

**National Park Service
U.S. Department of the Interior**

**Black Canyon of the Gunnison National Park
Curecanti National Recreation Area
Colorado**



FINDING OF NO SIGNIFICANT IMPACT

December 2022

**Wilderness and Backcountry Management Plan/
Environmental Assessment**

**Black Canyon of the Gunnison National Park
Curecanti National Recreation Area**

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BACKGROUND

Black Canyon of the Gunnison National Park (Black Canyon of the Gunnison NP) and Curecanti National Recreation Area (Curecanti NRA) offer opportunities for high-quality backcountry and wilderness resources and experiences. Concentrated visitor use within portions of the inner canyon (the area below the canyon rims to the Gunnison River) requires attention and planning to ensure that wilderness and backcountry experiences and resources remain available for the enjoyment of future generations.

The Black Canyon of the Gunnison Wilderness (hereinafter referred to as wilderness) possesses unique qualities of wilderness character and opportunities that could be impaired without the foresight of good planning and future management. Similarly, clear management direction is needed for the Curecanti NRA backcountry, with terrain from East Portal to Morrow Point composed of a scenic, rugged, natural, and remote landscape. The backcountry land base of Curecanti NRA is often overshadowed by attention to water-based recreation, and the recreation area has unrealized opportunities to improve land-based natural and cultural resource conditions and enhance visitor experiences.

The Black Canyon of the Gunnison National Park/Curecanti National Recreation Area Wilderness and Backcountry Management Plan (plan) provides an integrated framework for decision making for the stewardship of wilderness and backcountry lands of Black Canyon of the Gunnison NP and the backcountry of Curecanti NRA. The wilderness and backcountry management plan includes an updated and comprehensive evaluation of commercial services, updated management zoning, a climbing management plan, resource condition monitoring strategy, and identified visitor capacities for all use areas in the backcountry and wilderness.

The National Park Service released a draft plan and environmental assessment (EA) for public review on June 21, 2022, via the project website and through a press release sent to the park's listserv. The National Park Service announced a 30-day public comment period and then extended the comment period to 44 days (June 21–August 4, 2022) in response to requests for additional time. Summaries of the general comments received and responses by the National Park Service are provided in the “Public Comments and NPS Responses” attachment.

SELECTED ACTION AND RATIONALE FOR DECISION

The National Park Service has selected the NPS proposed action (preferred alternative) from the plan/EA for implementation. The selected alternative best meets the purpose and need for action without causing significant impacts on park resources. The selected alternative updates management zoning to reflect wilderness management and desired resource conditions as well as general management strategies by zone. The selected alternative also includes guidance related to climbing management, campsite management, removal of unnecessary structures in wilderness and backcountry portions of the parks, wilderness character and resource monitoring, visitor capacities, and a commercial service analysis. Together, these management actions and strategies will enhance public understanding of wilderness character and backcountry values and will restore, preserve, and enhance wilderness character and backcountry resources.

Other alternatives considered are described in part 2, chapter 2 and appendix F of the plan/EA.

Management Zoning and Desired Conditions

Under the selected alternative, new, updated management zoning and desired conditions will guide management of wilderness and backcountry at Black Canyon of the Gunnison NP and backcountry at Curecanti NRA (table 1). At Black Canyon of the Gunnison NP, the zoning changes entail differentiation of wilderness versus backcountry as well as unique management guidance for the inner canyon versus the uplands. Zoning is updated to include three zones and five subzones based on factors such as geology/terrain and resource sensitivity in those areas (figure 1). At Curecanti NRA, updated zoning now differentiates between the eastern and western portions of the recreation area. The eastern portion will be managed for open and secluded desired conditions, while the western portion of the recreation area will be managed for remote and rugged experiences (figure 2). A small area within the southeastern portion of Black Canyon of the Gunnison NP is zoned and managed to meet the desired conditions for the East Portal–Morrow Point backcountry zone; however, most of this updated management zone falls within Curecanti NRA. This is the only case where a management zone spans both units.

See part 1, chapter 2 of the plan/EA for detailed descriptions of updated management zones and associated desired conditions. General management strategies for each zone are described in part 1, chapter 3.

Table 1. Updated Wilderness and Backcountry Management Zones for Black Canyon of the Gunnison National Park and Curecanti National Recreation Area

National Park System Unit	Management Zones	Subzones
Black Canyon of the Gunnison National Park (NP)	Inner Canyon Wilderness Zone	<ul style="list-style-type: none"> • Inner Canyon Primitive Wilderness Subzone • Inner Canyon Pristine Wilderness Subzone
Black Canyon of the Gunnison NP	Uplands Zone	<ul style="list-style-type: none"> • Uplands Backcountry Subzone • Uplands Primitive Wilderness Subzone • Uplands Pristine Wilderness Subzone
Black Canyon of the Gunnison NP	Gunnison Gorge Interface Wilderness Zone	<ul style="list-style-type: none"> • Not applicable (no subzones defined)
Black Canyon of the Gunnison NP	East Portal–Morrow Point Backcountry Zone	<ul style="list-style-type: none"> • Not applicable (no subzones defined)
Curecanti National Recreation Area (NRA)	East Portal–Morrow Point Backcountry Zone	<ul style="list-style-type: none"> • Not applicable (no subzones defined)
Curecanti NRA	Blue Mesa Backcountry Zone	<ul style="list-style-type: none"> • Not applicable (no subzones defined)

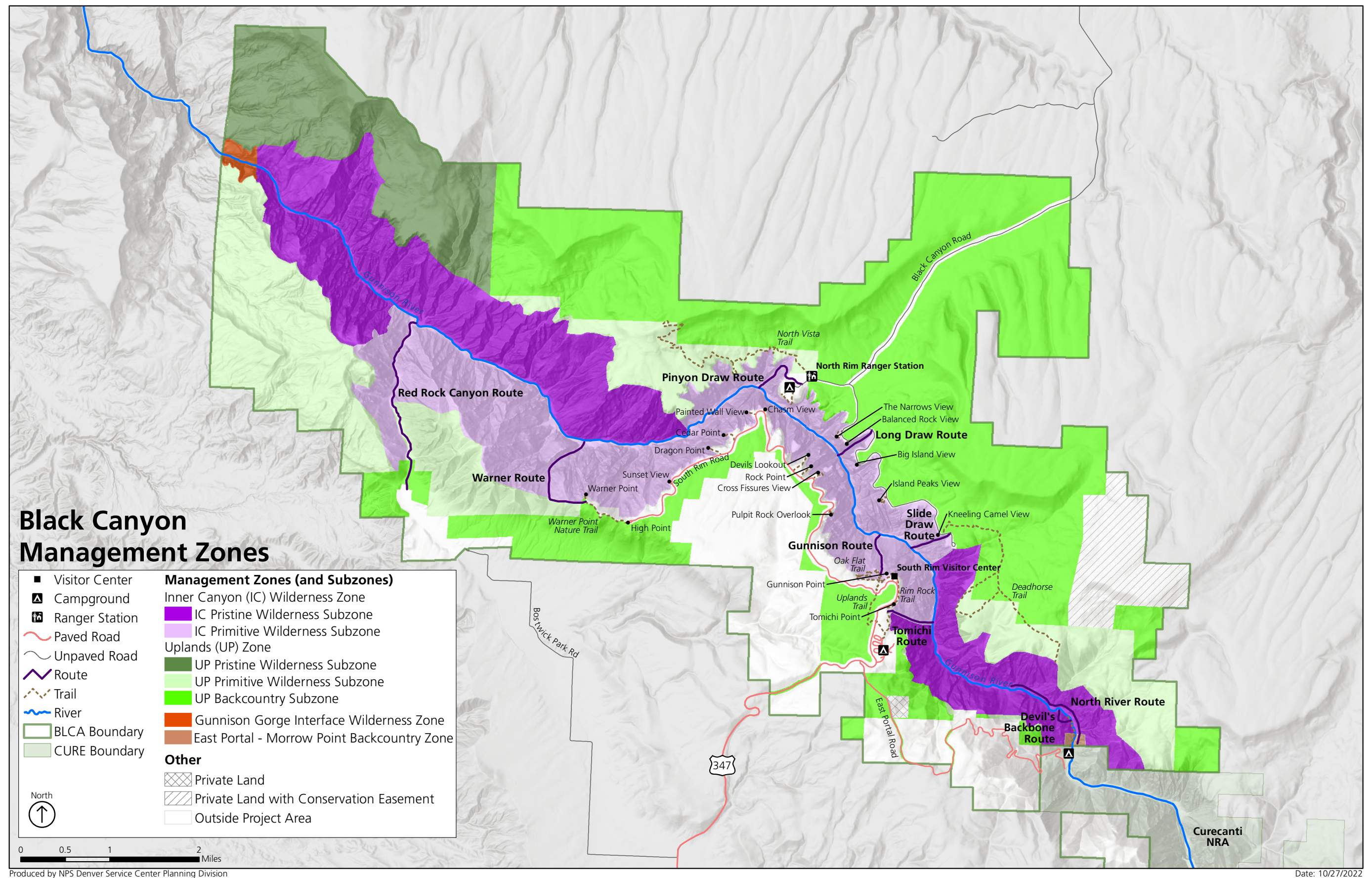


Figure 1. Black Canyon of the Gunnison National Park Updated Management Zones (2022)

