

**United States Department of the Interior  
Bureau of Land Management  
Royal Gorge Field Office  
3028 E. Main Street  
Cañon City, CO 81212**

## **Environmental Assessment**

### **Browns Canyon Mineral Withdrawal**

DOI-BLM-CO-200-2013-0088 EA

July, 2014



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The mineral resources throughout Front Range are slowly being encumbered by various surface uses and designations that may not be compatible with future mining activities. Without better

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## CHAPTER 1 - INTRODUCTION

### 1.1 IDENTIFYING INFORMATION

CASEFILE/PROJECT NUMBER (optional): COC 24224 01

PROJECT TITLE: Browns Canyon Mineral Withdrawal

PLANNING UNIT: Eco-Subregion 1 – Arkansas River

#### LEGAL DESCRIPTION:

New Mexico Principal Meridian

T. 51 N., R. 8 E.,

- sec. 11, lots 1, 2, and 3, S $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , and E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;
- sec. 12, W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ ;
- sec. 13, W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;
- sec. 14, NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;
- sec. 23, W $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ ;
- sec. 26, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;
- sec. 34, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;
- sec. 35, N $\frac{1}{2}$ NW $\frac{1}{4}$  and N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ .

Sixth Principal Meridian

T. 15 S., R. 77 W.,

- sec. 30, lots 2, 3, and 4;
- sec. 31, lots 1 to 4, inclusive, and W $\frac{1}{2}$ E $\frac{1}{2}$ W $\frac{1}{2}$ .

T. 15 S., R. 78 W.,

- sec. 12, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;
- sec. 13, E $\frac{1}{2}$ SW $\frac{1}{4}$  and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;
- sec. 24, W $\frac{1}{2}$ NE $\frac{1}{4}$  and N $\frac{1}{2}$ SE $\frac{1}{4}$ ;
- sec. 25, SE $\frac{1}{4}$ NE $\frac{1}{4}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$ .

The areas described aggregate 2,214.31 acres of public lands in Chaffee County.

#### **Legal Description of Overlapping Withdrawals:**

The proposed withdrawal would overlap two withdrawals described below:

- (a) Power Site Reserve No. 92, Executive Order dated July 2, 1910.

The overlap includes 1974.31 acres described as:

New Mexico Principal Meridian

T. 51 N., R. 8 E.,

sec. 11, lots 1, 2, and 3, S $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , and E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;

sec. 14, NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;

sec. 26, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
NW $\frac{1}{4}$ SE $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;

sec. 35, N $\frac{1}{2}$ NW $\frac{1}{4}$  and N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ .

Sixth Principal Meridian

T. 15 S., R. 77 W.,

sec. 30, lots 2, 3, and 4;

sec. 31, lots 1 to 4, inclusive, and W $\frac{1}{2}$ E $\frac{1}{2}$ W $\frac{1}{2}$ .

T. 15 S., R. 78 W.,

sec. 12, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;

sec. 13, E $\frac{1}{2}$ SW $\frac{1}{4}$ ;

sec. 24, W $\frac{1}{2}$ NE $\frac{1}{4}$  and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;

sec. 25, E $\frac{1}{2}$ SE $\frac{1}{4}$ .

(b) Power Site Classification No. 32, Secretarial Order April 29, 1922.

The overlap includes 40.00 acres described as:

Sixth Principal Meridian

T. 15 S., R. 78 W.,

sec. 25 SE $\frac{1}{4}$ NE $\frac{1}{4}$ .

APPLICANT: The Bureau of Land Management, Royal Gorge Field Office filed an application requesting the Assistant Secretary for Policy, Management and Budget to withdraw, subject to valid existing rights, the above described public lands from location and entry under the United States mining laws. This withdrawal would be enacted for a period of 20 years to protect the scenic, recreational, and other natural resource values along with the capital investment of developed facilities within the scenic Browns Canyon corridor along the Arkansas River.

## **1.2 INTRODUCTION AND BACKGROUND**

Browns Canyon is located roughly midway between the town of Buena Vista and the City of Salida in Chaffee County, Colorado. The area was previously withdrawn from mineral entry in 1991 (COC 24224) to protect scenic, recreational, and other natural resource values found within the Browns Canyon corridor along the Arkansas River. The withdrawal expired in December, 2011.

In this EA, the BLM is analyzing the impacts of a proposed new withdrawal of the same lands that were previously withdrawn and how a withdrawal would contribute to the protection of the unique and natural values including the recreation viewshed and primitive recreation experience afforded by the canyon structure. The BLM also is analyzing the impacts associated with mineral entry under the no-action alternative in which the lands would not be withdrawn.

In addition to the existing natural values along Browns Canyon, capital investments have been made to develop recreational facilities at the Hecla Junction and Ruby Mountain Recreation Sites. Both sites are managed through a Recreation and Public Purpose Lease (R&PP) with Colorado Parks and Wildlife (CPW). The surrounding businesses and communities have realized increased economic values from the recreational activities, mainly whitewater boating, in Browns Canyon. The area in and around Browns Canyon has been the subject of past legislative efforts to maintain similar objectives, included in recently proposed legislation to create a National Monument.

Browns Canyon is the centerpiece of the Arkansas Headwaters Recreation Area (AHRA), a unique area managed through a partnership between the BLM and CPW to enhance the recreational and natural resource values found throughout the river corridor. The AHRA, which extends for 152 miles from Leadville to Lake Pueblo State Park, was established on April 21, 1988, through Colorado House Bill No. 1253. The partnership was expanded in 1991 to include the Colorado Division of Wildlife (today, a part of CPW) and the United States Department of Agriculture, Forest Service (USFS). The CPW is the lead agency responsible for the day-to-day management of the recreation activities and associated infrastructure and the BLM is the lead agency responsible for the management of the natural resources, including the Browns Canyon Wilderness Study Area and the Browns Canyon Area of Critical Environmental Concern (ACEC).

The BLM manages Browns Canyon as a Visual Resource Management (VRM) Class II area to protect the visual resources within the canyon<sup>1</sup>. The scenery is a highly valued resource and part of the intent of the original withdrawal was to minimize visual impacts that would be associated with mineral entry onto this landscape. Annually, over 100,000 recreationists enjoy the scenery and wildlife viewing afforded by the canyon. Brown's Canyon has a more primitive characteristic than other areas along the river corridor because the highways are not adjacent to the river within this area. This makes this area unique due to the remote feeling and solitude provided by the canyon. There is some development on private property on the northern end of the Browns Canyon area, but to a lesser extent than along other river segments.

This segment of the Arkansas River boasts some of the best whitewater rapids in Colorado with recreationists challenging themselves with whitewater rafting and kayaking. In 2011, approximately 110,000 people boated through Browns Canyon. In 1982, use was approximately 37,000 boaters, illustrating the significant growth in the popularity of this canyon.

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<sup>1</sup> The objective of VRM Class II is to retain the existing character of the landscape. The level of change should be low. Management activities may be seen but should not attract attention of the casual observer. Any changes must repeat the basic elements of form, line, color, and texture found in the predominant natural features of the characteristic landscape.

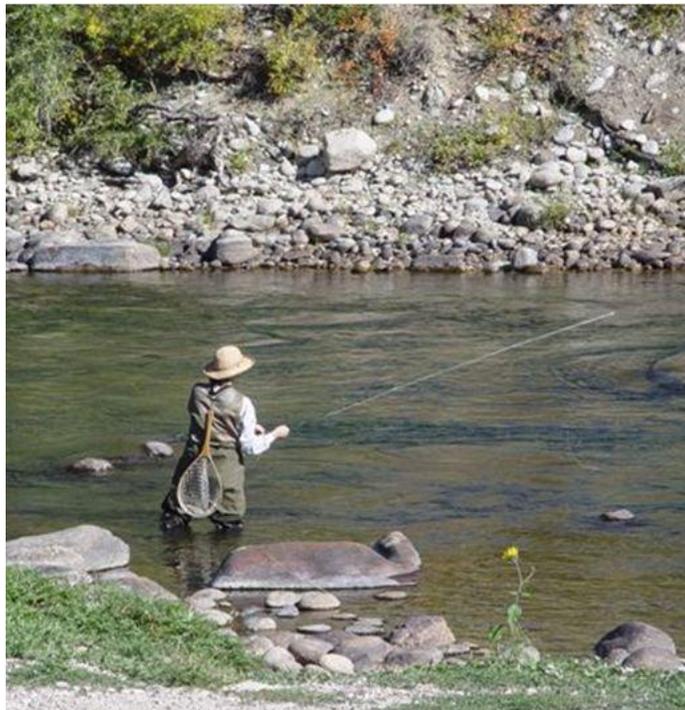
The CPW operates the 152 mile recreation area with an approximate annual budget of \$1.4 million. Approximately \$1 million is collected through visitor use fees. The economic value of the Browns Canyon boating, camping, and angling “experience” has developed and increased over the last 20 years and visitor use continues to remain very stable. The commercial boating industry has a direct economic impact to the local economy of approximately 10.7 million dollars and a total economic contribution of 27.6 million dollars in 2013.

