

5.0 CONSULTATION AND COORDINATION

5.1. Introduction

This chapter reviews agency consultation and coordination that occurred prior to, and during, the preparation of the DRMP/DEIS and this PRMP/FEIS. The BLM Land Use Planning Handbook H-1601-1 (BLM 2005a) encourages the BLM to use a “Collaborative Planning Process” whereby interested parties can work together to seek solutions for managing public lands. Public participation assists the agencies in:

- broadening the information base necessary for sound decision making;
- informing the public about the RMP/EIS, as well as about the potential environmental impacts associated with various management decisions; and
- ensuring that public needs and viewpoints are understood by the BLM.

This chapter, which outlines efforts that have taken place to accomplish these goals, is divided into five primary efforts involving the public:

- Public Scoping;
- Public Review of, and Comment on, the DRMP/DEIS;
- Monument Advisory Committee and Southwest Resource Advisory Council Subgroup;
- Other Stakeholders; and
- Consistency with Other Plans.

Consultation and coordination efforts involved individuals, groups, and organizations; coordinating and cooperating agencies; local, State, and other Federal agencies and officials; Native American tribes; and BLM staff. This PRMP/FEIS for the Monument represents extensive public involvement efforts engaged in throughout the various stages of plan development.

5.2. Public Scoping

Public involvement has occurred throughout the development of this land use plan; however, there were two primary periods when the BLM actively solicited public review and comment. The first of these two periods was the formal scoping period. (The term “scope” is defined as the range of actions, alternatives, and impacts to be considered in an EIS.) The scoping period is used to identify potential issues and concerns associated with the DRMP/DEIS. Information obtained by the BLM during public scoping is combined with issues identified by the agency to form the focus for the DRMP/DEIS. Identifying issues up front in the process allows for an accurate and timely environmental analysis. The scoping process is also designed to encourage public participation and to solicit public input.

5.2.1. Notice of Intent (NOI)

The formal scoping process for this document was initiated on April 24, 2002, with the publication of a Notice of Intent (NOI) to prepare a DRMP/DEIS in the *Federal Register*. The BLM provided an extended public scoping period, between April 2002 and November 2003, to allow ample opportunity for public comment and for involvement in the initial stages of planning. During this time, input was received from BLM staff, other Federal resource and land management agencies, local governments, State government, Native American tribes, individual citizens, environmental groups, commercial entities, and other interested parties. A Scoping Report is on file at the Anasazi Heritage Center (BLM 2004a).

5.2.2. Website

A planning website was developed to electronically convey information to the public during the planning process. The website (<http://www.blm.gov/rmp/canm/>) provides much of the same information as newsletters; however, it also offers access to larger documents and links to more information. The website lists planning documents, Monument Advisory Committee (Advisory Committee) meeting dates and meeting minutes, press releases, newsletters, and contact information.

5.2.3. Newsletter

A planning newsletter was developed as a means of maintaining updates and for providing information to the public. Newsletter No. 1 was published in January of 2003. It introduced the public to the planning process, presented the Anasazi Heritage Center (AHC) as the headquarters of the new Monument, detailed an overview of important resources in the Monument, and listed opportunities for the public to get involved. During the summer of 2003, an update provided information on the public participation process (including how to submit a comment and how to stay informed and involved). It also provided a scoping worksheet. Newsletter No. 2 was published during the winter of 2003-2004. It provided the public with an update of the scoping process, a list of comments received and issues being raised, as well as information on planning criteria. Newsletter No. 3 was published during the spring of 2005. It provided an update on planning efforts, the status of the Monument Advisory Committee, and the final planning criteria.

5.2.4. Public Notices and Announcements

In addition to the other avenues of public involvement and participation listed in this chapter, the dates and locations of the introductory meeting and the dates of scoping workshops were announced in newspaper articles, flyers, television broadcasts, and radio announcements (Scoping Report, BLM 2004a). The dates and locations of Advisory Committee meetings were advertised in the *Federal Register*, as well as in local newspapers.

5.2.5. Meetings and Workshops

The BLM hosted three scoping workshops promoting public involvement and participation. These meetings were held in Cortez, Durango, and Denver, Colorado. Total attendance during these meetings was 74 individuals.

The scoping process objectives were intended to:

- identify potentially interested parties;
- identify public and agency concerns;
- define the range of issues to be examined in the DRMP/DEIS;
- ensure that relevant issues were identified early and that they drove the process; and
- establish a public record.