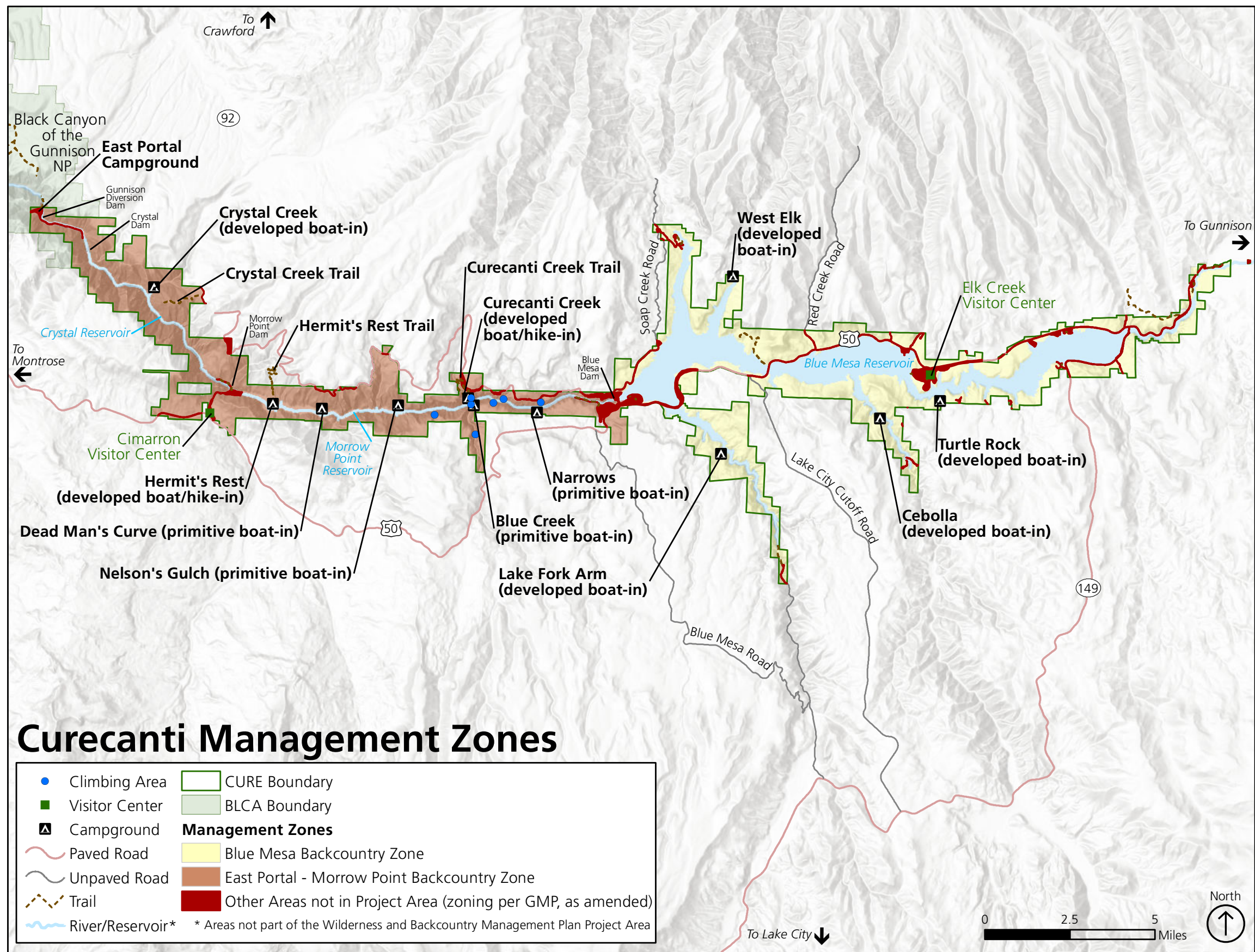


Figure 2. Curecanti National Recreation Area Updated Management Zones (2022)

Permit Systems

Wilderness use permits will continue to be required for all visitors traveling into the inner canyon for day use, overnight use, fishing, and climbing at Black Canyon of the Gunnison NP. The current access permit system, with a maximum number of people per day at each route (access point), will be continued along with a set of measures and standards for adaptively managing the system to support the visitor capacities in part 1, chapter 6 of plan/EA. If capacities for the inner canyon routes are exceeded, management strategies include increasing patrols to ensure compliance with the permit system and reevaluating and reducing capacities if encounter rate standards are exceeded.

The National Park Service will continue to issue backcountry use permits to monitor use of campsites along the shore of Morrow Point Reservoir at Curecanti NRA. If use levels increase in the future, the National Park Service may expand the backcountry use permits to manage additional backcountry locations such as trails, campsites, and climbing areas.

The National Park Service will evaluate an online permitting system to manage additional backcountry locations, such as trails, campsites, and climbing areas using backcountry use permits, through Recreation.gov. If wilderness permits and/or use permits are transferred to an online system, the park will develop exemption protocols for groups that are overly impacted by transitioning to an online system (e.g., those with limited access to technology, those without a credit card, those with accessibility considerations, tribal use by Native Americans) to support equity.

Climbing Management

The National Park Service will adopt the climbing management plan presented in part 1, chapter 4 of the plan/EA, as revised in response to public comments. Consistent with long-standing NPS policy (Director's Order 41: *Wilderness Stewardship*, 2013), the climbing management plan includes an application process for requesting the placement of new fixed anchors or equipment or the planned replacement of existing fixed anchors or equipment. Climbers will be required to submit a written request and receive NPS authorization to install new fixed equipment prior to first ascent. Consistent with definitions in long-standing NPS guidance (NPS Reference Manual 41: *Wilderness Stewardship*),¹ fixed equipment and anchors are considered installations in wilderness, and therefore, requests for new fixed equipment and anchors in Black Canyon of the Gunnison Wilderness will be subject to a minimum requirements analysis (MRA) before NPS approval; planned replacements of existing fixed equipment are also subject to a minimum requirements analysis unless the original placement or previous replacements were evaluated and authorized through a programmatic- or application-specific minimum requirements analysis. Existing fixed anchors may continue to be used; however, the park will evaluate all routes with fixed anchors as soon as possible through either area- or route-specific minimum requirements analysis(es). In the interim, climbers may make emergency replacements of individual fixed anchors posing a legitimate safety concern without authorization to facilitate an exit from the climb in the safest and most expeditious manner possible. If possible, the replacement fixed anchor should be in the same hole as the

¹ NPS Reference Manual 41 defines installation as "Anything made by humans that is not intended for human occupation and is left unattended or left behind when the installer leaves the wilderness."

original. The climbing plan continues to allow for seasonal closures (March–July) in climbing areas that have confirmed raptor nests.

Campsite Management

The National Park Service will delineate wilderness campsites in the Black Canyon inner canyon primitive wilderness subzone using natural materials and nonmotorized hand tools. Campsite locations will be included on maps for easier locating, and visitors will choose a campsite based on what is available when they arrive at the designated sites. Delineated campsites in designated wilderness will be monitored to ensure that natural qualities are maintained or improved and to provide solitude by ensuring adequate distance between campsites, and visitors will be allowed to select any site they find vacant.

“Unendorsed/undesigned campsites” affected by previous use will be restored to natural conditions. To minimize impacts on the wilderness character quality of primitive and unconfined recreation, the National Park Service will not assign individual sites to visitors in this subzone.

Wilderness campsites in the proposed inner canyon pristine wilderness subzone will remain undesignated and available on a first-come, first-served basis. However, the National Park Service encourages visitors to camp no longer than one night maximum in one spot as one way of educating visitors about Leave No Trace principles.

Visitor-Created Trail Restoration

A programmatic restoration strategy created in response to a growing number of visitor-created trails, also called informal trails or social trails, is described in appendix C of the plan and EA. The appendix provides criteria to evaluate informal trails for removal and tools/techniques that may be used for restoration: vertical mulch/dead planting, soil preparation, revegetation, physical barriers, and/or preventative NPS presence and education. The appendix also evaluates each technique’s appropriateness in designated wilderness. The park will be able to programmatically complete compliance for the tools and techniques outlined in the appendix on areas presurveyed for cultural resources or not involving any potential for ground disturbance. All other restoration work requires individual compliance with the State Historic Preservation Office.

Removal of Unnecessary Structures and Restoration in Backcountry and Wilderness

The National Park Service will expand the types of unnecessary structures being removed in the Black Canyon of the Gunnison Wilderness and Curecanti backcountry to include irrigation systems and will also restore two-track roads and livestock trailing routes. Unnecessary underground water infrastructure will be removed with motorized equipment such as a front-end loader tractor. Livestock trailing restoration will involve similar techniques and methods as visitor-created trail restoration. Restoration will likely employ hand tools, vertical mulch/dead planting, soil preparation, revegetation, and physical barriers (natural materials). Two-track road restoration methods will be similar to livestock trailing; however, restoration may require motorized equipment such as tractors to remove culverts, recontour soils, and return to natural drainage. For any prohibited uses in wilderness, these actions will be evaluated, documented, and implemented if, appropriate, using the MRA process.

Wilderness Character and Visitor Use Monitoring

The selected alternative follows interagency wilderness character monitoring guidance and the Interagency Visitor Use Management Council Framework and guidebooks to establish monitoring measures, resource condition standards, and visitor capacities for wilderness and backcountry visitor use areas. The standards to be monitored at Black Canyon of the Gunnison NP and Curecanti NRA are described in part 1, chapter 5.

Twenty-six analysis areas were identified for Black Canyon of the Gunnison NP, and 22 were identified for Curecanti NRA, as seen in the following tables. Analysis areas include trails, the Big 7 routes, climbing areas, and some overnight campsites and dispersed camping areas. Estimated current use levels are based on best information available including NPS visitor use statistics, the Black Canyon of the Gunnison NP wilderness use permit system, wilderness entry forms completed by NPS staff, Curecanti NRA backcountry use permit system, and commercial use authorization (CUA) reporting. For every analysis area, park staff noted that current use levels are achieving desired conditions for resources and visitor experiences; therefore, all visitor capacities identified as part of this plan either maintain current estimated use levels or allow for an increase in the number of individuals in one day.