The Gold Medal waters of the Arkansas River through Browns Canyon are rated excellent for trout fishing by the Colorado Parks and Wildlife (CPW). A self-sustaining population of brown trout in a very scenic setting attracts thousands of anglers annually. This area provides a primitive walk and wade angling experience. The rawness of Browns Canyon is what gives the user this feeling of a remote, primitive experience. The limited river access from Ruby Mountain to downstream of Hecla Junction is considered a contiguous and unique area offering a similar recreational experience.

Hecla Junction (90 acres) and Ruby Mountain (40 acres) Recreation Sites are the primary public access points into Browns Canyon and are heavily used by campers, picnickers, anglers and boaters. Both Hecla Junction and Ruby Mountain Recreation Sites are Recreation and Public Purposes (R&PP) lease sites from the BLM and have received significant improvements since the establishment of the AHRA in 1988. Today, each of these sites contains a 22-site campground, boat ramps, and many other onsite amenities. The total value of all improvements for these sites exceeds \$1.6 million.



Browns Canyon looking south



Angler in Browns Canyon

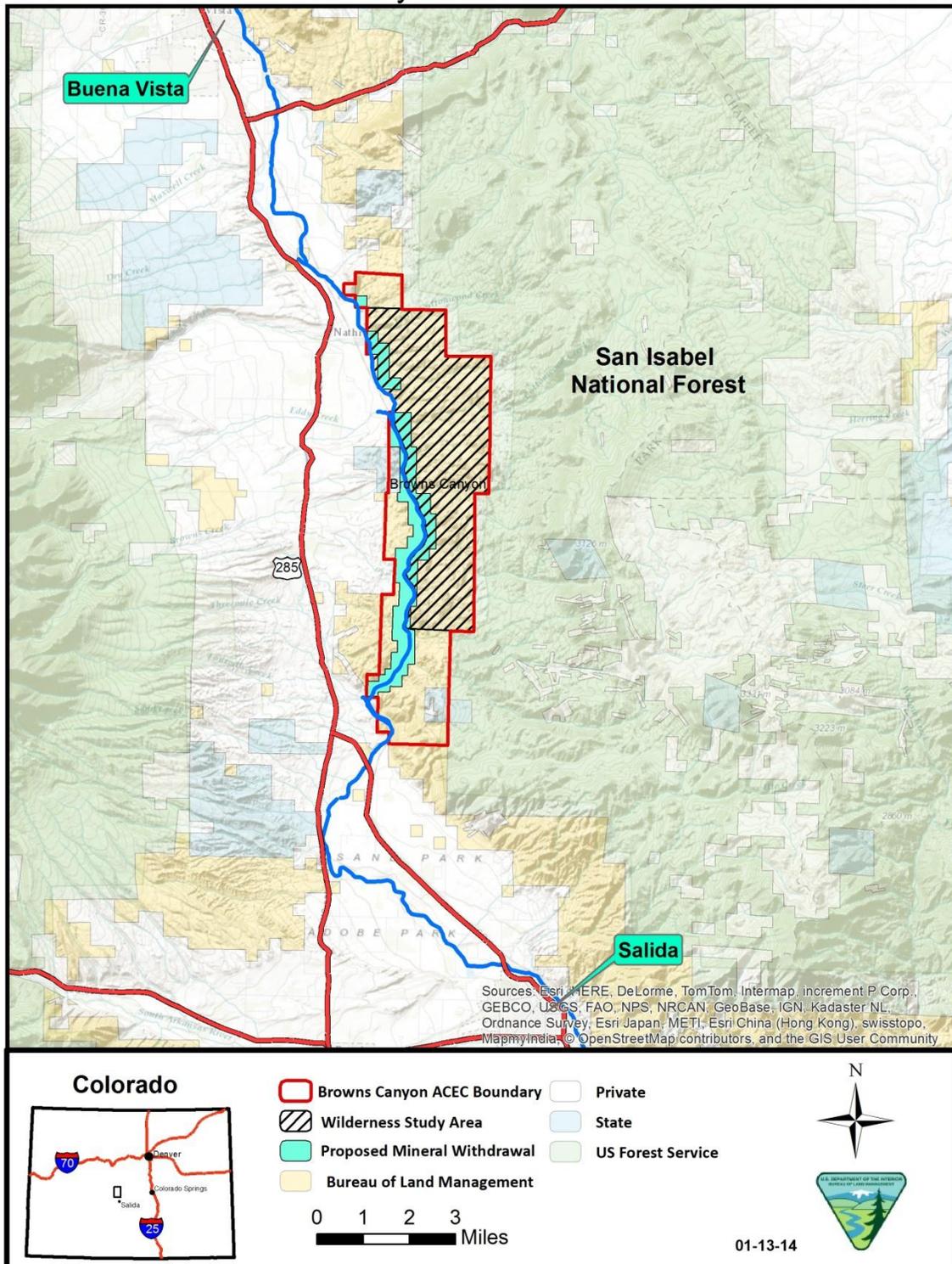


Commercial rafters running Zoom Flume rapid



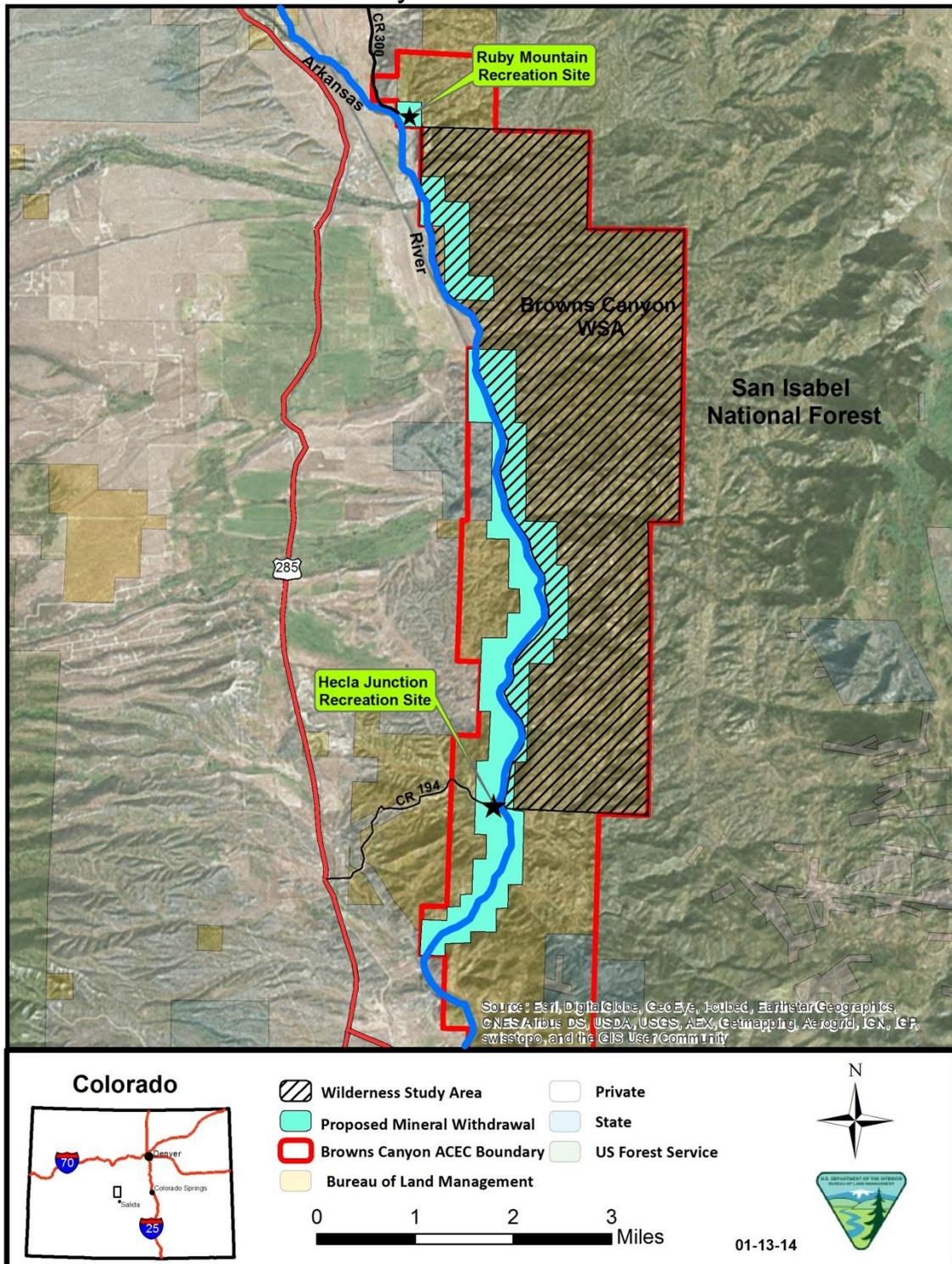
Upper Browns Canyon at sunset

# Browns Canyon Mineral Withdrawal



Map 1 General location

# Browns Canyon Mineral Withdrawal



Map 2 Specific location

The Arkansas River is experiencing an ever increasing pressure from both recreational activities and placer mining activities from Leadville to Canon City. It is the potential for increased mining operations and their potential effect on the resource and recreational values in the project area that will be evaluated in the No Action Alternative. Motorized mining conflicts with the non-motorized recreational activities and experiences one seeks on the river in that the noise, disturbance of soil, and loss of vegetation ground cover that are direct results of the mining activities.

### **1.3 PURPOSE AND NEED**

The purpose for this action is to recommend a Browns Canyon mineral withdrawal to protect the scenic, historical, recreational, and primitive values identified for the Browns Canyon Area of Critical Environmental Concern and the Browns Canyon Wilderness Study Area for the enjoyment and use of present and future generations. A withdrawal from the general mining laws is necessary, therefore warranted to protect these values. All of the public lands described in the withdrawal application proposed would be recommended for withdrawal from settlement, sale, location, and entry under the general land laws, including the United States mining laws, but not from leasing under the mineral leasing laws.

The proposed withdrawal area is identical to the area previously withdrawn on December 12, 1991, by Public Land Order (PLO) No. 6916 (56 FR 64713 (1991)). Withdrawal authority extends from the Federal Land Policy and Management Act 1976 (FLPMA) Sec. 204. The previous withdrawal and the values it protected were described in the 1996 Royal Gorge Resource Management Plan. As that withdrawal expired in 2011, it no longer protects those resource values and unique characteristics.

As part of its consideration of the proposal to recommend withdrawal, the BLM must demonstrate the need for “Closure to Mining Laws” in accordance with BLM Manual Section 2355(.12) (G), stating: “A proposal to close or continue closure of public lands to operation of the mining laws must convincingly demonstrate that the surface management regulations of the BLM (43 CFR 3809 or 3814) are inadequate to fully protect Federal property and investments, prevent unnecessary or undue resource degradation, protect fragile or endangered resource values, provide for national security requirements and protect public health and human safety.”

### **1.4 DECISION TO BE MADE**

The decision to be made is to determine whether to recommend withdrawal of these lands from the Public Land Laws for the next 20 years. This EA will analyze alternatives to determine if Browns Canyon should be withdrawn from the mining laws or if no action should be taken, thus allowing for the canyon to be open to the general mining law (location and entry). The BLM may choose to: a) recommend the withdrawal as proposed or b) not recommend the withdrawal.

### **1.5 PLAN CONFORMANCE REVIEW**

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

Name of Plan: Royal Gorge Resource Management Plan, Record of Decision  
Date Approved: May, 1996

Decision Number/Page: 1-43, 1-61, 1-63, 1-66, Page 2-1-8, 2-1-11, 2-1-12, 2-1-13

Decision Language:

