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In Reply Refer To:
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EMS TRANSMISSION 02/27/2007
Instruction Memorandum No. CO-2007-023
Expires: 09/30/2008

To: All Field Office Officials

From: Deputy State Director, Resources and Fire

Subject: Clarification of Addendum 1 to the Colorado Protocol: Section 106
Requirements for Comprehensive Travel and Transportation Management
Planning

Program Areas: Cultural Resources; Recreation; Planning

Purpose: This Instruction Memorandum (IM) transmits Addendum I and provides clarification on its implementation and with the new guidance issued from the Washington Office (WO IM 2007- 030).

Policy/Action: Colorado will continue to follow Addendum 1 with the following clarifications.

1. The current inventory requirements are that "Proposed designations of new routes or areas as open to travel are subject to Section 106 compliance in the same manner as any undertaking. Class III inventory in the APE is required **prior to designation** of new routes or areas as open to travel, and for new locations proposed as camping areas, staging areas or similar areas of concentrated travel". During planning, most new routes or areas will not be marked on the ground. In these cases, Class III inventory can be conducted after designation, when the new routes or areas are identified on the ground. Class III inventory of existing routes and areas open to travel is not required prior to designation.
2. Monitoring refers to the "areas and routes that are designated open to travel in the Area of Potential Effect" that are selected by the travel management monitoring team for inspection on a defined schedule identified in the plan. Since monitoring will occur after plan completion, the decision record cannot capture specific mitigation actions that may be required if adverse effects to cultural resources are identified. The decision record should only state that appropriate mitigation actions will be taken on these cultural resources following the requirements of Addendum 1.

3. The WO guidance (WO IM 2007-030) identifies less intensive identification efforts for (1) the continued use of an existing route; (2) imposing new limitations on an existing route; (3) to close an open area or travel route; (4) to keep a closed area closed; and (5) to keep an open area open. Further, the guidance shows that Class III inventory (defined in Manual 8110.21C) is not required prior to these designations.

This guidance for existing routes is partially contrary to current Colorado standards agreed to with the State Historic Preservation (see CO IM 1998-052). The Colorado standards require that inventories be considered for existing roads when (1) Class III inventories have not been completed and (2) the existing literature (Class I data) shows a probability for potentially eligible cultural resources. In these cases, Class III inventory may be required for some designated routes and areas that allow continued use of an existing route and keep an open area open.

Timeframe: This IM becomes effective upon the date of issuance.

Budget Impact: None

Background: The attached Addendum was approved on October 26, 2006 and transmitted to the cultural resource staff for immediate implementation. The requirements are to be used for Section 106 compliance of route designation during land use planning and travel management planning. Since being implemented, the field offices have requested clarification on inventory requirements and monitoring and with the recent policy issued by the Washington Office (WOIM 2007- 030).

Directives Affected: None

Coordination: This IM was coordinated with the Recreation and Cultural Resource Staff from the field offices requesting clarification.

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1 Attachment:

1 – Addendum 1 to the Colorado Protocol: Section 106 Requirements for Comprehensive Travel and Transportation Management Planning (7 pp)