Table 2. Black Canyon of the Gunnison NP Inner Canyon Hiking Routes Visitor Capacities

ID	Analysis Area	Current Use Levels	Identified Visitor Capacity
1	Pinyon Draw	23 people in one day (PIOD)	23 PIOD
2	Long Draw	8 PIOD	8 PIOD
3	Slide Draw	11 PIOD	11 PIOD
4	Red Rock Canyon	15 PIOD	15 PIOD 12 people for overnight use
5	Warner	23 PIOD	23 PIOD
6	Gunnison	15 PIOD	15 PIOD
7	Tomichi	9 PIOD	9 PIOD
8–9	East Portal Routes (North River and Devil's Backbone)	8 PIOD	16 PIOD

Table 3. Black Canyon of the Gunnison NP (BLCA) Inner Canyon Climbing Areas Visitor Capacities

ID	Analysis Area	Current Use Levels	Identified Visitor Capacity
10	BLCA Climbing Area 4 (Cruise Gully)	15–30 climbers per day on peak weekend days	20 PIOD
11	BLCA Climbing Area 2 (Guppy Gully)	Low (10–15 climbing parties annually)	4 PIOD or 2 climbing parties per day
12	BLCA Climbing Area 5	Low (10–20 climbing parties annually)	4 PIOD or 2 climbing parties per day
13	BLCA Climbing Area 1	Low (0–20 climbing parties annually)	4 PIOD or 2 climbing parties per day

ID	Analysis Area	Current Use Levels	Identified Visitor Capacity
14	BLCA Climbing Area 12 (Chillumstone Gully)	Low (8–12 climbing parties annually)	4 PIOD or 2 climbing parties per day
15	BLCA Climbing Area 8 (Cedar Point Gully)	Low (approx. 5 climbing parties annually)	4 PIOD or 2 climbing parties per day
16	BLCA Climbing Area 7 (Dragon Point Gully)	Low (approx. 5 climbing parties annually)	4 PIOD or 2 climbing parties per day
17	BLCA Climbing Area 13 (Echo Canyon Gully)	Very low (1 climbing party every 5 years)	4 PIOD or 2 climbing parties per day
18	BLCA Climbing Area 3 (Rock Point Gully)	Very low (approx. 1 climbing party annually)	4 PIOD or 2 climbing parties per day
19	BLCA Climbing Area 9	Low (approx. 5 climbing parties annually)	4 PIOD or 2 climbing parties per day
20	BLCA Climbing Area 10 (Alimony Gully)	Low (approx. 8–10 climbing parties annually)	4 PIOD or 2 climbing parties per day

Table 4. Black Canyon of the Gunnison NP (BLCA) Ice Climbing Areas Visitor Capacities

ID	Analysis Area	Current Use Levels	Identified Visitor Capacity
21	BLCA Climbing Area 11 (Headquarters Ice Climb)	Dependent on ice formation (approx. 0–4 climbing parties annually)	1 climbing party at a time
22	BLCA Climbing Area 14 (Shadow Fax Ice Climb)	Dependent on ice formation (approx. 2–4 climbing parties annually)	1 climbing party at a time

Table 5. Black Canyon of the Gunnison NP Trails Visitor Capacities

ID	Analysis Area	Current Use Levels	Identified Visitor Capacity
23	North Vista Trail	Up to 50 PIOD on busy weekends	50 PIOD
24	Dead Horse Trail	Low (approx. 3 hiking parties weekly, 1–2 equestrian parties annually)	20 PIOD
25	Oak Flat Trail	Approx. 80 PIOD	80 PIOD

Table 6. Black Canyon of the Gunnison NP Gunnison Gorge Interface Zone Campsite Visitor Capacity

ID	Analysis Area	Current Use Levels	Identified Visitor Capacity
26	Margaritaville Campsite	Approx. 30–60 visitors annually	16 PIOD

Table 7. Curecanti NRA Trails Visitor Capacities

ID	Analysis Area	Current Use Levels	Identified Visitor Capacity
1	Crystal Creek Trail	Approx. 2–4 PIOD	50 PIOD
2	Hermit’s Rest Trail	Approx. 2–4 PIOD	30 PIOD
3	Curecanti Creek Trail	Approx. 50 PIOD	50 PIOD

Table 8. Curecanti NRA Campsites Visitor Capacities

ID	Analysis Area	Current Use Levels	Identified Visitor Capacity
4	Curecanti Creek Campsite	Approx. 1–6 parties per month	1 camping party per day
5	Hermit’s Rest Campsite	Approx. 2–16 parties per month	1 camping party per day
6	Crystal Creek Campsite	Approx. 2–3 parties per month	1 camping party per day
7	Dead Man’s Curve Campsite	Approx. 3–4 parties per month	1 camping party per day
8	Nelson’s Gulch Campsite	Approx. 1–3 parties per month	1 camping party per day
9	Blue Creek Campsite	Approx. 1–5 parties per month	1 camping party per day
10	The Narrows Campsite	Approx. 1 party per month	1 camping party per day

Table 9. Curecanti NRA (CURE) Climbing Areas Visitor Capacities

ID	Analysis Area	Current Use Levels	Identified Visitor Capacity
11	CURE Climbing Area 3	Approx. 8–10 climbing parties annually	1 climbing party of up to 2 individuals at a time Maximum of 2 parties per day
12	Pioneer Point	Approx. 4–6 climbing parties annually	1 climbing party of up to 2 individuals at a time Maximum of 2 parties per day
13	CURE Climbing Area 7 (Ice Climb)	Approx. 2 climbing parties annually	1 climbing party of up to 2 individuals at a time
14	CURE Climbing Area 5 (Ice Climb)	Approx. 20 climbing parties annually	1 climbing party of up to 2 individuals at a time
15	CURE Climbing Area 4 (Ice Climb)	Approx. 1 party annually	1 climbing party of up to 2 individuals at a time
16	CURE Climbing Area 6 (Ice Climb)	Approx. 10–15 climbing parties annually	1 climbing party of up to 2 individuals at a time

ID	Analysis Area	Current Use Levels	Identified Visitor Capacity
17	CURE Climbing Area 1 (Ice Climb)	Approx. 1 party annually	1 climbing party of up to 2 individuals at a time

Table 10. Curecanti NRA Blue Mesa Backcountry Zone Campsites Visitor Capacities

ID	Analysis Area	Current Use Levels	Identified Visitor Capacity
18	Lake Fork Arm Campsite	Approx. 24 parties per month	1 party per day
19	Cebolla Creek Campsite	Approx. 24 parties per month	1 party per day
20	Turtle Rock Campsite	Approx. 10 parties annually	1 party per day
21	West Elk Campsite	Approx. 10 parties annually	1 party per day
22	Dispersed Backcountry Camping	Approx. 500 campers annually	10 parties per day* *This capacity has been identified based on the 10 beaches where boaters can beach and camp when the water level is low. When the Blue Mesa Reservoir water level is high, a substantial portion of the camping area is underwater and unusable, and thus the capacity will be reduced.

Commercial Service Analysis

The National Park Service conducted a commercial services analysis and deemed that existing commercial services will continue. Other commercial services, such as guided climbing in Curecanti NRA and guided overnight use in uplands zone of Black Canyon of the Gunnison NP, may be permitted on a case-by-case basis. In addition, a commercial allocation will be implemented for commercial services in Black Canyon of the Gunnison NP to ensure that guided services do not monopolize opportunities for the public to access the parks for recreation. In the Gunnison Gorge interface wilderness zone, commercial group size will be reduced from 12 to 4, including guides, to ensure that desired conditions for visitors to experience solitude are being maintained and achieved.

MITIGATION MEASURES

The National Park Service strongly emphasizes avoiding, minimizing, and mitigating potentially adverse environmental impacts. Therefore, the National Park Service will require multiple mitigation measures and best management practices to protect environmental and cultural resources potentially affected by the project. These measures and practices are described in part 2, chapter 2 of the plan/EA.

The authority for mitigation for this project comes from laws and policies, including:

- NPS Organic Act (16 USC § 1)
- The Redwood Act (HR 3813 (95th))
- 1978 National Parks and Recreation Act
- Endangered Species Act, as amended (16 USC § 1531 et seq.)
- National Historic Preservation Act of 1966, as amended (54 USC § 300101 et seq.)
- Director's Order 41: *Wilderness Stewardship* (2013)
- NPS *Management Policies 2006* (chapters 4, 5, and 6)

FINDING OF NO SIGNIFICANT IMPACT

- Based on the information contained in the plan/EA, the National Park Service has determined that the selected alternative does not constitute a major federal action having a significant effect on the human environment. Therefore, an environmental impact statement will not be required.
- This finding is based on consideration of the Council on Environmental Quality criteria for significance (40 CFR 1501.3[b] [2020]), both regarding the affected environment and the degree of effects of the impacts described in the plan/EA (which is hereby incorporated by reference) and as summarized below. The plan/EA is available at <https://parkplanning.nps.gov/BLCA-CUREWBMP>.

POTENTIALLY AFFECTED ENVIRONMENT

The project area encompasses the 15,599-acre Black Canyon of the Gunnison Wilderness, including 11,180 acres designated by Congress in 1976 (Public Law 94-567) and an additional 4,419 acres added in 1999 (Public Law 106-76), the undeveloped backcountry of Black Canyon of the Gunnison NP (approximately 10,370 acres), and the land-based backcountry visitor activities and resources at Curecanti NRA (approximately 30,330 acres).² Developed or frontcountry areas at both units—defined as areas including roads, visitor centers, marinas and boat ramps, parking lots, scenic overlooks with associated trails, campgrounds, and picnic areas—are not included within the planning area. The Curecanti NRA backcountry includes developed campgrounds and primitive campsites, and the inner canyon zones of Black Canyon of the Gunnison Wilderness includes some campsites, which are addressed in this plan.

While this plan does not address water-based recreation on the reservoirs within Curecanti NRA, the plan uses NPS commercial services policy to evaluate water-based recreational activities along the Gunnison River inside the national park and the East Portal-Morrow Point

² Areas excluded from this plan include the developed, or frontcountry, areas defined as locales, including roads, visitor centers, marinas and boat ramps, parking lots, developed campgrounds, scenic overlooks with associated turnouts and trails, picnic areas, and a 100-foot buffer zone around the frontcountry and developed areas.

zone in Curecanti NRA. This policy falls within the scope of the plan to provide park staff with comprehensive guidance for the management of commercial services in wilderness and backcountry lands. This guidance complements the 2013 *Curecanti National Recreation Area Commercial Services Strategy* for the frontcountry areas of Curecanti NRA.

Visitor Use and Experience

Curecanti NRA and Black Canyon of the Gunnison NP offer exceptional opportunities for outdoor recreation, wilderness and backcountry experiences, and educational opportunities for residents of the region as well as for travelers and visitors to the area.

Backcountry and wilderness use comprises approximately 4% of annual recreation use at Black Canyon of the Gunnison NP (estimated using NPS use statistics, wilderness use permit data, and staff observations). A wilderness use permit must be obtained to enter the inner canyon wilderness. The wilderness use permit system manages all day use and overnight use within the inner canyon at Black Canyon. Permitting allows visitors to experience the magnificent inner canyon and other areas of wilderness while improving the National Park Service's ability to manage crowding and congestion. The permit system helps prevent visitor frustration resulting from the inability to access or participate in a specific recreation experience in the inner canyon because of congestion. However, the permit system may negatively affect visitors who prefer to arrive unscheduled to their destination. Some visitors may also be inconvenienced by having to obtain a permit, which reduces spontaneity and flexibility in visiting the inner canyon. Obtaining a permit also requires planning and knowledge to access the experience, which may prevent visitors who are less experienced from visiting wilderness.