1-43: Areas will be closed to mineral entry and mineral materials development to protect: Wilderness Study Areas, portions of Areas of Critical Environmental Concern (ACEC), fishery habitat, perennial riparian areas and developed recreation sites.

1-61: Withdrawals and classifications will continue to be reviewed and initiated to protect values when needed.

1-63: New withdrawals will be initiated for portions of 5 ACECs, developed recreation sites, and the Arkansas River corridor.

1-66: All or portions of Browns Canyon ACEC will be managed to protect and enhance their special values. The designated ACEC's will receive special management as follows: locatable mineral entry will not occur, mineral materials development will not occur, off-highway vehicle use closed within the WSA portions of these ACEC's.

#### 1.6 Relationship to Statutes, Regulations, or Other Plans

The Secretary of the Interior is authorized to make, modify, extend, or revoke withdrawals of public land by Title II, Section 204 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 *et seq.*) The BLM processes withdrawal proposals in accordance with regulations found at 43 CFR 2300 *et seq.*

In January 1997, the Colorado State Office of the BLM approved the Standards for Public Land Health and amended all RMPs in the State. Standards describe the conditions needed to sustain public land health and apply to all uses of public lands.

Standard 1: Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate, land form, and geologic processes.

Standard 2: Riparian systems associated with both running and standing water function properly and have the ability to recover from major disturbance such as fire, severe grazing, or 100-year floods.

Standard 3: Healthy, productive plant and animal communities of native and other desirable species are maintained at viable population levels commensurate with the species and habitat's potential.

Standard 4: Special status, threatened and endangered species (federal and state), and other plants and animals officially designated by the BLM, and their habitats are maintained or enhanced by sustaining healthy, native plant and animal communities.

Standard 5: The water quality of all water bodies, including ground water where applicable, located on or influenced by BLM lands will achieve or exceed the Water Quality Standards established by the State of Colorado.

Because standards exist for each of these five categories, a finding must be made for each of them in an environmental analysis. These findings are located in Chapter 3 of this document.

## **1.6 SCOPING, PUBLIC INVOLVEMENT AND ISSUES**

**1.6.1 Scoping and Identification of Issues:** The National Environmental Policy Act (NEPA) regulations (40 CFR §1500-1508) require that the BLM use a scoping process to identify potential significant issues in preparation for impact analysis. The principal goals of scoping are to allow public participation to identify issues, concerns, and potential impacts that require detailed analysis.

Persons/Public/Agencies Consulted: Scoping was conducted by posting this project on the Royal Gorge Field Office NEPA website to initially identify issues.

Issues Identified:

One comment received during the scoping period from the Wilderness Society expressed support for the full withdrawal of the proposed area for the full term of 20 years. Additional comments from the Wilderness Society included topics related to the Browns Canyon ACEC, protection of wildlife values, preserving existing recreational opportunities, protecting a vital component of the local economy, agencies have indicated that this area is deserving of further protection, people want this area protected, preserving special and unique ecosystems and protecting the last few remnants of wild, untamed places as part of our heritage.

## **CHAPTER 2 - PROPOSED ACTION AND ALTERNATIVES**

The purpose of this chapter is to provide information on the Proposed Action and Alternative Actions.

### **2.1 ALTERNATIVES ANALYZED IN DETAIL**

This document provides a detailed analysis of the Proposed Action and a No Action Alternative.

#### **2.1.1 Proposed Action**

The proposed action is to withdraw 2,114.31 acres within the Browns Canyon area along the Arkansas River corridor, similar to the 1991-2011 mineral withdrawal. The proposed action would help to reduce potential impacts to scenic, recreation, historic, primitive, and other natural environmental values in Browns Canyon. The withdrawal would withdraw 2,114.31 acres of public lands from appropriation of the public land laws, with the exception of land authorized under 43 CFR 2900, and location and entry under the general mining laws, but not the mineral leasing laws, subject to valid existing rights.