In addition, the BLM hosted a planning “Kick-Off” meeting on August 18, 2003. This was to encourage local, State, and other Federal agency consultation, as well as Native American tribal consultation and participation. The BLM hosted a community-based stewardship workshop in Cortez, Colorado on September 11-13, 2003 to assist with the preparation of the DRMP/DEIS. The BLM, along with the Sonoran Institute, co-hosted a workshop on November 13, 2003,

entitled “Economic Profile System.” This workshop was presented to discuss the role public land plays in local economies.

5.2.6. Tribal Consultation

Consultation with Native American tribes was initiated prior to the official designation of the Monument. The BLM first initiated consultation with Native American tribes in 1993. Consultation specifically related to the Native American Graves Protection and Repatriation Act (NAGPRA) was conducted intermittently until 2000. At that time, Monument and AHC personnel formally initiated consultation with 25 tribes. The consultation effort had two goals:

- to identify groups that, under NAGPRA, claim cultural affiliation with the human remains and associated funerary objects in the collections housed at the AHC; and
- to identify Native American groups that have traditional association with the landscape now known as Canyons of the Ancients National Monument.

Federal Agency legal responsibilities under the National Historic Preservation Act of 1966, the Native American Graves Protection and Repatriation Act, the Archaeological Resources Protection Act, and the American Indian Religious Freedom Act, mandate the BLM to honor cultural and traditional Native American beliefs and to integrate those beliefs into land management in the Monument. A “Cultural Affiliation Study for Canyons of the Ancients National Monument, Southwest Colorado”, was published in a document dated December 6, 2002. The affiliation study captures tribal comments on the management of resources and on the treatment of human remains within the Monument. Tribes also made recommendations concerning their involvement in the development of the RMP. A three-day intertribal meeting was held November 3-5, 2003 to introduce the tribes to the BLM’s planning process and to encourage the tribes to voice their concerns and visions for the future management of the Monument.

5.2.7. Agency Coordination and Cooperating Agencies

In addition to public workshops, the BLM met with local, State, and other Federal agencies to gather feedback on resource issues and concerns. Agencies involved throughout the planning process include the National Park Service (NPS) (i.e. from Canyonlands National Park, Hovenweep National Monument, and Mesa Verde National Parks), the San Juan Public Lands Center (the SJPLC), the U.S. Fish and Wildlife Service (USFWS), the U.S. Forest Service (USFS), the Environmental Protection Agency (EPA); the Colorado Department of Health and Environment (CDPHE); the Colorado Department of Natural Resources–Division of Wildlife, the Colorado Historical Society, and Montezuma and Dolores Counties.

Cooperating agency status provides a formal framework for governmental units (local, State, Federal, and Native American tribal) to engage in active collaboration with a lead Federal agency (the BLM, in this case) in the planning process. On February 20, 2003 the BLM mailed out invitations to potential cooperating agencies. The letter included a BLM Cooperating Agency Memorandum and described the status and responsibilities a cooperating agency would hold during the process of developing the land use plan. The invitation was sent to 4 Federal agencies, 2 State agencies, 2 local governments, and 25 Native American tribes. Two agencies returned the memorandum, making their request to serve as cooperating agencies: the Colorado Historical Society, and the USFWS.

A summary of key coordination actions associated with the various agencies is listed below:

Table 5-1 Key Coordination Actions	
Agency	Coordination/Responsibility
FEDERAL AGENCIES	
Department of the Interior (USDOI)	
U.S. Fish and Wildlife Service	Reviews actions affecting threatened or endangered species of fish, wildlife, or plants (Section 7 consultation, coordination, and review).
National Park Service	Reviews RMP/EIS for coordination with NPS planning, especially with regard to Hovenweep National Monument.
Department of Agriculture (USDA)	
U.S. Forest Service	Coordinates mineral leasing and other activities that affect lands administered by the USFS. Reviews the RMP/EIS for consistency with USFS planning. Coordinates and cooperates with the EPA and the Colorado Department of Public Health and Environment (CDPHE) on monitoring, and with collecting air quality data.
EPA	
Environmental Protection Agency	Coordinates with the BLM, the USFS, and the CDPHE on monitoring, and with collecting air quality data. Reviews air quality monitoring data. Files <i>Federal Register</i> notices.
STATE AGENCIES	
State of Colorado	Participates in the environmental analysis and documentation process by providing information concerning environmental issues for which the State of Colorado has jurisdiction by law or by special expertise. Provides information from State records on matters including, but not limited to, RMP/EIS project impacts on air quality and Class 1 air sheds, fish and wildlife, and water rights.
Colorado Department of Public Health and the Environment	Coordinates the management of water quality, the development of monitoring for visibility standards and guidelines, and the collection of air quality data.
Colorado Department of Natural Resources-Division of Wildlife	Coordinates vegetation treatment projects, wildlife habitat management, big game herd objectives, and