Day users who do not climb, including those visitors accessing the established wilderness in the uplands portion of Black Canyon, account for approximately 50% of the wilderness and backcountry use. Rock climbing represents 30% of inner canyon wilderness use, with modest overnight and multiday visitor use in the uplands portion of the park, accounting for the remaining 20% of wilderness use. Backcountry and wilderness use in the park is more seasonally concentrated than is overall use. Approximately 25% to 30% of total wilderness use occurs during July, and 75% to 80% of total annual use occurs in the four-month period of June through September. In part, weather is a major factor influencing seasonal use, as climbing, camping, and hiking use in the inner canyon increases with longer days and warmer weather.

Rock climbing opportunities within the inner canyon are technically challenging and require advanced skill. Black Canyon has long been established as a traditional area where use of fixed climbing equipment, such as bolts and anchors, is minimized. Most climbing parties consist of two to four members and are private users. Commercially guided climbing opportunities are available for those less familiar with the canyon or unaccompanied by a support party. The majority of climbing at Black Canyon takes place on the North Rim of the canyon. Seasonal closures in climbing areas occur every spring and summer (typically March through July) for the protection of nesting raptors. The closure area includes Serpent Point and adjacent walls within 0.5 mile, including the area above the wall from the canyon edge extending 50 feet away from the canyon. Climbing routes included in this closure are East Arete, Southern Arete, West Arete, Forrest Walker, Journey through Mirkwood, Stratosfear, and The Dragon. Seasonal closures of climbing areas for the protection of nesting raptors continues to adversely impact

visitor use and experience due to the temporary restriction of access to those areas. However, alternative climbing areas are open to climbers during that period.

Based on the number of backcountry use permits issued annually and staff estimations, backcountry use at Curecanti NRA accounts for a small percentage of total annual visitor use, and much of that is linked to water-based activity. Backcountry use in the national recreation area consists primarily of hiking, camping, rock/ice climbing, and visitors seeking solitude. Most visitors access the Curecanti backcountry by boat and use the shoreline for fishing, picnicking, swimming, and camping. Natural soundscapes are affected by traffic on the major highways through Curecanti NRA, boating on Blue Mesa Reservoir, and nearby development.

Currently, management zoning from the 1997 general management plan (GMP) provides general management direction for wilderness and backcountry at Black Canyon of the Gunnison NP and Curecanti NRA. The general management plan does not provide adequate guidance needed to sustainably manage visitor use, nor does it provide guidance for achieving a range of opportunities and experiences across wilderness and backcountry lands at both units. Continuation of management under the GMP zones would result in outdated management inconsistent with new and emerging use types and patterns, which would have adverse impacts on resources and the visitor experience.

Ongoing and Planned Actions

As park visitation and trail use are expected to rise in the coming years, matching population growth in the surrounding region, increased congestion and crowding are expected to occur. Ongoing use of backcountry and wilderness use permit systems are expected to continue managing visitor use, but competition for permits related to specific activities, popular locations, and/or high-volume times negatively impacts the visitor experience. Ongoing implementation of the current integrated pest management plan, trail restoration efforts, and removal of unnecessary structures in the wilderness and backcountry result in some temporary disturbances to visitor use, such as closure of trails and areas for the duration of management activities and temporary visual/auditory impacts; but once completed, these actions result in beneficial impacts on visitor use due to improved condition of restored areas.

Black Canyon of the Gunnison Wilderness Character

Wilderness character is a holistic concept, and managers have identified five distinct, yet interrelated, qualities of wilderness character that are derived from the language in the Wilderness Act. These five qualities are natural, untrammeled, undeveloped, solitude or a primitive and unconfined type of recreation, and other features of value.

Approximately 50% of Black Canyon of the Gunnison National Park (15,599 acres) is designated wilderness. In accordance with NPS policy, the National Park Service manages this area to preserve its wilderness character. The park's 2013 foundation document identifies the Black Canyon of the Gunnison Wilderness as a fundamental resource and value—that is, one of the attributes that is essential to achieving the purpose of the park and maintaining its significance.

The overall natural quality of Black Canyon of the Gunnison Wilderness is good, and the trend is stable for some indicators and downward for others. Ecosystems are protected and improved through programs like invasive plant removal.

The overall untrammeled quality of the Black Canyon of the Gunnison Wilderness is presently good, with an increasing trend to take management actions in the face of climate change that would degrade the untrammeled quality through actions such as invasive species removal or wildland fire mitigation. In visitor use areas, the untrammeled quality is diminished because actions are required to control invasive plants, cleanup waste, and maintain/restore native plants.

The Black Canyon of the Gunnison Wilderness is relatively undeveloped overall. The undeveloped quality of the canyon is good and is not likely to change or may even be improved over time as unnecessary structures are removed. The trend is primarily stable. This wilderness quality is degraded by settings that reduce the undeveloped nature of the wilderness, such as signs of modern civilization in or adjacent to the wilderness area, and facilities that are provided by the agency or created by users. A few structures diminish the undeveloped quality, including fences to exclude cattle, stock ponds, a radio repeater, abandoned roads (mostly unpaved two-tracks), an irrigation ditch, and other structures related to livestock grazing.

The inner canyon and the uplands offer many opportunities for solitude or primitive and unconfined recreation. Managed access provides increased opportunities for solitude by managing the number of people on each route at any given time. That managed access, however, reduces opportunities for unconfined recreation.

The 1997 GMP management zoning lumps all the wilderness under the single “primitive” management prescription. This simplified approach to wilderness management does not acknowledge the variation of resource sensitivity and visitor use considerations between the uplands and inner canyon wilderness lands or allow for site-specific desired conditions and management guidance.

Ongoing and Planned Actions

Ongoing implementation of the integrated pest management plan via mechanical and chemical methods to reduce impacts of and threats from invasive plants to native plant communities and other natural and cultural resources at Black Canyon of the Gunnison NP and Curecanti NRA impacts the natural quality of the designated wilderness. Removal of unnecessary structures in wilderness continues to improve the undeveloped quality.

Actively managing the maximum amount of use in the inner canyon through the existing wilderness use permit system protects the natural quality of the wilderness by preventing adverse impacts on resources from visitor use. While the permit system improves opportunities for solitude and primitive recreation in the inner canyon (by reducing the potential for crowding and congestion), it reduces the unconfined aspect of this quality of wilderness character. Increased demand for wilderness use permits and more days when permit slots are full may reduce opportunities for solitude, and the presence of visitor-created trails and informal campsites may reduce visitor opportunities to experience primitive recreation.

Vegetation and Soils

Vegetation types occurring within Black Canyon of the Gunnison NP and Curecanti NRA uplands include diverse forest, woodland, shrubland, herbaceous, and sparse types. Biological soil crusts are present on some sites within the park and more rarely in the recreation area. Historically, these soils received little disturbance and helped to stabilize and protect soil surfaces from erosive forces. Currently, however, increased recreational off-trail use and livestock grazing has had widespread disturbance on soil crusts at both units in uplands wilderness and backcountry lands. The native vegetation within both units is managed under the general management plan (1997) and related planning documents for research, inventory, monitoring, fire, nonnative species, restoration, and maintenance. Rockslides and rock falls (mass wasting), fires, drought, insect infestations, and visitor use can influence vegetation composition and structure due to loss of cover and potential conversion to different vegetation types.

Ongoing and Planned Actions

Monitoring of vegetation and implementation of the existing integrated pest management plan for mechanical and chemical control of invasive species could result in regrowth of native vegetation, reducing competition and restoring native and natural plant communities. Managing the number and timing of visitors in the inner canyon and other areas within wilderness through the existing permit system reduces impacts on vegetation and soils. The restoration of visitor-created trails and the removal of unnecessary structures in wilderness also provide beneficial impacts on vegetation and soils in the immediate vicinity of these types of projects.

Archeological Resources

The Black Canyon of the Gunnison and Upper Gunnison River Basin have been used by humans for at least the last 10,000 years. Evidence of a hunting and gathering lifeway, including lithic scatters, hearth sites, roasting pits, and major quarries, have been uncovered in the hills lining the Gunnison River. Long- and short-term occupations have been discovered throughout the extent of Curecanti NRA and Black Canyon of the Gunnison NP in areas of less than 20 degree slopes.

As of 2010, 233 archeological sites have been recorded at Black Canyon of the Gunnison NP, with at least 58 of those sites determined to need additional research to assess their eligibility for listing in the national register. The greatest concentration of known archeological resources within Black Canyon of the Gunnison NP is located on the North Rim, close to existing hiking and climbing access routes. Under NPS management policies, cultural resources located within the Black Canyon of the Gunnison Wilderness are also included in wilderness character monitoring (see part 1, chapter 5) and are managed in accordance with the Wilderness Act.

The length of human occupation makes the 5,000-acre Curecanti Archeological District, which was listed in the National Register of Historic Places in 1984, particularly significant for understanding the evolution of hunting and gathering in the region. More recent small-scale surveys and test excavations have added to the inventory of documented sites, with over 60 sites representing a wide variety of site types identified within the existing archeological district. The 2013 Curecanti NRA foundation document calls out the “association and density of

archeological sites” and the “continuum of human occupation” in the area’s significance statements and identifies archeology as a fundamental resource or value that merits primary consideration during planning processes.

Any human activity in areas where there are archeological sites can cause damage to archeological resources. Surface artifacts, sensitive sites, and/or fragile cultural resources are more prone to localized impacts. Anyone traveling in the backcountry or wilderness—including professionals conducting permitted research activities, individual climbers, commercial climbing parties, and NPS staff performing maintenance activities—could contribute to soil compaction or erosion at archeological sites. Surface artifacts are also at risk for trampling or unauthorized collection. Continuation of current backcountry and climbing management would result in the potential for impacts on identified archeological sites and artifacts located in the inner canyon near existing climbing routes.

THE DEGREE OF EFFECTS OF THE ACTION

The following effects have been considered in evaluating the degree of the effects (40 CFR 1501.3(b)(2) [2020]) for the selected alternative.

Beneficial, Adverse, and Short- and Long-term Effects of the Proposed Action

Newly defined wilderness and backcountry zones and updated desired conditions for wilderness and backcountry at Black Canyon of the Gunnison NP and for backcountry lands of Curecanti NRA will provide updated management direction and guidance for natural resources, cultural resources, wilderness character, and visitor use. The inner canyon wilderness zone (and associated subzones of inner canyon pristine wilderness and inner canyon primitive wilderness) and uplands zone (and associated subzones of uplands primitive wilderness and uplands pristine wilderness) offer a finer level of detail for improved management of wilderness character. The refined zones allow a spectrum of wilderness and backcountry opportunities throughout both units, providing full consideration and inclusion of equitable, accessible, and inclusive experiences and related activities that support a diverse range of visitor interests and preferences. The types of facilities and services appropriate to support this range of opportunities and activities will be clearly identified, with intentional consideration of each zone’s resource sensitivities and skill levels required. The updated wilderness zones and associated desired conditions at Black Canyon will provide comprehensive management direction, which will further support the preservation of wilderness character and cultural and natural resources.