Under Surface Management Regulations (43 CFR 3809), surface lands are managed to prevent unnecessary or undue degradation of the public lands. Since scenic resources, primitive values, and recreational experience are not addressed in the 3809 regulations with regard to management and prevention of undue and unnecessary degradation

### **2.1.2 No Action Alternative**

The No Action alternative for the Browns Canyon area would not recommend withdraw of the Arkansas River corridor from mining under the Public Lands laws, thereby allowing entry under the general land laws and mining laws. This alternative changes the past management direction of public lands and subsurface Federal interests within the Browns Canyon by allowing previously prohibited mining and other activities within the ACEC and WSA boundaries as long as such activities complied with pertinent restrictions and mitigation measures.

Under the 1872 Mining Law and FLPMA, BLM's regulation of the mining of locatable minerals consists of imposing mitigation requirements and preventing unnecessary or undue degradation of the public lands. The mineral withdrawal application would be rescinded if the No Action alternative is selected. Typical mining operations occurring along similar portion of the Arkansas River are small scale and characteristically include equipment such as high banking, panning, sluicing and suction dredging. Below is a summary of the mineral status:

- 995 acres of the proposed 2,214.31 is WSA and/or R&PP segregated minerals. No Mining Law activity can take place on R&PP segregated minerals because they are not open to the Mining Law. Mining claims can be filed within a WSA, but are subject to 43 CFR 3802 regulations for surface management of operations conducted under the Mining Law.
- The remaining acreage is typically subject to 43 CFR 3809 regulations for surface management of operations conducted under the Mining Law. However, because these lands are located within an ACEC, any operations beyond casual use must be conducted under a Plan of Operations (which must be evaluated under NEPA)

There are documented placer deposits throughout the 10 mile stretch of river corridor that is proposed for withdrawal. Unpatented placer mining claims have been historically and are currently located in the northern 3 miles of this corridor, where the river is accessible. Within this northern 3 miles, only approximately 1-mile of the river corridor is within federal jurisdiction.

Given the depositional environment and associated occurrence of locatable minerals along the river, the assumption is that most of the locatable mining-related activity would occur as placer operations along the river corridor itself. The level of activity would depend on numerous site specific factors, including economics and geography. Economic factors include, but are not limited to, elements such as the market value for gold and gemstones, the ability of the operator to move into and conduct operations for locatable minerals, availability of adequate reclamation bonding, obtaining investors, and external pressures generated by other area closures. Geographic considerations include areas in the Browns Canyon where canyon walls are steep

and water moves swiftly, which are generally not considered practical locations for small-scale placer operations.

## **2.2 ALTERNATIVE CONSIDERED BUT NOT ANALYZED IN DETAIL**

An R&PP lease for the entire stretch of river in the Browns Canyon corridor was not considered a viable alternative because of the acreage involved with the proposed action. Under the R&PP Act, the leased area is segregated, subject to valid existing rights (grazing is excluded), from the public land laws including the General Mining Law of 1872, for the duration of the lease. Under the R&PP Act, a proponent must put physical and financial improvements on public lands. Such improvements exist in select areas along the River corridor. Currently, there are no plans within the AHRA partnership to develop the area between Hecla Junction and the Ruby Mountain Recreation sites. In addition, a lease or patent authorized under the R&PP Act is limited to the minimum area required to cover the improved and used areas. This acreage restriction is not sufficient to protect a scenic and recreational area such as the river corridor in the Brown's Canyon area.

## **CHAPTER 3 - AFFECTED ENVIRONMENT AND EFFECTS**

### **3.1 INTRODUCTION**

This section provides a description of the human and natural environmental resources that could be affected by the Proposed Action and presents comparative analyses of the direct, indirect and cumulative effects on the affected environment stemming from the implementation of the actions under the Proposed Action and other alternatives analyzed.

#### **3.1.1 Interdisciplinary Team Review**

The following table is provided as a mechanism for resource staff review, to identify those resource values with issues or potential impacts from the proposed action and/or alternatives. Those resources identified in the table as impacted or potentially impacted will be brought forward for analysis.

<b><u>Resource</u></b>	<b><u>Initial and date</u></b>	<b><u>Comment or Reason for Dismissal from Analysis</u></b>
<b><u>Air Quality</u></b> <i>Ty Webb</i>	TW, 4/3/2014	Withdrawal from the stated surface disturbing activities would not impact air quality in the region. Eliminating surface disturbance decreases the potential for degraded air quality throughout the region.
<b><u>Geology/Minerals</u></b> <i>Stephanie Carter</i>	SSC, 6/30/14	See Affected Environment.
<b><u>Soils</u></b> <i>John Smeins</i>	JS, 4/15/2014	See Soils section

<u>Resource</u>	<u>Initial and date</u>	<u>Comment or Reason for Dismissal from Analysis</u>
<u>Water Quality</u> <u>Surface and Ground</u> <i>John Smeins</i>	JS, 4/15/2014	See Water Quality section
<u>Invasive Plants</u> <i>John Lamman</i>	JL, 4/29/2014	See Affected Environment
<u>T&amp;E and Sensitive Species</u> <i>Matt Rustand</i>	MR, 4/15/2014	See Affected Environment
<u>Vegetation</u> <i>Jeff Williams</i>	JW 4/7/14	See Affected Environment
<u>Wetlands and Riparian</u> <i>Dave Gilbert</i>	DG, 4/14/14	See Affected Environment
<u>Wildlife Aquatic</u> <i>Dave Gilbert</i>	DG, 4/14/14	See Affected Environment
<u>Wildlife Terrestrial</u> <i>Matt Rustand</i>	MR, 4/15/2014	See Affected Environment
<u>Migratory Birds</u> <i>Matt Rustand</i>	MR, 4/15/2014	See Affected Environment
<u>Cultural Resources</u> <i>Monica Weimer</i>	MMW, 4/14/14	Withdrawal from possible surface disturbance in the form of mining protects sites that might be present. Therefore, the proposed withdrawal <i>benefits</i> cultural resources, and will have no effect on historic properties. If the no action alternative is selected, proposed undertakings would still be subject to Section 106 of the NHPA and its implementing regulations. Also, actions that don't qualify as undertakings pursuant to 3809 regulations (notices to conduct prospecting, for example) must not cause any undue or unnecessary degradation to historic properties. BLM has a limited amount of time to make this determination, but it does offer some protection for historic properties.
<u>Native American Religious Concerns</u> <i>Monica Weimer</i>	MMW, 7/7/14	BLM consulted with the Apache Tribe of Oklahoma, Cheyenne and Arapaho Tribes of Oklahoma, Cheyenne River Sioux Tribe, Comanche Nation of Oklahoma, Crow Creek Sioux, Eastern Shoshone, Jicarilla Apache Nation, Kiowa Tribe of Oklahoma, Northern Arapaho Tribe, Northern Cheyenne Tribe, the Ute Tribe, Oglala Sioux Tribe, Rosebud Sioux Tribe, Southern Ute Tribe, Standing Rock Lakota Tribe, and the Ute Mountain Ute Tribe. None of the tribes had any concerns.
<u>Economics</u> <i>Jessica Montag</i>	7/23/2014	See Affected Environment
<u>Paleontology</u> <i>Melissa Smeins</i>	MJS, 5/21/2014	The proposed action would have no effect on paleontological resources.
<u>Visual Resources</u> <i>John Nahomenuk</i>	JN 7/01/2014	See Affected Environment

<b><u>Resource</u></b>	<b><u>Initial and date</u></b>	<b><u>Comment or Reason for Dismissal from Analysis</u></b>
<b><u>Environmental Justice</u></b> <i>Jessica Montag</i>	JM 7/23/2014	Chaffee County does not have environmental justice populations that meet the criteria for low income or minority populations so no further analysis is warranted. For further discussion, see Affected Environment
<b><u>Wastes Hazardous or Solid</u></b> <i>Stephanie Carter</i>	SSC, 6/10/14	The proposed action will not involve wastes, hazardous or solid.
<b><u>Recreation</u></b> <i>John Nahomenuk</i>	JN 7/01/2014	See Affected Environment
<b><u>Farmlands Prime and Unique</u></b> <i>Jeff Williams</i>	JW, 5/20/14	Not Present
<b><u>Lands and Realty</u></b> <i>Leon Montoya</i>	LM 07/01/14	The proposed action will have no effect on any current 2800 or 2900 land use authorization. Any new application for authorization will be evaluated on a case by case basis.
<b><u>Wilderness, WSAs, ACECs, Wild &amp; Scenic Rivers</u></b> <i>John Nahomenuk</i>	JN 7/01/14	See Affected Environment
<b><u>Wilderness Characteristics</u></b> <i>John Nahomenuk</i>	JN 7/1/2014	See Affected Environment
<b><u>Range Management</u></b> <i>Jeff Williams</i>	JW 4/7/14	See Affected Environment
<b><u>Forest Management</u></b> <i>Ken Reed</i>	KR 7/9/14	The proposed action will have no effect to forest health or forest management. No forest management has occurred in this area of the field office for many years.
<b><u>Cadastral Survey</u></b> <i>Jeff Covington</i>	JC 5/1/14	A land description review is located in the project folder.
<b><u>Noise</u></b> <i>Martin Weimer</i>	MW 5/19/14	This action will not result in any significant impacts due to noise or result in any increased noise levels.
<b><u>Fire</u></b> <i>Ty Webb</i>	TY 7/1/14	The proposed action would have no significant impact to fire.
<b><u>Law Enforcement</u></b> <i>Steve Cunningham</i>	SC 7/1/14	The proposed action would have no significant impact to Law Enforcement.