Table 5-1 Key Coordination Actions	
Agency	Coordination/Responsibility
	Special-Status Species data.
Colorado Historical Society, Office of Archaeology and Historic Preservation	Consults on compliance with Section 106 of the National Historic Preservation Act (NHPA) in accordance with the National Programmatic Agreement, as implemented in the Colorado Protocol to that agreement.
NATIVE AMERICAN TRIBES	
Ute Mountain Ute Tribe Uintah-Ouray Ute Tribe Southern Ute Tribe Navajo Nation Hopi Tribe Pueblo of Acoma Pueblo of Cochiti Pueblo of Isleta Pueblo of San Felipe Pueblo of Santa Ana Pueblo of Santo Domingo Pueblo of Jemez Pueblo of Laguna Pueblo of Sandia Pueblo of Zia Pueblo of Zuni Pueblo of Nambe Pueblo of San Juan Pueblo of Picuris Pueblo of Pojoaque Pueblo of San Ildefonso Pueblo of Santa Clara Pueblo of Taos Pueblo of Tesuque Jicarilla Apache	Consults with regard to NEPA, NAGPRA, and the American Indian Religious Freedom Act (AIRFA).

Table 5-1 Key Coordination Actions	
Agency	Coordination/Responsibility
COUNTY AGENCIES	
Montezuma and Dolores Counties	Participates in environmental analysis and documentation by providing information on environmental issues for which each specified county has jurisdiction by law or by special expertise. Provides information on RMP/EIS project impacts to domestic livestock grazing through the County Rangeland Stewardship committee, and on social and economic impacts specific to each county.

5.2.8. Results

The BLM received 1,868 comment submittals during public scoping, resulting in a total of 23,744 comments. Of the total submittals, 1,761 were form letters and 107 were individual letters, comment forms, or e-mails. The source of comments included approximately 11 percent from local, regional, and State sources; 82 percent from within the United States, but from outside of the region; and 7 percent from outside of the United States.

5.3. Public Review of, and Comment on, the DRMP/DEIS

Public review of, and comment on, the DRMP/DEIS was the second primary period when active solicitation for public involvement occurred in the planning process. The objective was to ensure that the DRMP/DEIS was readily available, and to encourage public review and understanding of its contents so that meaningful comments could be submitted. It also served as a good time for those involved from the beginning of the planning process to make sure that their initial issues and concerns were addressed.

5.3.1. Notice Of Availability (NOA)

The Notice of Availability (NOA) of the “Canyons of the Ancients Draft Resource Management Plan and Draft Environmental Impact Statement, Colorado” was published in the *Federal Register* by the EPA on October 26, 2007 (Volume 72, Number 207). The publishing of the NOA officially started the 90-day comment period. The comment period actually ran 97 days, ending on January 30, 2008.

5.3.2. DRMP/DEIS Distribution

Copies of the DRMP/DEIS were distributed to an extensive list of individuals and agencies in hard copy and/or in CD form. The distribution list contained 4 BLM offices, 24 other Federal agency offices, 2 State offices, 4 city offices, 25 Native American tribal governments, 12 members of the Southwest Resource Advisory Council (SWRAC) Monument Subgroup, 9 elected officials, 4 public libraries, and 8 additional organizations. Upon request, additional hard copies and CDs were provided during the public comment period.

5.3.3. Website

The planning website was updated to announce the release of the DRMP/DEIS to the public. The website (<http://www.blm.gov/rmp/canm/>) provided an electronic copy of the DRMP/DEIS, along with supporting documents. Global Information System (GIS) layers for maps contained in the DRMP/DEIS were made available on the website. The website also contained a comment form and complete instructions on how to submit a comment via the website, or by fax or mail. The website was updated with press releases, newsletters, Advisory Committee meeting dates and meeting minutes, and contact information. Between October 2007 and April 2008, during and shortly after the DRMP/DEIS review period, the website received 1,502,060 page views.