The park is presently exploring options for providing wilderness use permits through an online permitting system such as Recreation.gov. Converting the permit system from in-person to online would have both beneficial and adverse impacts on visitor use and experience. Depending on the parameters of the online system, it could allow for visitors to plan ahead and secure their permit prior to arrival, which would be an improvement from the current system for some people. However, an entirely online system could also disadvantage visitors who do not plan sufficiently or prefer to obtain a permit in-person, visitors who do not have internet access, or visitors who attempt to obtain a permit within the park where there is no cellular or mobile phone service. If the park decides to move to an electronic system, the National Park Service will create exemption protocols to ensure equity for those groups affected.

Under the selected action, measures, standards, and visitor capacities have been identified to monitor resource conditions and visitor experiences and to identify the maximum amounts and types of use that an area can accommodate while achieving and maintaining the desired resource conditions and visitor experiences that are consistent with the purposes for which the area was established (see part 1, chapters 5 and 6). Over the course of monitoring, if desired conditions are not being met, the National Park Service will implement management actions to modify amounts and types of use to achieve desired conditions. For some areas where current use levels are far below the identified capacity, the National Park Service will conduct future planning and compliance to identify strategies to manage use levels, should amounts and types of use begin to exceed recommended standards and compromise desired conditions. This iterative practice of monitoring, implementing potential management strategies, and then continuing to monitor to gauge the effectiveness of those actions allows park managers to maximize benefits for visitors while achieving and maintaining desired conditions for resources and visitor experiences in a dynamic setting. This iterative framework for managing amounts and types of use has a beneficial impact on visitor experience, vegetation, soils, and cultural resources by protecting wilderness and backcountry resources and providing for sustainable visitor experiences. If, in the future, indicators related to amounts and types of visitor use begin approaching recommended standards and additional management strategies and compliance need to be implemented, there could be adverse impacts on visitor use and experience because of reduced opportunities for spontaneous recreation but continued beneficial impacts for resources that are being actively managed to meet identified desired conditions.

Under the selected alternative, a climbing management plan will be adopted. This plan requires climbers to submit a written application for new or planned replacement fixed equipment requests, and a written authorization or special use permit would be issued before the first ascent. In Black Canyon of the Gunnison Wilderness, these requests will be subject to a minimum requirements analysis. By actively managing the amount of fixed equipment on rock climbing features, the resources will be better preserved for sustainable climbing into the future, and authorized fixed equipment placements will have been thought through and safely placed/located. This requirement will have a beneficial impact on the natural and undeveloped qualities of wilderness character by allowing park managers to review potential route and fixed anchor placement to minimize or avoid potential impacts on natural and cultural resources. However, climbers may be inconvenienced by the requirement to apply in advance, and there is the possibility their desired equipment placement will be denied. These requirements adversely impact the experience of climbers who prefer to climb spontaneously and with the ability to install fixed equipment in an unrestrained manner.

Delineating campsites within the Black Canyon inner canyon primitive wilderness subzone creates localized adverse impacts on vegetation and soils at the delineated sites by concentrating visitor use, but this action provides overall beneficial impacts on vegetation and soils in the broader wilderness that will receive lower levels of use and experience less human-caused erosion and loss of vegetation. Drawing overnight users to delineated sites that are sited to avoid known archeological resources will provide a long-term beneficial impact on those resources in the wilderness that may be currently affected by informal camping sites. “Unendorsed/undesigned campsites” and access trails that currently exist or develop in the future will be restored to natural conditions, thereby creating beneficial impacts for vegetation,

soils, and the natural quality of wilderness character. Marking campsites is an adverse impact on the undeveloped quality of the wilderness, but impacts will be minimized through the use of natural materials to delineate sites. To minimize impacts on the wilderness character quality of primitive and unconfined recreation, the National Park Service will not assign individual sites to visitors in this subzone.

As stated in the ongoing and planned actions descriptions above, the restoration of visitor-created access trails and the removal of unnecessary structures in wilderness provide beneficial impacts on vegetation, soil, the natural and undeveloped qualities of wilderness character, and the overall visitor experience of the backcountry. The selected alternative expands the types of unused and unnecessary structures that will be removed and describes trail and campsite restoration techniques that further support these beneficial impacts.

Degree to Which the Selected Action Affects Public Health and Safety

Members of the climbing community who submitted comments during the public review of the plan/EA voiced concerns that requiring a written application, minimum requirements analysis, and written NPS authorization for replacement of aging or unsafe fixed equipment would result in unsafe conditions for individuals or parties who may encounter compromised or old fixed equipment while climbing. While climbers are ultimately responsible for their own safety and the National Park Service is not obligated to mitigate risks associated with climbing, the language in the climbing management plan has been modified to allow for emergency replacement without prior authorization of an individual fixed anchor that poses a legitimate safety concern to facilitate a safe and expeditious exit from the climb, thus reducing potential effects to climber safety. The National Park Service will complete programmatic minimum requirement analyses for fixed anchor replacement on existing routes and/or popular climbing areas to cover these emergency replacements and to respond to future applications for planned fixed anchor replacements in wilderness as efficiently as possible.

Effects That Would Violate Federal, State, Tribal, or Local Law Protecting the Environment

The selected alternative does not threaten or violate applicable federal, state, or local environmental laws or requirements imposed for the protection of the environment.

The selected alternative will not violate any provision or requirement identified under legislation addressing Black Canyon of the Gunnison National Park, Curecanti National Recreational Area, the National Park Service Organic Act, or any other subsequent legislation. Further details can be found in the non-impairment determination below.

Regarding compliance with section 7 of the Endangered Species Act, there are no actions in the plan that would affect federally listed species or critical habitat, which includes the federally threatened Gunnison sage-grouse. Similarly, the plan does not carry forward threatened and endangered resources for further analysis in the environmental assessment (see appendix E of the plan and EA). Most visitor use occurs outside sage-grouse critical habitat. Recreational activities and plan actions will have no effect on the viability of Gunnison sage-grouse or its critical habitat because they would not occur at a large enough scale to impact the dispersal, general movement, or genetic interchange of this species from the Gunnison Basin population.

Nevertheless, park staff coordinated with the US Fish and Wildlife Service and provided the draft plan/EA for review. In a letter dated November 25, 2022, the US Fish and Wildlife Service acknowledged the NPS determination of no effect for the Gunnison sage-grouse and associated critical habitat for the plan and stated that neither section 7(a)(3) of the Endangered Species Act nor implementing regulations under section 7(a)(2) of the act require the US Fish and Wildlife Service to review or concur with this determination. The letter expressed appreciation to the National Park Service for its commitment to conserving Gunnison sage-grouse and their habitat and for its consideration of threatened and endangered species.

In accordance with section 106 of the National Historic Preservation Act, the National Park Service provided the draft wilderness and backcountry management plan/EA to the Colorado State Historic Preservation Office and associated tribes in July 2022 for review. The National Park Service determined that actions proposed in the plan/EA would have “no adverse effect” to historic properties. The Colorado State Historic Preservation Office provided concurrence with “no adverse effect” in a letter dated August 2, 2022. The National Park Service will continue to consult with the Colorado State Historic Preservation Office and associated tribes on a project-level basis throughout the implementation and lifespan of the plan/EA.

SIGNATURES

Recommended:

**DEREK
CARTER**

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DEREK CARTER
Date: 2022.12.10
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Derek Carter
Acting Superintendent, Black Canyon of the Gunnison National Park/
Curecanti National Recreation Area
National Park Service

Date

Approved:

**KATHARINE
HAMMOND**

Digitally signed by
KATHARINE HAMMOND
Date: 2022.12.13
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Kate Hammond
Acting Regional Director, Interior Regions 6, 7, and 8
National Park Service

Date

NON-IMPAIRMENT DETERMINATION WILDERNESS AND BACKCOUNTRY MANAGEMENT PLAN, BLACK CANYON OF THE GUNNISON NATIONAL PARK–CURECANTI NATIONAL RECREATION AREA

By enacting the NPS Organic Act of 1916 (Organic Act), Congress directed the US Department of the Interior and the National Park Service to manage units “to conserve the scenery, natural and historic objects, and wild life in the System units and to provide for the enjoyment of the scenery, natural and historic objects, and wild life in such manner and by such means as will leave them unimpaired for the enjoyment of future generations” (54 USC 100101). National Park Service *Management Policies 2006*, section 1.4.4, explains the prohibition on impairment of park resources and values:

While Congress has given the Service the management discretion to allow impacts within parks, that discretion is limited by the statutory requirement (generally enforceable by the federal courts) that the Park Service must leave park resources and values unimpaired unless a particular law directly and specifically provides otherwise. This, the cornerstone of the Organic Act, establishes the primary responsibility of the National Park Service. It ensures that park resources and values will continue to exist in a condition that will allow the American people to have present and future opportunities for enjoyment of them.

An action constitutes impairment when its impacts “harm the integrity of park resources or values, including the opportunities that otherwise will be present for the enjoyment of those resources or values” (NPS *Management Policies 2006*, section 1.4.5). To determine impairment, the National Park Service must evaluate the particular resources and values that will be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts.

An impact on any park resource or value may constitute impairment, but an impact would be more likely to constitute impairment to the extent that it affects a resource or value whose conservation is:

- necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park, or
- key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park, or
- identified in the park's general management plan or other relevant NPS planning documents as being of significance. (NPS *Management Policies 2006*, section 1.4.5)

The purpose of Black Canyon of the Gunnison National Park is to preserve an area encompassing spectacular gorges, the Gunnison River, and breathtaking landscapes by protecting its natural, cultural, and wilderness integrity for public benefit, inspiration, and enjoyment. Fundamental resources and values of Black Canyon of the Gunnison National Park identified in the park's foundation document are the canyon itself, recreation, the Gunnison

River and its roar, wilderness, native plant and wildlife communities, and spectacular views (*Foundation Document, Black Canyon of the Gunnison National Park*, 2013).