The affected resources brought forward for analysis include:

- Geology/Minerals
- Soils
- Water Quality
- Invasive Plants

- T&E and Sensitive Species
- Vegetation
- Wetlands and Riparian
- Wildlife Aquatic
- Wildlife Terrestrial
- Migratory Birds
- Economic
- Environmental Justice
- Visual Resources
- Recreation
- Wilderness, WSA's, ACEC's, Wild and Scenic Rivers
- Wilderness Characteristics
- Range Management
- Cadastral Survey

## **3.2 PHYSICAL RESOURCES**

### **3.2.1 GEOLOGIC AND MINERAL RESOURCES**

Affected Environment: The geology of the proposed withdrawal area consists of a combination of the following:

1. Homogenous igneous rock (Precambrian) with minor surface mineral indications, occurring in the northern portions of the subject area and
2. Precambrian igneous and metamorphic rock occurrences, extensive faulting, recent hydrothermal activity and potential for mineral occurrences, occurring in the southern portions of the subject area.

The mineral potential for the Brown's Canyon Area has been reviewed extensively since 1974. Initially, a large corridor comprised of approximately 13,000 acres was evaluated in 1974 for its mineral potential in a report prepared for a withdrawal proposal of the Brown's Canyon Primitive and Recreation Area. Subsequent mineral reports were also prepared in 1976 and 1982 to further evaluate this withdrawal proposal. A final determination in 1991 was made to withdraw 2,214 acres from surface entry and mining, with a large portion of the identified high mineral potential area being excluded from this final action. This same area of high mineral potential is excluded from the current withdrawal proposal.

Collectively, these evaluations identified the presence of the following significant mineral resources in the Brown's Canyon area:

1. Fluorspar

2. Base metals mineralization, mostly copper and zinc
3. Placer gold
4. Gold and silver in quartz veins
5. Perlite

Within the proposed 10 mile stretch of river corridor there are documented placer deposits throughout the area

- Within the upper 3 miles of the corridor, only approximately 1-mile of the river corridor is within federal jurisdiction (and within the two northern footprints of the proposed withdrawal boundary)
- The heart of the canyon mostly lies within the southernmost 7 miles of the withdrawal corridor (and within the southernmost footprint of the proposed withdrawal boundary)
- Within the extreme northern and southern portions of this stretch, approximately 1.5 miles of the corridor is included in R&PP leases (where the minerals are segregated from the Law)
- Placer claims have been historically and currently located in the northern 3 miles of the withdrawal corridor (within the northern two footprints of the proposed withdrawal area), where the river is accessible.
- Mostly lode claims have been located in the southern 3.5 miles of the proposed withdrawal area, which overlaps the "heart of the canyon". However the target deposit is fluorspar ores not placer deposits along the water
- The middle portion of the withdrawal and upper 3.5 miles of the proposed withdrawal area that overlaps the "heart of the canyon" has no history of claims being located in the past

Activities in the past have consisted of both prospecting and mining for the above identified minerals. The most noteworthy operations in the Brown's Canyon mining district involved production of commercial fluorspar, which yielded about 15 million dollars' worth of material. Allied Chemicals Corporation and Kalium Chemicals expressed interest in exploring additional areas for fluorspar in this mining district during the 1970s, but appear not to have moved past this operational phase. Fluorspar reserves in this district were estimated at 2-million short tons of crude material (containing more than 15% CaF<sub>2</sub>) at the time and being targeted for use in hydrofluoric acid plants on the west coast.

The analysis of placer gold potential in this corridor is evidenced within all three of the previously written Mineral Potential Reports. The 1976 Mineral Potential Report further defines the magnitude of potential in the southern portion of the subject area by providing descriptions of gold collected and assay results. The 1982 report, however, dismisses this identified potential in favor of the proposed withdrawal and other management objectives. Although typically these types of decisions are not addressed within a BLM prepared Mineral Potential Report it was determined that, "...the presence of small "flood gold" deposits within the lower portion of the proposed withdrawal area poses the problem of numerous inexperienced miners conducting surface disturbing activities along the heavy recreational use areas of the river." Therefore, the Report author concluded that implementation of a withdrawal from mineral entry for the site is a much more effective means of providing protection of the area's resource values.

In conclusion, and based on existing data sets and analysis, the proposed withdrawal area indicates nominal potential for the development of known mineral resources, with the exception of gold placers that have been documented throughout most of the subject area.

The BLM Minerals Evaluation of the Proposed Browns Canyon Withdrawal prepared in 1982 noted that the Colorado Mining Association, by letter of May 17, 1976, “accepted” the establishment of a withdrawal of public lands along the Arkansas River corridor for recreational and natural resource values. This group did not provide comments on the proposed withdrawal in response to the April 2013 notice.

### Environmental Effects

#### Proposed Action

**Direct and Indirect Impacts:** This action will not allow exploration or extraction of locatable minerals, which will directly impact the ability to explore for and mine locatable minerals within the proposed subject area. However, of the mineral potential analysis efforts conducted in the past, the potential within the subject parcels appears to be more limited than the surrounding areas, with the exception of gold placers that have been documented throughout most of the subject area.

**Protective/Mitigation Measures:** None.

**Cumulative Impacts:** The mineral resources throughout Front Range are slowly being encumbered by various surface uses and designations that may not be compatible with future mineral extraction efforts needed to meet the public and market demands. Without better understanding of the mineral potential of placer gold for the area of this proposed action, it is unknown if this action will contribute to a cumulative impact.

#### No Action Alternative

**Direct and Indirect Impacts:** The no action alternative would allow location, entry, and mining under the US Mining Laws to continue to occur. Exercising rights under the Mining Law are not necessarily continuous and/or consistent though and typically depend on economic factors such as market value, the ability of the operator to move into and conduct operations for locatable minerals, availability of adequate reclamation bonding, obtaining investors, and external pressures generated by other area closures.

**Protective/Mitigation Measures:** Manage mineral development in accordance with applicable laws and regulations.

### **3.2.2 SOILS (includes a finding on standard 1)**

**Affected Environment:** The Proposed Action takes place along the Arkansas River in Browns Canyon. Soils in this area are generally composed of decomposed granite with some finer grained soils on benches along the river’s edge.

### Environmental Effects

### Proposed Action

Direct and Indirect Impacts: Withdrawal of lands as discussed mirrors other actions BLM has undertaken to enhance river values. River protection stewardship has been an overarching direction in policy and guidance within BLM and the withdrawal of these lands would be compatible with that direction. The Proposed Action, however, does not physically change anything from the existing situation as no mining is occurring at present. The withdrawal also would not preclude plans of operations to mine from on existing claims.

Protective/Mitigation Measures: None.

Cumulative Impacts: None.

### No Action Alternative

Direct and Indirect Impacts: Not withdrawing lands open to mining law can have an impact only if mining occurs after claims are made. Mining impacts to soil resources, such as the loss of soil structure, vegetative cover, and organisms, are well documented historically and because of annual runoff events and loss of soil structure, restoration actions on modern mining operations in arid, narrow canyons with high flows have proven to be difficult rendering post reclamation often unsuccessful. Soil protection measures however would be required in future plans of operations with performance standards included to protect soils.

Protective/Mitigation Measures: Not Applicable unless mining is proposed.

Cumulative Impacts: Much of the Arkansas is open for mineral entry. Retaining the lands discussed add some measure of risk that more stream miles potentially could be mined and subject to degraded soil structure.