5.3.4. Newsletter

Newsletter No. 4 was published in October of 2007 and coincided with the release of the DRMP/DEIS. The newsletter outlined alternatives developed in the DRMP and provided information on obtaining a copy of the plan. The newsletter also provided a comment form and instructions on submitting comments. Two and a half years had lapsed between this newsletter and the previous newsletter (published in spring 2005); therefore, an update of the status of the Advisory Committee/SWRAC Subgroup was provided, along with a list of names of those participating on the Subgroup. An estimated timeline for completing the RMP/EIS was also provided.

5.3.5. Public Notices and Announcements

The release of the DRMP/DEIS was announced on the website, as well as in newsletters, newspaper articles, and public notices. In addition, it was listed on the Schedule of Proposed Actions (SOPA) for the San Juan Public Lands. (This schedule is mailed out to approximately 286 people, and is available on the San Juan Public Lands website at <http://www.fs.fed.us/r2/sanjuan/projects/>.)

5.3.6. Meetings

During the 90-day comment period, three open house forums were held, one each in Durango, Cortez, and Denver, Colorado. A total of 102 people signed in at these meetings, with a total attendance of approximately 150 people. The following table lists formal meetings that took place during the release of the DRMP/DEIS:

Table 5-2 Formal Meetings During the 90 Day Comment Period	
October 2007	November 2007
Mesa Verde Native American Tribal Meeting	Montezuma County Commissioners
Crow Canyon Archaeological Center	Durango Open House
SWRAC Subgroup Meeting	Cortez Open House
AHC Briefing	Denver Open House
Dolores Public Lands Center Briefing	CDPHE

Table 5-2 Formal Meetings During the 90 Day Comment Period	
October 2007	November 2007
NPS (Hovenweep National Park)	Dolores County Commissioners
Colorado Division of Wildlife	
National Trust for Historic Preservation	
Colorado Preservation Inc.	
The Wilderness Society	

5.3.7. Results

Two hundred and ninety unique letters/comment forms were received during the review period of the DRMP/DEIS. In addition, 14,210 form letters were received. A total of 574 unique comments were received and focused on the following issues:

Range/Grazing	22
Minerals	160
Cultural Resources	56
Recreation/Transportation	180
Other (budget, preservation, process)	156

Sources of comments included 45 from the local area, 30 from the Four Corners region, 60 from within the State of Colorado, and 155 from outside Colorado, but from within the United States. Most of the form letters received were from outside the local and regional area. A summary of public comments, and BLM responses, are attached in Appendix U.

5.4. Monument Advisory Committee

On June 6, 2003, an 11-member Monument Advisory Committee (Advisory Committee) was established. Member selection was based on knowledge and on level of expertise in specific areas of interest. The Advisory Committee's duties included gathering and analyzing information; conducting studies and field examinations; hearing public testimony; advising the BLM on establishing priorities, goals, and objectives; developing recommendations for management implementation; and advising the BLM on local collaborative management approaches. The Advisory Committee identified six priority issues and provided recommendations for each issue. The issue topics included grazing management, mineral development, cultural resources protection, recreation management, transportation planning, and private land access. Advisory Committee actions are detailed in the Canyons of the Ancients National Monument Scoping Report (BLM 2004a).

The development of the RMP/EIS has taken longer than anticipated; therefore, membership on this Advisory Committee, endorsed by the Federal Advisory Commission Act (FACA), lapsed for most members before the DRMP/DEIS was complete. The process to appoint members to this federally sanctioned committee is elaborate and lengthy. The BLM wanted the Advisory

Committee to remain functional therefore the Committee was re-established as a Subgroup operating under the management of the SWRAC.

From the onset of the planning process, the Advisory Committee has met as a group 23 times. In addition, Advisory Committee members often broke out into subgroups to work on specific topics. In addition, they periodically held meetings with their constituents.

5.5. Other Stakeholders and Partners

Numerous groups and individuals have shown interest in, and participated in, the management of the Monument. Stakeholders are those individuals that have an interest in the management of the Monument. Partners have an interest as well, but they have also contributed to the research, protection, and/or management of the Monument. Partners and Stakeholders include:

- the Anasazi Historical Society;
- the Canyonlands Natural History Association;
- Colorado backcountry Byways;
- Colorado College;
- the Colorado Council of Professional Archaeologists;
- the Colorado Department of Natural Resources;
- the Colorado Division of Wildlife;
- the Colorado Environmental Coalition;
- the Colorado Natural Heritage Program;
- the Colorado Office of Archaeology and Historic Preservation;
- Colorado Preservation, Inc.;
- the Colorado State Historical Fund;
- Colorado State Trails;
- The Conservation Fund;
- the Crow Canyon Archaeological Center;
- the Four Corners Trail Club;
- Friends of Canyons of the Ancients;
- Fort Lewis College;
- Great Old Broads for Wilderness;
- hosted workers;
- interns;
- the Kelly Place;
- Kinder Morgan CO2 Company;
- the Kokopelli Bike Club;
- lease holders;
- the McElmo Canyon Research Institute;