The purpose of Curecanti National Recreation Area is to protect an abundance of natural, historic, and archeological features in a western landscape encompassing canyons, pinnacles, cliffs, rivers, reservoirs, and mesas, while offering opportunities for recreation, public benefit, and personal reflection. Fundamental resources and values identified in the Curecanti NRA foundation document are archeology, geology and paleontology, aquatic resources, recreation, scenic views, and riparian plant and wildlife communities (*Foundation Document, Curecanti National Recreation Area*, 2013).

Natural and cultural resources are subject to the non-impairment standard established by the Organic Act and clarified further in section 1.4.6 of *NPS Management Policies 2006*. These resources are considered necessary to fulfill the purpose identified in the establishing proclamation and following legislation for the monument.

The topics of “Visitor Use and Experience” and “Wilderness Character” were carried forward for detailed analysis in the plan/EA; consistent with NPS policy and guidance, a non-impairment determination does not include discussion of these impact topics.

This non-impairment determination has been prepared for the selected alternative, as described above in “Finding of No Significant Impact.”

Vegetation and Soils

The updated management zoning offers guidance for maintaining and improving resource conditions at both units, including native vegetation and soils. Additionally, measures, standards, and visitor capacities have been identified to monitor resource conditions and visitor experiences. The ongoing trend of increased visitor use in the wilderness and backcountry could result in an increase in invasive plant species along trails and near toilets. However, the mechanical and chemical weed control methods outlined in the current integrated pest management plan would reduce competition for native species and allow for the reestablishment of natural plant communities. Desired conditions and related monitoring and active management strategies would also allow resource managers to monitor, mitigate, and/or restore impacted areas. Mitigation measures included in the environmental assessment include avoiding project development in saturated soils, avoiding disturbances to vegetation and ground as much as possible, and using native plant materials in site restoration activities. Native vegetation and soils would experience a minimal impact, and these resources would be available for the enjoyment of current and future generations; therefore, the plan will not impair native vegetation or soils.

Wetlands

Actions associated with this plan are not expected to result in a measurable impact on wetlands such as the cottonwood riparian woodlands in Curecanti NRA and bottomland mosaic woodlands in both parks. To the extent practicable, any project development would avoid dynamic systems (e.g., floodplains), unstable geomorphological features (e.g., alluvial fans), and biological communities (e.g., springs, wetlands, rare community types, and other sensitive resources or species). Specific stock ponds that contain native wetland vegetation or important hydrological features will be surveyed and considered for removal. Mitigation would be

identified in the future through a separate compliance process. As a result, although some site-specific adverse effects to wetlands could occur, impacts would be minimal, and wetlands would continue to be available for the enjoyment of current and future generations. Therefore, the plan will not impair wetlands.

Threatened and Endangered Resources

No actions in the plan would affect federally listed species or critical habitat, which includes the federally threatened Gunnison sage-grouse. Therefore, threatened and endangered resources were not carried forward for further analysis in the environmental assessment (see appendix E of the plan and EA). Most visitor use occurs outside sage-grouse critical habitat. Recreational activities and plan actions will have no effect on the viability of Gunnison sage-grouse or its critical habitat because they would not occur at a large enough scale to impact the dispersal, general movement, or genetic interchange of this species from the Gunnison Basin population.

Rare state-listed plants, such as the Black Canyon gilia, hanging garden Sullivantia, Juniper tumble mustard, and Gunnison's milkvetch, are within the project area. On the ground, surveys will be conducted before implementation to ensure the protection of these species, and mitigation measures will be used when, if at all, deemed impossible to avoid impacts on these species. Any impacts from restoration activities will be identified and mitigated through a project compliance process.

Wildlife

Beneficial impacts on wildlife will result from the implementation of visitor capacities (the maximum amounts and types of use that an area can accommodate while achieving and maintaining the desired resource conditions) and from monitoring resource conditions. Wildlife, including birds, mammals, and reptiles, could be disturbed by restoration activities and noise generated from these activities, which will be temporary and occur over 6–12 months. However, these impacts are similar to those currently experienced at the parks. Adverse impacts of restoration activities, for example, will be mitigated by avoiding important wildlife habitat, controlling erosion using best management practices, and monitoring and controlling nonnative plant species through current vegetation management practices. For all restoration activities, park staff will apply sustainable practices to minimize potential environmental impacts, and restoration activities will not compete with or dominate natural processes such as the seasonal migration of wildlife. Projects would be scheduled, both seasonally and temporally, to minimize direct or indirect (e.g., light and noise) disturbance of wildlife during nesting, rearing of young, or other important seasons. Care will be taken to avoid or minimize disturbance of sensitive wildlife species found nesting, hibernating, foraging, or otherwise living in or immediately nearby any worksites. Park managers will further consider the use of temporary or seasonal visitor use restrictions or area closures to protect sensitive wildlife and habitat from trail use—especially during nesting and breeding season.

Archeology

Any human activity in areas where there are archeological sites can cause damage to archeological resources. Surface artifacts, sensitive sites, and/or fragile cultural resources are more prone to localized impacts. Anyone traveling in the backcountry or wilderness—including professionals conducting permitted research activities, individual climbers, commercial

climbing parties, and NPS staff performing maintenance activities—could contribute to soil compaction or erosion at archeological sites. Surface artifacts are also at risk for trampling or unauthorized collection.

Implementation of visitor capacities, visitor use indicators and monitoring, and related management strategies will minimize visitor use impacts on archeological resources. Designating wilderness and backcountry campsites concentrates visitation in park-selected locations and guides campers away from any locations prone to erosion, thereby minimizing use-related impacts on possible nearby archeological resources. Increased patrols by law enforcement and/or resource management staff, additional visitor education of low-impact trail use, interpretive signage on designated access trails, and continuation of backcountry and wilderness use permits and monitoring also guide use away from known archeological sites and sites with a high potential for archeological resources.

Although some site-specific effects could occur, actions associated with this plan are not expected to meaningfully impact archeology. Archeological resources are to be left undisturbed and preserved in a stable condition to prevent degradation and loss of research value unless intervention is justified based on compelling research, interpretation, site protection, or park development needs. Known archeological sites in the vicinity of any projects will be monitored to assess and document the effects of natural processes and human activities on the resources.

Archeological resources will continue to be available for the enjoyment of current and future generations, and this plan will not impair archeology.

CONCLUSION

Based on the preceding analysis and in consideration of the purpose and significance of Black Canyon of the Gunnison NP and Curecanti NRA, it is the superintendent's professional judgment that these resources will continue to be present for enjoyment by current and future generations. Therefore, implementation of the selected alternative will not constitute an impairment of natural or cultural resources found within the wilderness and backcountry of Black Canyon of the Gunnison NP or the Curecanti NRA backcountry.

ATTACHMENT A: ERRATA SHEET AND RESPONSE TO PUBLIC COMMENT

The public was provided with two formal opportunities to comment on the wilderness and backcountry management strategies and actions being considered by the National Park Service. In December 2021, the National Park Service released a newsletter to update the public about the planning effort. A press release issued on December 20, 2021, announced the availability of the newsletter and directed interested individuals to the NPS Public, Environment, and Public Comment (PEPC) website that was established for this planning effort. The planning newsletter described the contents of the forthcoming wilderness and backcountry planning document; provided updated desired conditions for natural, cultural, and wilderness resources at the units; and shared management strategies being considered by the National Park Service for review. The newsletter and supporting documents were made available on the monument's website and the project PEPC website. Members of the public were asked to share their thoughts, ideas, and concerns related to the potential management strategies as part of a public scoping period from December 22, 2021 through January 21, 2022. Information collected during scoping was considered when developing the draft plan.

An additional planning update newsletter was posted to the project PEPC website in May 2022. The electronic newsletter announced a summer 2022 scheduled release of the draft backcountry and wilderness plan/environmental assessment and summarized the management strategies and actions included in the draft plan and analyzed in the associated environmental assessment.

The Black Canyon of the Gunnison NP–Curecanti NRA Wilderness and Backcountry Management Plan/EA was released in digital format on the NPS PEPC website for a 44-day public review period from June 21 through August 4, 2022. A press release was distributed to approximately 50 media outlets, numerous local chambers of commerce, local visitor centers, public officials, social media, the monument's website, regulatory agencies, and associated Native American tribes. A virtual public meeting was held via WebEx on July 13, 2022, and attended by approximately 40 individuals.

The National Park Service received a total of 384 individual pieces of correspondence, which were reviewed and considered. Some comments and suggestions received are incorporated as minor modifications to the EA, as described in these errata. Other comments are addressed through updates that were made in the final plan or through NPS responses within this attachment.

ENVIRONMENTAL ASSESSMENT TEXT CHANGE ERRATA

In reference to changes to the plan/EA, the topic heading and page number are shown in bold text. Original text from the plan/EA is included to provide context and to allow for comparison to the text change. Additions to the text are shown in underline and deleted text is shown in ~~strikethrough~~.

Accuracy of Number of Curecanti Visitor Capacity Analysis Areas (part 2, chapter 2, page 179, Table 1. Alternatives Comparison Matrix)

For the row “Measures, Standards, and Visitor Capacities” under the Alternative B column, “Twenty-six analysis areas were identified for Black Canyon of the Gunnison NP and ~~21~~ 22 were identified for Curecanti NRA.”

PUBLIC COMMENTS AND NPS RESPONSES

The National Park Service must consider all comments that are timely received, and the standard NPS practice is to respond to substantive comments that are submitted during the public review period of the plan/EA. Substantive comments raise, debate, or question a point of fact or analysis. The National Park Service does not typically respond to non-substantive comments, such as those that merely support or oppose a proposal or agree or disagree with NPS policy. However, the National Park Service included responses to some non-substantive comments to provide additional rationale for actions included in the plan/EA. This section summarizes those substantive and non-substantive comments into concern statements, and a response to each statement is provided below.

Concern Statement: A few commenters expressed frustration with current permit management, which requires obtaining a permit at park offices, and the inability to get same-day permits before the NPS office opens. Other commenters were concerned that managing permits through an electronic system would lead to inequities in access.

NPS Response: The park is presently exploring options for an online permit reservation system like Recreation.gov, which would allow for visitors to get same-day or advance permits. Park staff will consider the pros and cons of moving some or all of the permit system online and may consider some mix of online and in-person permits in the future. If wilderness permits and/or use permits are transferred to an online system, the park would develop exemption protocols for groups that are overly impacted by transitioning to an online system (e.g., those with limited access to technology, those without a credit card, those with accessibility considerations, tribal use by Native Americans). Additional information about updates to the permit system will be shared when available.