Finding on the Public Land Health Standard for Upland Soils: Soils in the area discussed for withdrawal are presently meeting Standards. Withdrawal sustains resources in their current condition. The No Action Alternative could remove some areas from meeting this Standard for the period they are actively mined and prior to reclamation if mined.

### **3.2.3 WATER (SURFACE AND GROUNDWATER, FLOODPLAINS) (includes a finding on standard 5)**

Affected Environment: The Proposed Action takes place along the Arkansas River in Browns Canyon. The Arkansas River in this segment currently has good water quality and is meeting State water quality standards. Historically, the Arkansas River in this segment has had poor water quality due to historic mining upstream. Over the last couple of decades, pollution abatement has been done that has improved water quality dramatically in the watershed. The Colorado Mineral and Geology Division completed a project to stabilize mine wastes and treat mine drainage in Chalk Creek. A large effort helped remedy pollution caused by the Leadville mine drainage tunnel, and the nearby Yak tunnel. New treatment plants are currently in operation for both of these tunnels. An intensive effort is also underway in the Lake Fork of the Arkansas watershed to address problems in that watershed and includes the removal of tailings from

wetlands and placing a bulkhead in the Dinero Tunnel. Monitoring of water quality above Browns Canyon and of individual projects indicate that the trend for water quality in the Arkansas River is moving towards improvement.

### Environmental Effects

#### Proposed Action

Direct and Indirect Impacts: Withdrawal of lands as discussed mirrors other actions BLM has undertaken to enhance river values. River protection stewardship has been an overarching direction in policy and guidance within BLM and the withdrawal of these lands would be compatible with that direction. The Proposed Action, however, does not physically change anything from the existing situation as no mining is occurring at present. The withdrawal also does not preclude plans of operations to mine from coming forward on existing claims.

Protective/Mitigation Measures: None.

Cumulative Impacts: None.

#### No Action Alternative

Direct and Indirect Impacts: Not withdrawing lands open to mining law can have an impact only if mining occurs after claims are made. Mining impacts to water resources, such as increased runoff, sediment production, and mobilization of heavy metals, are well documented historically and because of annual runoff events and loss of soil structure, restoration actions on modern mining operations have proven to be difficult rendering post reclamation often unsuccessful. Water quality protection measures, however, would be required in future plans of operations with performance standards included to protect water.

Protective/Mitigation Measures: Not Applicable unless mining is proposed.

Cumulative Impacts: Much of the Arkansas is open for mineral entry. Retaining the lands discussed add some measure of risk that more stream miles potentially could be mined and subject to degraded water quality.

Finding on the Public Land Health Standard for Water Quality: Waters in the area discussed for withdrawal are presently meeting Standards. Withdrawal sustains resources in their current condition. The No Action Alternative could remove some areas from meeting this Standard for the period they are actively mined and prior to reclamation if mined.

## **3.3 BIOLOGICAL RESOURCES**

### **3.3.1 INVASIVE PLANTS**

Affected Environment: The habitat primarily consists of pinyon pine and juniper at lower elevations transitioning to ponderosa pine at higher elevations. Open areas of mountain grassland are interspersed throughout the area and mountain shrubs such as currant and mountain

mahogany are abundant, especially on south slopes. Invasive plants within seven miles of the project area include: Canada thistle, shepherd's purse, dalmation toadflax, downy brome, yellow toadflax, Russian knapweed, diffuse knapweed, spotted knapweed, leafy spurge, and oxeye daisy.

### Environmental Effects

#### Proposed Action

Direct and Indirect Impacts: Mineral development typically causes severe soil disturbance that is susceptible to colonization by invasive plants. Withdrawing the project area from mining law would reduce the potential for establishment of invasive plant infestations.

Protective/Mitigation Measures: None.

Cumulative Impacts: A reduced potential for establishment of invasive plant infestations in the project area would be beneficial but would have a minimal cumulative impact in view of the number of acres of infestation in the project area.

#### No Action Alternative

Direct and Indirect Impacts: Mineral development typically causes severe soil disturbance that is susceptible to colonization by invasive plants. Impacts would be addressed in site specific NEPA for any minerals development.

Protective/Mitigation Measures: None.

### **3.3.2 THREATENED, ENDANGERED AND SENSITIVE SPECIES**

Affected Environment: The habitat on the slopes in the area is primarily pinyon pine and juniper. Open areas of mountain grassland are interspersed throughout the area and mountain shrubs such as currant and mountain mahogany are abundant, especially on south slopes. Two sensitive species could occur in the area: peregrine falcon and bald eagle. The Browns Canyon Wilderness Study Area (WSA) contains numerous cliffs that are suitable for nesting peregrines. Peregrine falcons could also be expected to forage along the river corridor during the breeding season. There are several breeding cliffs in the upper Arkansas River valley; however, there are no known nesting sites in the vicinity of the project area. Cliffs in the WSA are generally small and more suitable for prairie falcons.

Bald eagles could be expected to occur along the Arkansas River during the winter months. There are no bald eagles nesting in the area. Delisting of the bald eagle became effective August 8, 2007, however it is still protected by the Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act. The Bald and Golden Eagle Protection Act prohibits the take, possession, sale, purchase, barter, offer to sell, purchase, or barter, transport, export or import, of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit (16U.S.C 668(a); 50 CFR 22). "Take" is defined as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb" a bald or golden eagle. The term "disturb" under the Bald and Golden Eagle Protection Act was recently defined via a final rule published in the Federal

Register on June 5, 2007 (72 Fed. Reg.31332). “Disturb” means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.

### Environmental Effects

#### Proposed Action

Direct and Indirect Impacts: Withdrawal from the stated surface disturbing activities would preserve the integrity of the landscape and protect wildlife habitat from future degradation. By eliminating sources of human disturbance that are not advantageous to wildlife species and its habitat will only benefit the resource long-term. However, withdrawal does not preclude plans of operations to mine from coming forward on existing claims. Resulting impacts to threatened, endangered, and sensitive species and protection measures to protect these resources will need to be addressed in future analysis if plans of operations are brought forward at these locations.

Protective/Mitigation Measures: None.

Cumulative Impacts: None.

#### No Action Alternative

Direct and Indirect Impacts: Not withdrawing lands open to mining law can have an impact only if mining occurs after claims are made. Impacts to wildlife species may range from a loss of surface habitat from mining activity, disturbance or avoidance of areas where activity is occurring due to an increase in noise and human presence, degradation of habitat due to infrastructure, increased probability of introduction of weeds, poorer quality of habitat post reclamation, etc. However, these impacts remain speculative until a plan of operations is submitted for review.

Protective/Mitigation Measures: None, until a plan of operation is submitted.

Finding on the Public Land Health Standard for Threatened & Endangered species: Threatened, endangered, and sensitive species in the area discussed for withdrawal are presently meeting the associated land standard. Withdrawal sustains resources in their current condition. The No Action Alternative could degrade communities, causing a localized area to not meet this standard for the period it is actively mined and prior to reclamation if mined.

### **3.3.3 VEGETATION (includes a finding on standard 3)**

Affected Environment: The upland vegetation within the withdrawal area is dominated by a pinyon pine woodland plant community. The plant community is an association of species including pinyon pine as the dominant woodland type and juniper as a secondary woodland type occurring intermittently due to the upper elevation limits. The mid and under-story levels consists of shrubs, forbs and grasses. Forbs and shrubs that may occur in the area include

mountain mahogany, wax current, fringed sagebrush, rabbit brush, and yucca. Primary grasses include blue gram, mountain molly, sand dropseed, pine dropseed and Indian rice grass.

### Environmental Effects

#### Proposed Action

Direct and Indirect Impacts: The Proposed Action places a withdrawal on the area for future mining activity. This action does not physically change anything from the existing situation since no mining is occurring. Therefore, there is no impact to upland vegetation within the proposal.

Protective/Mitigation Measures: None.

Cumulative Impacts: None.

#### No Action Alternative

Direct and Indirect Impacts: The no action alternative does not withdrawal these lands from future mining activities and these lands would be open to claim and potential mining activity. Most mining activities have some level of impact to vegetation through ground disturbing activities. These impacts cannot be measured until a plan of operation is proposed and successful reclamation is implemented.

Protective/Mitigation Measures: None.