- Mesa Verde Backcountry Horsemen;
- the National Trust for Historic Preservation;
- the National Landscape Conservation System Alliance;
- permittees (i.e., range, recreation);
- private landowners (inholdings and edgeholdings);
- the San Juan Citizen's Alliance;
- the San Juan Mountains Association;
- Save America's Treasures;
- the Southwest Conservation Corps;
- The Trust for Public Lands;
- The Watercourse, Montana State University;
- the University of Colorado;
- volunteers;
- The Wilderness Land Trust;
- The Wilderness Society;
- the USFS;
- the NPS; and
- Native American tribes (including the Ute Mountain Ute Tribe, the Uintah-Ouray Ute Tribe, the Southern Ute Tribe, the Navajo Nation, the Hopi Tribe, the Pueblo of Acoma, the Pueblo of Cochiti, the Pueblo of Isleta, the Pueblo of San Felipe, the Pueblo of Santa Ana, the Pueblo of Santo Domingo, the Pueblo of Jemez, the Pueblo of Laguna, the Pueblo of Sandia, the Pueblo of Zia, the Pueblo of Zuni, the Pueblo of Nambe, the Pueblo of San Juan, the Pueblo of Picuris, the Pueblo of Pojoaque, the Pueblo of San Ildefonso, the Pueblo of Santa Clara, the Pueblo of Taos, the Pueblo of Tesuque, and the Jicarilla Apache).

5.6. Consistency with Other Plans

According to guidance found in 43 CFR 1610, BLM RMPs and amendments must be consistent, to the extent practical, with officially approved or adopted resource-related plans of State and local governments, other Federal agencies, and Native American tribal governments. BLM RMPs must also be consistent with the purposes, policies, and programs of the Federal Land Policy and Management Act (FLPMA) and other Federal laws and regulations applicable to public lands, including Federal and State pollution control laws (43 CFR 1610.3-2 [a]).

Three primary plans were reviewed to determine if this PRMP/FEIS was in compliance with other planning efforts in the area. The plans included the Draft San Juan Public Lands RMP/EIS, the Montezuma County Comprehensive Plan, and the Dolores County Master Plan. A Governor's 60-day consistency review ensures PRMP/FEIS compliance with State management plans.

The San Juan Public Lands (SJPL) Draft Land Management Plan/Draft Environmental Impact Statement (DLMP/DEIS) was released for public review in December of 2007. The DLMP/DEIS covers management actions on approximately 2,367,800 acres of lands administered by the

USFS and by the BLM in southwestern Colorado. These lands predominately surround the Monument. Many of the Federal employees involved in developing the SJPL's DLMP/DEIS were the same employees who worked on developing the Monument's DRMP/DEIS; therefore, the two plans should complement each other. In addition, both plans are required to abide by many of the same laws and regulations. However, the Monument was established by Presidential Proclamation and falls within the BLM's National Landscape Conservation System. Both of these designations add additional management considerations for the Monument.

The Montezuma County Comprehensive Plan, adopted January 6, 1997, contains several statements that emphasize the importance of multiple-use management. This coincides with the mission of the BLM. However, the primary philosophy stated in the Montezuma County Plan is, "While recognizing the importance of recreation and resource protection, Montezuma County places the highest priority on the continuation of traditional and historic uses such as grazing, timber harvesting, mining and energy development" (Pg. 12-2, No. 4). This management philosophy is somewhat contradictory to BLM's requirement that the Proposed Action in this PRMP/FEIS be consistent with FLPMA. The FLPMA established the mandate that public lands shall be managed for "multiple use" and "sustained yield." The FLPMA defines "multiple use" as the "harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output" (43 United States Code (USC) 1702).

The Dolores County Master Plan was completed in 1997 and recognizes the important role public lands play in the life-style and economics of the county. The plan states specific objectives, including the protection of rural character and prime agricultural land; the maintenance of water, air, and wildlife quality; the protection of historic and cultural sites; the maintenance of property rights; and, the importance of coordination between government entities. The Monument's PRMP/FEIS appears to be consistent with the Dolores Master Plan.