Concern Statement: One commenter felt that guidance in the wilderness and backcountry management plan—specifically limiting dispersed camping in wilderness to one night at a single location and requiring bearproof containers for food storage—would impact backpackers’ ability to enjoy the park.

NPS Response: As stated in the proposed action/preferred alternative, the National Park Service would continue to allow wilderness camping at non-delineated sites in the inner canyon pristine wilderness subzone and *would encourage, but not require*, visitors to stay at a single location no more than one night to limit impacts on resources and maintain wilderness character. This management strategy differs from the management of overnight use in the inner canyon primitive wilderness subzone, where visitor use has already created established campsites. In the primitive wilderness subzone, the National Park Service will delineate campsites to minimize resource impacts, and backpackers may

stay at one campsite for multiple nights. Text in the plan (part 1, chapter 3) has been revised to reduce confusion.

Bear-resistant containers are necessary to ensure that visitors effectively store attractants in backcountry and wilderness areas to minimize human-wildlife conflicts. These containers are commonly required for those camping in NPS wilderness and backcountry areas. Other methods of food storage (such as tree hanging) are not always possible in the inner canyon wilderness zone and do not deter rodents and other smaller animals from accessing food caches. Therefore, allowing tree hanging as the only method of backcountry food and trash storage would not necessarily decrease the likelihood of human-wildlife encounters or food habituation. Furthermore, hanging food in trees often involves installing ropes or poles, which would degrade the undeveloped quality of wilderness character. Future superintendent compendiums may further define “approved bear resistant containers” as necessary.

Concern Statement: One organization commented that the wilderness and backcountry management plan and EA should further emphasize the preservation of wildlife and related values. This correspondence recommended that wildlife be an impact topic carried forward for detailed analysis in the EA and that nature-related visitor opportunities (e.g., Gunnison sage-grouse and other bird species, studying and appreciating native plants) be recognized in the plan as wilderness experiences.

NPS Response: As described in part 1, chapters 2, 6, and 7, visitor experience at Black Canyon of the Gunnison NP and Curecanti NRA does include opportunities to view wildlife and nature. The plan, however, does not specifically address opportunities to view Gunnison sage-grouse on NPS lands because no such viewing opportunities exist at this time. Two sentences of text in part 1, chapter 3 have been revised to clarify that although critical habitat for Gunnison sage-grouse is present on NPS lands, Gunnison sage-grouse populations are not present at this time.

Appendix E of the plan and EA briefly summarizes reasons for dismissing wildlife as an impact topic from further analysis in the EA, but additional factors were also considered. Management strategies in the plan will create beneficial impacts on wildlife and native plant species. For example, identifying and implementing visitor capacities for backcountry and wilderness areas will limit disturbances to wildlife, while continued restoration activities will benefit wildlife habitat. Additionally, closing areas to public use during nesting season will continue to mitigate disturbances to raptors.

Concern Statement: One organization suggested revisions to recommended standards and management strategies in part 1, chapter 5 under the natural and undeveloped qualities of wilderness character (Table 2. Measures, Standards, and Management Strategies for Black Canyon of the Gunnison National Park). For example, the organization advised that the National Park Service inventory existing plant and animal species and monitor those species over time in all management zones. They also proposed that the recommended standard under the measure “number of occurrences of authorized administrative and nonemergency use of motor vehicles, motorized equipment, mechanical transport or landing of aircraft” be reduced from “≤ 3 occurrences per year approved with MRA review” in wilderness zones to 0

new occurrences per year. The group requested clarity on how often monitoring would occur and recommended that the National Park Service annually review all measures, standards, and appropriate management strategies in table 2 of the monitoring strategy and update the entire wilderness and backcountry management plan within five years.

NPS Response: While NPS staff conducts monitoring for a variety of resource-based topics, table 2 in part 1, chapter 5 is intended to address only those measures used for wilderness character monitoring at Black Canyon of the Gunnison NP. In accordance with NPS policy, data for these measures are reported to the NPS Wilderness Stewardship Division every five years to evaluate trends in wilderness character under the following qualities: natural quality, undeveloped quality, untrammeled quality, and solitude or primitive and unconfined recreation. Under the natural quality, measures related to plants, animals, and water quality indicators use updated invasive and native species monitoring data collected annually in both parks for various populations of plants and animals. Many other wildlife and plant populations inside and outside of wilderness are monitored by park staff or the NPS Inventory & Monitoring Network ([“Monitoring,” National Park Service, nps.gov](#)) staff on an annual or semiannual basis. This monitoring work informs long-term native plant and wildlife community monitoring and contributes to animal and plant species lists maintained for each park on the NPSpecies ([“Natural Resource Inventories,” National Park Service, nps.gov](#)) website.

The recommended standard within wilderness zones for “authorized administrative and non-emergency use of motor vehicles, motorized equipment, mechanical transport, and landing of aircraft” is identified as “≤3 occurrences per year with approved MRA review” to allow for some approved use to occur to support primarily monitoring and research (e.g., aerial bighorn sheep surveys) and management actions, such as invasive tamarisk and elm tree removal, that are beneficial to the natural quality of wilderness. This standard also allows for occasional extrications of vehicles and other large trash items (e.g., tractor tires, steel drums) and the removal of human waste from pit toilets.

Reviewing and updating measures and standards regularly are not required by the agency; however, elements of the monitoring strategy are subject to change in response to emerging conditions, new data sources, or other factors. While elements of the monitoring strategy (part 1, chapter 5), including measures, standards, and appropriate management strategies, may be adjusted to reflect park-identified wilderness stewardship needs, the wilderness and backcountry management plan is meant to provide long-term management direction; therefore, the National Park Service does not intend to update the entire plan within five years.

Concern Statement: An organization commented that NPS visitor education should emphasize wildlife etiquette for visitors who view or encounter wildlife in wilderness and backcountry.

NPS Response: Currently, NPS interpretive staff at Black Canyon of the Gunnison NP and Curecanti NRA addresses wildlife viewing via public programs and numerous public contacts made on a daily basis throughout the year. Park staff also actively changes the

locations of public programs to prevent disturbances to resident wildlife, especially during breeding, nesting, and brood-rearing seasons.

One of the goals of the wilderness and backcountry management plan is to enhance public understanding of wilderness character and backcountry values. Additional visitor education related to Leave No Trace, species conservation and biodiversity, and resource protection is proposed as appropriate wilderness character monitoring management strategies (part 1, chapter 5, table 2). This education could include information about wildlife viewing etiquette and viewing wildlife from appropriate distances.

Concern Statement: One organization recommended that a list of plant and animal species of conservation concern be appended to the plan.

NPS Response: The National Park Service determined this suggestion to be outside the scope of the wilderness and backcountry management plan.

Concern Statement: One organization urged the National Park Service to consult with entities that include the Colorado Natural Heritage Program and Colorado Native Plant Society.

NPS Response: NPS staff at Black Canyon of the Gunnison NP and Curecanti NRA has a strong working relationship with the Colorado Natural Heritage Program and the Colorado Native Plant Society. Park staff works with the Colorado Natural Heritage Program to conduct surveys and update population information on rare plants and regularly attend Colorado Native Plant Society meetings to gather and share information on plant populations.

Concern Statement: Some commenters opposed allowing any commercial services in designated wilderness as part of the wilderness and backcountry management plan.

NPS Response: The special provisions established in the Wilderness Act Section 4(d)(5) allow that commercial services may be performed within wilderness areas to the extent necessary for activities that are proper for realizing the recreational or other purposes of wilderness. Additional guidance regarding commercial services in wilderness is provided in NPS Director's Order 41 (7.3 Commercial Services), which states that parks "must make a documented determination of the types and amounts of commercial services necessary to realize wilderness purposes (recreational, scenic, scientific, educational, conservation and historical)." This determination is referred to as the extent necessary determination (END).

Chapter 7 of the wilderness and backcountry management plan is a commercial service analysis to evaluate whether commercial visitor services may or may not be necessary and/or appropriate within the backcountry and wilderness of Black Canyon of the Gunnison NP and Curecanti NRA. Based on the END included within that chapter, guided interpretive day hiking, guided camping/overnight use, guided climbing, guided river-running, and guided fishing have been determined necessary to achieve the recreational purpose of wilderness in at least one wilderness zone or subzone.

Concern Statement: One organization commented that the commercial climbing allocation, 3% of total climbing use in the inner canyon primitive wilderness subzone, is too low to meet future visitor needs and does not promote equitable access, safety, or educational opportunities.

NPS Response: As stated in the wilderness and backcountry management plan’s visitor capacity identification, guided climbing accounted for an average of 1.6% of total climbing within the inner canyon between 2011 and 2018 (part 1, page 113). During the planning process, park staff recognized that the number of commercially led climbers could increase to allow more visitors the opportunity to experience the vertical wilderness within the national park. The plan establishes a new commercially guided climbing allocation at 3% of total annual climbing use. This allocation accounts for an anticipated increase in guided climbers to a level that balances use between commercially guided and public climbers while maintaining desired resource and experiential conditions of the inner canyon primitive wilderness subzone. If commercial climbing use approaches the 3% maximum established in the plan, CUA terms and conditions will be updated to reflect the maximum number of guided climbs allowed under each commercial use authorization. The National Park Service may also adjust the commercial allocation and/or consider alternative management tools or authorities in the future to maintain desired conditions and continue to ensure the public’s ability to access the inner canyon.

Concern Statement: One organization wondered why commercial climbing was not included in additional management zones and subzones (Gunnison Gorge interface wilderness zone, uplands zone, and the inner canyon pristine wilderness subzone).

NPS Response: The commercial services analysis included as part 1, chapter 7 includes an evaluation of commercial activities that may occur within the backcountry and wilderness management zones/subzones. Commercial climbing in the uplands zone and the Gunnison Gorge interface wilderness zone did not meet all the criteria to be determined an “appropriate” commercial use due to the topography and rock composition in these zones and related health and safety concerns. Additionally, in the uplands zone, there are few, if any cliffs or rocks to climb.

Similarly, climbing was determined an appropriate activity within the inner canyon primitive wilderness subzone but is not allowed in the inner canyon pristine wilderness subzone largely because of the qualities of the rock in this management subzone. Generally, the rock in the inner canyon pristine wilderness subzone is not as solid, safe to climb, or desirable to climb as the rock in the inner canyon primitive wilderness subzone. In fact, the boundary between the two subzones was drawn to reflect these differences in geology, and NPS climbing rangers provided input into these discussions. Another difference in the management of the inner canyon pristine wilderness subzone and the inner canyon primitive wilderness subzone—as further described in part 1, chapters 2–3—is the natural qualities and self-reliance. Desired conditions for the pristine subzone dictate that visitors need to be independent and skilled to safely access the subzone. Commercially guided climbing trips do not support the desired conditions of the pristine subzone.