Finding on the Public Land Health Standard for Plant and Animal Communities: This area has been assessed for Public Land Health Standards. The assessment determined that the area is meeting these standards.

### **3.3.4 WETLANDS & RIPARIAN ZONES (includes a finding on standard 2)**

Affected Environment: There is substantial wetland \ riparian resource within lands discussed for withdrawal. The Arkansas River and adjacent public lands is an important focus of management activity for the Royal Gorge Field Office. Numerous activities undertaken by RGFO have been done to enhance natural and recreational values of the river corridor. The Arkansas Water Needs Assessment resulting in the Voluntary Flow Program, headwater historic mine waste clean-up activities and creation of the Arkansas Headwaters Recreation Area are just a few actions which have served to protect riparian resources along the Arkansas River. Resources within the proposed withdrawal area represent a portion of the Arkansas River's total riparian resources.

### Environmental Effects

#### Proposed Action

Direct and Indirect Impacts: Withdrawal of lands as discussed mirrors other actions BLM has undertaken to enhance river values. River protection stewardship has been an overarching direction in policy and guidance within BLM and the withdrawal of these lands would be compatible with that direction. The Proposed Action however does not physically change

anything from the existing situation as no mining is occurring at present. The withdrawal also does not preclude plans of operations to mine from coming forward on existing claims. Riparian protection measures would need to be included in performance standards for post mining reclamation.

Protective/Mitigation Measures: None.

Cumulative Impacts: None.

#### No Action Alternative

Direct and Indirect Impacts: Not withdrawing lands open to mining law can have an impact only if mining occurs after claims are made. Mining impacts to riparian resources are well documented historically and because of annual runoff events, restoration actions on modern mining operations have proven to be difficult rendering post reclamation often unsuccessful. Specific to the Arkansas River, the U.S. Fish and Wildlife Service led a Natural Resource Damage Assessment which documents historic impacts. (Industrial Economics. 2006) Riparian protection measures however would be required in future plans of operations with performance standards included to protect riparian habitat.

Protective/Mitigation Measures: Not Applicable unless mining is proposed.

Cumulative Impacts: Much of the Arkansas is open for mineral entry. Retaining the lands discussed add some measure of risk that more stream miles potentially could be mined and subject to degraded riparian conditions.

Finding on the Public Land Health Standard for Riparian Systems: Riparian in the area discussed for withdrawal is presently meeting the Riparian Standard. Withdrawal sustains resources in their current condition. The No Action Alternative could remove some segments from meeting this Standard for the period they are actively mined and prior to reclamation if mined.

### **3.3.5 WILDLIFE AQUATIC (includes a finding on standard 3)**

Affected Environment: See also Wetland \ Riparian section. The central aquatic habitat present in the area of Proposed Action and Alternative is the Arkansas River main-stem within Browns Canyon vicinity. Some seeps, backwater habitat and tributary aquatic habitats are also present. A fishery is present that is highly sought after by the angling public for both float and wade fishing on the Arkansas River. As mentioned in the wetland section above, RGFO has participated with numerous partners on actions that have favored the expansion of the fishery. In 2014 the fishery achieved special status as a Gold Medal Water.

#### Environmental Effects

##### Proposed Action

Direct and Indirect Impacts: The withdrawal is in concert with other activities the RGFO has undertaken to enhance aquatic habitats. River protection stewardship has been an overarching direction in policy and guidance within BLM and the withdrawal of these lands would be compatible with that direction. The Proposed Action however does not physically

change anything from the existing situation as no mining is occurring at present. The withdrawal also does not preclude plans of operations to mine from coming forward on existing claims. Riparian protection measures would need to be included in performance standards for post mining reclamation.

Protective/Mitigation Measures: None

Cumulative Impacts: None

#### No Action Alternative

Direct and Indirect Impacts: Not withdrawing lands open to mining law can have an impact only if mining occurs after claims are made. Mining impacts to aquatic wildlife are well documented historically and because of annual runoff events, restoration actions on modern mining operations have proven to be difficult rendering post reclamation unsuccessful quite often. Specific to the Arkansas River, the U.S. Fish and Wildlife Service led a Natural Resource Damage Assessment which documents historic impacts. (Industrial Economics, 2006). Riparian and water quality protection measures however would be required in future plans of operations with performance standards included to protect these resources.

Protective/Mitigation Measures: Not Applicable unless mining is proposed.

Cumulative Impacts: Much of the Arkansas is open for mineral entry. Retaining the lands discussed here adds some measure of risk that more stream miles potentially could be mined and subject to degradation of aquatic habitat.

Finding on the Public Land Health Standard for Plant and Animal Communities: Aquatic wildlife are unaffected by either the Proposed Action or No Action Alternative. The No Action Alternative could result in mine related affects if plans of operations come forward to mine, but that is speculative at present. Not withdrawing lands open to mining law can have an impact only if mining occurs after claims are made. Mining impacts to riparian resources are well documented historically and because of annual runoff events, restoration actions on modern mining operations have proven to be difficult rendering post reclamation unsuccessful quite often. Riparian protection measures however would be required in future plans of operations with performance standards included to protect riparian.

### **3.3.6 WILDLIFE TERRESTRIAL (includes a finding on standard 3)**

Affected Environment: The habitat primarily consists of pinyon pine and juniper at lower elevations transitioning to ponderosa pine at higher elevations. Open areas of mountain grassland are interspersed throughout the area and mountain shrubs such as currant and mountain mahogany are abundant, especially on south slopes. The area provides benefit to big game as good winter habitat for deer and elk as herds move down slope from summer range to the east. The lower elevations and south facing slopes generally stay snow free during winter months and browse and forage are abundant. The area is also used as winter range for bighorn sheep. Rocky Mountain bighorn sheep use a portion Brown's Canyon WSA as lambing grounds.

## Environmental Effects

### Proposed Action

Direct and Indirect Impacts: Withdrawal from the stated surface disturbing activities would preserve the integrity of the landscape and protect wildlife habitat from future degradation. By eliminating sources of human disturbance that are not advantageous to wildlife species and its habitat will only benefit the resource long-term. However, withdrawal does not preclude plans of operations to mine from coming forward on existing claims. Resulting impacts to terrestrial wildlife and protection measures to protect these resources will need to be addressed in future analysis if plans of operations are brought forward at these locations.

Protective/Mitigation Measures: None.

Cumulative Impacts: None.

### No Action Alternative

Direct and Indirect Impacts: Not withdrawing lands open to mining law can have an impact only if mining occurs after claims are made. Impacts to wildlife species may range from a loss of surface habitat from mining activity, disturbance or avoidance of areas where activity is occurring due to an increase in noise and human presence, degradation of habitat due to infrastructure, increased probability of introduction of weeds, poorer quality of habitat post reclamation, etc. However, these impacts remain speculative until a plan of operations is submitted for review.

Protective/Mitigation Measures: None, until a plan of operation is submitted.

Finding on the Public Land Health Standard for Plant and Animal Communities: Plant and Animal Communities in the area discussed for withdrawal are presently meeting the associated land standard. Withdrawal sustains resources in their current condition. The No Action Alternative could degrade communities, causing a localized area to not meet this standard for the period it is actively mined and prior to reclamation if mined.

### **3.3.7 MIGRATORY BIRDS**

Affected Environment: The habitat on the slopes in the area is primarily pinyon pine and juniper. Open areas of mountain grassland are interspersed throughout the area and mountain shrubs such as currant and mountain mahogany are abundant, especially on south slopes. Pinyon-juniper habitat supports the largest nesting bird species list of any upland vegetation type in the West. The richness of the pinyon-juniper vegetation type, however, is important due to its middle elevation. Survey tallies in pinyon-juniper are similar in species diversity to the best riparian. Several species are found in the pinyon-juniper habitat and include: black-chinned hummingbird, gray flycatcher, Cassin's kingbird, gray vireo, pinyon jay, juniper titmouse, black-throated gray warbler, Scott's oriole, ash-throated flycatcher, Bewick's wren, mountain chickadee, white-breasted nuthatch, and chipping sparrow.

