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.**

The impacts from installing gates along routes are generally well known and not likely to be controversial.

4. **Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.**

The proposed gate that is similar to many existing gates in the region and pose no unique or unknown risks.

5. **Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.**

This decision is like one of many that have previously been made and will continue to be made by BLM responsible officials regarding installing gates on public lands. The decision is within the scope of the Resource Management Plan, and is not expected to establish a precedent for future actions. The decision does not represent a decision in principle about a future consideration.

6. **Be directly related to other actions with individually insignificant but cumulatively significant environmental effects.**

This is a stand-alone project. There are no projects with significant environmental impacts known to BLM that would result directly or indirectly from the installation of this gate.

7. **Have adverse effects on properties listed, or eligible for listing, in the National Register of Historic Places.**

No historic properties are located within the project area.

8. **Have adverse effects on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.**

There are no listed or proposed species, or critical habitat that overlap with this project.

9. **Have the potential to violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.**

This decision complies with other Federal, State, or local laws and requirements imposed for the protection of the environment.
10. Have the potential for a disproportionately high and adverse effect on low income or minority populations.

The City of Delta is the closest municipality to the proposed project area. According to American Community Survey data, median household income in Delta County is $42,011, which is 67% of the statewide median. Although the relative income of Delta County residents is lower than the statewide average, the proposed project is ambiguous to any specific income profile, and would not have an adverse effect on low-income populations.

Minority populations of Delta, Mesa, and Montrose Counties are low relative to statewide averages, and these populations are dispersed throughout these counties. Therefore, minority populations would not suffer disproportionately because of the Proposed Action.

11. Restrict access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites.

The proposed action would not restrict access and ceremonial use of sacred sites for American Indian practitioners. There are no known sacred sites present in the proposed area.

12. Significantly, contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.

BLM does not expect this project to contribute to invasive species infestation.
### INTERDISCIPLINARY REVIEW:

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<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Area of Responsibility</th>
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<tbody>
<tr>
<td>Alissa Leavitt- Reynolds</td>
<td>Archaeologist</td>
<td>Cultural Resources, Native American Religious Concerns</td>
</tr>
<tr>
<td>Matt Heinritz</td>
<td>Park Ranger</td>
<td>Wilderness, Wild &amp; Scenic Rivers, WSA, NHT, VRM, Wilderness Characteristics</td>
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<tr>
<td>Dan Ben-Horin</td>
<td>National Conservation Lands Specialist</td>
<td>Wilderness Characteristics</td>
</tr>
<tr>
<td>Nikki Hoffman (NCA)</td>
<td>Wildlife Biologist</td>
<td>T&amp;E Species, Migratory Bird Treaty Act, Terrestrial &amp; Aquatic Wildlife, Land Health Assessment, Special Status Plants, Riparian and Wetlands Range</td>
</tr>
<tr>
<td>Lynae Rogers</td>
<td>Rangeland Management Specialist</td>
<td>NEPA Coordination</td>
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<tr>
<td>Jedd Sondergard</td>
<td>Hydrologist</td>
<td>NEPA Coordination</td>
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**NAME OF PREPARER:** Dan Ben-Horin  

**NAME OF ENVIRONMENTAL COORDINATOR:** Jedd Sondergard  

**DATE:**
INTRODUCTION
In order to prevent motor vehicle use in Dominguez Canyon Wilderness, the Bureau of Land Management would like to install a gate near the wilderness boundary along a hiking and equestrian route in Dominguez-Escalante National Conservation Area.

DECISION:
I have reviewed this document and have decided to implement the Gunnison Gulch Route Gate as described above in the Proposed Action. This project is categorically excluded from documentation in an EA or EIS under H-1790-1, Appendix 4, Letter G. Transportation, and Number 2.

RATIONALE:
This action is listed in the National Environmental Policy Act Handbook as an action that may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that no extraordinary circumstances exist.

This project would restrict motorized access into Dominguez Canyon Wilderness, thus improving wilderness character. The route identified for the placement of the gate is designated as open for administrative use, open to foot, horse travel on the 2017 Dominguez-Escalante Approved Travel Management Plan (TMP), and intersects with the Historic Route of the Gunnison Pack Trail, a hiking trail in the wilderness with a primary objective of providing recreation experience using propulsion by foot and/or stock animal.

PUBLIC INVOLVEMENT:
Internal scoping for the project included discussion of the project with BLM Dominguez-Escalante NCA staff and presentation at a BLM Uncompahgre Field Office interdisciplinary meeting (IDT).

PLAN CONSISTENCY:
Based on information in the CX, the project record, and recommendations from BLM specialists, I conclude that this decision is consistent with the 2017 Dominguez-Escalante Resource Management Plan, the Endangered Species Act, the Native American Religious Freedom Act, other cultural resource management laws and regulations, the Migratory Bird Treaty Act, the Clean Water Act, the Clean Air Act, the National Historic Preservation Act, Executive Order 12898 regarding
Environmental Justice, and Executive Order 13212 regarding potential adverse impacts to energy
development, production, supply and/or distribution.

ADMINISTRATIVE REMEDIES:
Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional Solicitor, Rocky Mountain Region, 755 Parfet Street, Suite 151, Lakewood, Colorado 80215.

Collin Ewing
National Conservation Area Manager
Dominguez-Escalante National Conservation Area

Date 8/19/18