Concern Statement: One correspondence asked the National Park Service to clarify the commercial use authorization (CUA) gross receipt limit mentioned in Part 1, Chapter 7: Commercial Service Analysis.

NPS Response: The draft plan says “CUAs are limited to gross receipts of \$25,000 or less and can be assigned to an area inside the park.” This limit, which is stated in NPS *Management Policies 2006*, applies to commercial activities that originate *within the boundaries of the NPS unit*. This statement does not apply to commercial activities and services operating under commercial use authorizations that originate outside the park boundaries. A clarification is included in the revised plan.

Concern Statement: A few commenters questioned how the visitor capacities for some routes and use areas were developed and why limits were seemingly low.

NPS Response: The National Parks and Recreation Act of 1978 requires national park system units to identify visitor capacities for all park areas. To meet this requirement, chapter 6 identifies capacities for use areas in the wilderness and backcountry, including trails, the Big 7 routes, climbing areas, and some overnight campsites and dispersed camping areas. The approach for identifying visitor capacities is based on the visitor use management framework (<https://visitorusemanagement.nps.gov/VUM/Framework>) and associated publications and is consistent with the literature and best practices on this topic. Visitor capacity is the maximum amount and types of visitor use that an area can accommodate while achieving and maintaining the desired resource conditions and visitor experiences that are consistent with the purposes for which the area was established (Interagency Visitor Use Management Council [IVUMC] 2016, 2019a).

A general overview of the analysis and evaluation process used to identify visitor capacity and an additional narrative describing the visitor capacity identification process in greater detail is included in chapter 6 of the plan. This analysis is informed by existing data, guidance, and best professional management judgment to ensure that desired conditions for resources and visitor experiences are achieved and maintained. The data used in the analysis was the most recent available at the time of writing. For all of the 26 use areas at Black Canyon of the Gunnison NP and 22 at Curecanti NRA, park staff noted that current use levels do not significantly degrade resources or desired visitor experiences, so the National Park Service determined that current levels of use could be maintained or even expanded in some places. Visitor capacities have been identified based upon the best available information and will be reviewed and updated as future planning occurs.

Concern Statement: Several commenters wondered if NPS staff capacity was sufficient to support the actions and monitoring included in the plan.

NPS Response: The National Park Service has the management discretion to allocate available resources to address high-priority needs, including staffing needs, as issues present themselves.

Concern Statement: Commenters objected that defining fixed equipment as “installations,” and requiring a minimum requirements analysis (MRA) for installing fixed equipment in wilderness represents a change in NPS interpretation of the Wilderness Act.

NPS Response: Section 7.2 of NPS Director’s Order 41: *Wilderness Stewardship* recognizes that climbing is a legitimate and appropriate use of wilderness. It also states that the occasional use of fixed anchors does not necessarily violate the Wilderness Act, but that “fixed anchors or fixed equipment should be rare in wilderness,” that the “establishment of bolt-intensive face climbs is considered incompatible with wilderness preservation,” and that “climbing management strategies will address ways to control, and in some cases reduce, the number of fixed anchors to protect the park’s wilderness resources.” Explicitly treating fixed anchors as installations under section 4(c) of the Wilderness Act is consistent with NPS Reference Manual 41 (2013), which defines installations as “anything made by humans that is not intended for human occupation and is left unattended or left behind when the installer leaves the wilderness.” Fixed anchors, bolts, and equipment used in traditional climbing fit this description because they are human-made and left unattended in wilderness once installed. Therefore, the National Park Service is not substantively changing policy guidelines through this planning process; rather, the National Park Service is applying these long-standing policies to provide a framework for analyzing which climbs are appropriate in wilderness.

In addition, Director’s Order 41 states that “Authorization will be required for the placement of new fixed anchors and fixed equipment” and requires parks complete a minimum requirements analysis for proposed actions that involve a prohibited use (section 4(c) of the Wilderness Act) and to all other administrative actions within wilderness that could potentially affect wilderness character. As a result, the authorization of fixed anchors, which is an administrative action, is subject to these policies, including a minimum requirements analysis to determine the appropriate level of fixed anchor use in Black Canyon of the Gunnison Wilderness.

Concern Statement: Commenters voiced concerns that requiring prior authorization for replacing existing fixed anchors and equipment, including a minimum requirements analysis in wilderness, would create safety issues for climbers who may encounter aging or unsafe fixed equipment.

NPS Response: The National Park Service is not obligated to assess or mitigate hazards associated with climbing, nor is it responsible for assessing or maintaining the safety of fixed anchors or fixed equipment (RM 41). Climbers are ultimately responsible for their own safety. While unsafe anchors are rare at the park, climbers—not NPS staff—are responsible for maintaining or repairing bolts and other climbing equipment known to be unsafe. This responsibility has been clarified in revisions to the climbing management plan. Park staff continues to work with climbers to replace unsafe anchors as part of its overall visitor safety operations.

The language in the revised climbing management plan has been updated to explicitly state that climbers may make emergency replacements of individual fixed anchors posing a legitimate safety concern without preauthorization for the purposes of making a safe

and expeditious exit from the climb. Proposals for the planned replacement of existing fixed equipment or new placement of fixed anchors in the Black Canyon of the Gunnison Wilderness will require authorization and minimum requirements analysis. The National Park Service acknowledges that a valid approach for authorizing future proposals for fixed anchor removal, placement, and replacement could be a programmatic minimum requirements analysis that evaluates minimum requirements for an entire use section or parkwide instead of the current case-by-case approach stated in the climbing management plan. An updated minimum requirements analysis should be completed if wilderness character conditions have changed since the original minimum requirements analysis and/or if the request proposes the drilling of a new hole or use of a power drill.

Concern Statement: Commenters expressed that visitor capacities for climbing routes should be based on the number of parties, not the number of individuals.

NPS Response: Part 1, chapter 6 identifies visitor capacities for use areas in wilderness and backcountry at Black Canyon of the Gunnison NP and backcountry at Curecanti NRA. The measure for visitor capacity was determined on a per-person/per-day basis (PIOD=people in one day) to be consistent across all management zones and all visitor uses. Most climbing area capacities in both Black Canyon of the Gunnison NP and Curecanti NRA are also expressed as both PIOD and number of climbing parties per day except for Black Canyon of the Gunnison Climbing Area 4 (Cruise Gully). A climbing party is identified as two people. Cruise Gully is the most heavily used route by climbers from the North Rim, and Pinyon Draw is the most heavily used route by hikers, anglers, and climbers from the North Rim, so only the PIOD measure is used to define visitor capacity on these two North Rim routes. This approach maintains consistency and clarity for the variety and majority of visitors accessing the primitive subzone of the inner canyon of Black Canyon of the Gunnison Wilderness from either the North or South Rims, regardless of the type of use.

Concern Statement: Some commenters believe that the climbing management plan includes arbitrary limits to the number of new routes that can be established in a year. They further commented that the definition of a new route in section 4 of the climbing management plan created confusion about whether preauthorization would be needed for developing a new route that does not require fixed anchors.

NPS Response: NPS Reference Manual 41 asserts that wilderness stewardship plans and/or climbing management plans will include provisions for monitoring resource impacts associated with climbing activities, and any new or changing patterns of use or trends in climbing activities, and assess their potential impacts on park resources and will outline appropriate management actions to minimize or mitigate adverse impacts, which may include limiting use.

The climbing management plan included in part 1, chapter 4 does not include limits in the number of new routes that can be established in a year. However, table 4, “Potential Future Measures, Standards, and Management Strategies for Black Canyon of the Gunnison National Park,” which is included within the monitoring strategy presented in part 1, chapter 5, touches upon this topic. For the measure topic, “number of climbing

routes, access trails, and concentration of routes,” under the Solitude or Primitive and Unconfined Recreation Quality, this table identifies three possible measures and standards for evaluating impacts on vegetation, soils, and visitor experience from adding new climbing routes in the inner canyon primitive wilderness subzone. In the draft plan released to the public in June 2022, one of these recommended standards was “≤ 7 new climbing routes per year in IC primitive” subzone. This standard has been revised to “0 new climbing routes per year in IC primitive subzone without preauthorization.” The second recommended standard remains unchanged as “0 new identifiable access trails to the same area.” The third recommended standard—“Concentration of climbing routes ≤ four per linear mile of the canyon rim”—was deleted, along with the corresponding measure “Density of climbing routes per linear mile.” (See the forthcoming revised plan for these changes.)

The climbing management plan has been revised in response to public comment. The definition of “new route” provided in the climbing management plan remains broad, encompassing routes that require fixed equipment and those that do not (i.e., any route ascending previously unclimbed terrain). However, portions of the plan have been reorganized, with revised section headings, to clarify guidance. All proposed new routes should consider the possibility of needing fixed equipment. Climbers proposing a new route that may require the installation of fixed anchors and/or equipment need to follow the authorization process outlined in the climbing management plan and complete the NPS authorization process before attempting a first ascent. After obtaining authorization, the climber who received authorization would submit a topographic map and/or route description of the new route within 30 days of completion of the new route (i.e., first ascent).

Concern Statement: Commenters expressed that the National Park Service should use science-based raptor management practices instead of blanket seasonal closures.

NPS Response: In accordance with *NPS Management Policies 2006* and 36 CFR 1.5, a park superintendent may issue an area closure or use restriction when measures are needed to prevent impacts on park resources or values or minimize visitor use conflicts. Black Canyon of the Gunnison NP has a standard operating procedure in place for raptor monitoring and decision-making for nesting raptor-related closures that was developed by the park biologist and incorporates best practices for raptor management established by US Fish and Wildlife Service and Colorado Parks and Wildlife, which align with the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act. The current procedure, which would continue under the wilderness and backcountry management plan, is not a blanket closure of backcountry areas. Potential raptor nesting areas are monitored in early spring to determine if the territory is occupied. If the territory is occupied, every effort is made to locate the nest site. Closures may be lifted if the territory is determined to be unoccupied, or closures may be modified to only include areas within line of sight to the nest once the nest is located. The Superintendent Compendium closure remains in effect until the young have fledged to minimize disturbance to nesting activities.

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