Ponderosa pine, mixed conifer and mountain shrubland habitats are found along the higher elevations and adjacent to the riparian interface within the project area. These sites are typically dry and warm areas, with less than 25 inches of precipitation annually. Mature ponderosa pine forests on dry sites are open, with mature trees achieving wide separation as they compete for limited soil moisture. Grassy ground cover is maintained by frequent low-intensity fires. Ponderosa pines are the largest conifers in Colorado and Gambel oak is a common component of the understory, typically in a shrubby form. Other common understory shrubs include mountain mahogany and wax currant. Tree species sometimes found mixed with ponderosa pine are junipers, pinyon pine, aspen, white fir, and Douglas-fir. Birds typical of these habitat types include Merriam's turkey, Williamson's sapsucker, pygmy nuthatch, western bluebird, band-tailed pigeon, Grace's warbler, flammulated owl, red-breasted nuthatch, violet-green swallow, western tanager, and chipping sparrow. These sites also include small areas of aspen habitat and mountain grassland habitat.

The following birds are listed on the US Fish and Wildlife Service Birds of Conservation Concern (BCC) – 2008 List for BCR 16-Southern Rockies/Colorado Plateau. These species have been identified as species that may be found in the project area, have declining population's and should be protected from habitat alterations.

The golden eagle is a bird of grasslands, shrublands, pinyon-juniper woodlands, and ponderosa pine forests, may occur in most other habitats occasionally, especially in winter. Nests are placed on cliffs and sometimes in trees in rugged areas, and breeding birds range widely over surrounding habitats.

Prairie falcons nest in scattered locations throughout the state where they inhabit the grassland and cliff/rock habitat types. These falcons breed on cliffs and rock outcrops, and their diet during the breeding season is a mix of passerines and small mammals.

Virginia's warblers in Colorado nest between 5,000-9,000 ft. elevation. They breed most abundantly in the western quarter of the state, along the eastern slope foothills, and in the upper Arkansas River drainage. Virginia's warblers nest in dense shrublands and on scrub-adorned slopes of mesas, foothills, open ravines, and mountain valleys in semiarid country. They use scrubby brush, pinyon-juniper woodland with a well-developed shrubby understory, ravines covered with Gambel oak and dense shrublands. They also breed in open ponderosa pine savannahs that have a dense understory of tall shrubs.

## Environmental Effects

### Proposed Action

Direct and Indirect Impacts: Withdrawal from the stated surface disturbing activities would preserve the integrity of the landscape and protect wildlife habitat from future degradation. By eliminating sources of human disturbance that are not advantageous to wildlife species and its habitat will only benefit the resource long-term. However, withdrawal does not preclude plans of operations to mine from coming forward on existing claims. Resulting impacts to migratory birds and protection measures to protect these resources will need to be addressed in future analysis if plans of operations are brought forward at these locations.

Protective/Mitigation Measures: None.

Cumulative Impacts: None.

#### No Action Alternative

Direct and Indirect Impacts: Not withdrawing lands open to mining law can have an impact only if mining occurs after claims are made. Impacts to wildlife species may range from a loss of surface habitat from mining activity, disturbance or avoidance of areas where activity is occurring due to an increase in human presence, degradation of habitat due to infrastructure, increased probability of introduction of weeds, poorer quality of habitat post reclamation, etc. However, these impacts remain speculative until a plan of operations is submitted for review.

Protective/Mitigation Measures: None, until a plan of operation is submitted.

### **3.4 HERITAGE RESOURCES AND HUMAN ENVIRONMENT**

#### **3.4.1 VISUAL RESOURCES**

Affected Environment: The 1996 Royal Gorge Resource Management Plan assigned a Class II Visual Resource Management rating to both the east and west banks of Browns Canyon, including all public lands contained in the proposed mineral withdrawal area. The objective of this class is to retain the existing character of the landscape. The level of change to the characteristic landscape should be low. Management activities may be seen, but should not attract the attention of the casual observer. Any changes must repeat the basic elements of form, line, color and texture in the predominant natural features of the characteristic landscape.

The Ruby Mountain Recreation Site is considered the beginning of Browns Canyon where the Arkansas River continues to erode the canyon deeper. This area is characterized by flat grassy benches that transition to gentle rocky slopes leading to more open grasslands. Further into the canyon the walls become steep and rugged with smooth monolithic granite rock spires. These massive rock formations draw the attention of the casual observer and consume the foreground landscape. Numerous side canyons intersect the river and have a similar appearance to the main canyon. These side canyons lead to higher elevations where large stands of aspen dominate the landscape. The rock formations vary from light browns to grays that contrast against the lush light green riparian vegetation. The darker green vegetation of pinyon and ponderosa pine speckles the canyon walls and provides further visual contrast. Both the east and west sides of the canyon have similar visual appearances along the edge of the river with the following exception. The west side of the canyon transitions into hay fields whereas the east side of the canyon continues to be rugged, rocky and intermixed with rolling grasslands. The hay fields found to the west are not visible from the river corridor. A dormant railroad parallels the upper half of the canyon along the west side of the river and then switches to the east side of the canyon for the remainder of the canyon. The canyon has a very primitive feel and look to it.

Recent preliminary data from visual resource inventories indicate that tourists, residents, and businesses are highly sensitive to any new contrasts within the viewshed of the Browns Canyon stretch of the Arkansas River that would impact the scenic quality of the area. The majority of these viewers take in the scenery while traveling either along the shore, hiking, or floating down the river. Given the relatively constricted nature of the canyon the landscape is considered enclosed, feature and focal with short viewing distances and no middle ground or background viewing distances. The primary activities are generally contemplative in nature and viewers spend long periods of time taking in all aspects of the adjacent scenery.

### Environmental Effects

#### Proposed Action

**Direct and Indirect Impacts:** The proposed action would not introduce any contrasts into the visual landscape of Browns Canyon once reclamation is completed; therefore, there would be no impact to visual resources. Sensitive viewers would not see additional alterations to the landscape and there would not be a change to the scenic quality of the canyon. The direct impact to the visual resources from the mineral withdrawal would be the protection of the visual resources from potential mining operations.

**Protective/Mitigation Measures:** None.

**Cumulative Impacts:** Additional mineral withdrawals throughout the river corridor would enhance and protect the scenic values by eliminating future mining operations.

#### No Action Alternative

**Direct and Indirect Impacts:** The no action alternative would potentially introduce a number and variety of new contrasts to the landscape that would negatively impact visual resources. While the scale of any future mining operations cannot be determined at this time, due to the landscape type (enclosed, feature, and focal) combined with short sight distances and highly sensitive viewers spending high amounts of time taking in the adjacent scenery while hiking, rafting, fishing, or camping, even minimal contrasts would be noticeable. Even minor contrasts associated with mining operations would have negative impacts to visual resources and the scenic quality of the canyon, and would be noticeable to the casual observer. Small to larger scale mining operations would likely dominate the view and VRM Class II objectives would not be met until the mining operation ceases and reclamation requirement are completed.

**Protective/Mitigation Measures:** None, until a plan of operation is filed.

**Cumulative Impacts:** The filing of mining claims along the entire length of the Arkansas River could potentially result in cumulative impacts to visual resources. The extent and severity of this impact is largely dependent upon the scale and nature of the mining operation but the incremental increase would have similar impacts to those identified for Browns Canyon. While the scenic quality, viewing distances, and viewer sensitivity varies throughout the river corridor new contrasts associated with mining operations would be readily noticeable and would affect the quality of the scenic values.

### **3.4.2 ECONOMIC**

Affected Environment: The Proposed Action takes place in Chaffee County, Colorado which is located near the center of the state. Chaffee County had an estimated population of 18,150 residents in 2012, an increase of 341 residents since the 2010 U.S. Census (U.S. Census, 2013a). Main communities in Chaffee County include Buena Vista (estimated population 2,662 in 2012), Salida (estimated population 5,317 in 2012), and Poncha Springs (estimated population 748 in 2012) (U.S. Census, 2013a). In 2012 a majority of the residents in Chaffee County were male (53.2%) and had a median age of 44.8 years (U.S. Census, 2013b). The median age for females was 51.1 years old (U.S. Census, 2013b). Over 53% of the total population is 45 years of age and over while only 15.9% is under 18 years of age in 2012 (U.S. Census, 2013b).

There is a rural nature to the county that many residents want preserved and enhanced while also encouraging passive recreation (hiking, snowshoeing, fishing, etc.) as an economic strategy (Consensus Planning, Inc., 2000; RRC Associates and Clarion Associates, 1997). Recreation is a strong component of the local economy and contributes to residents' quality of life. Recreational opportunities and the landscape as a whole contribute to the growth of the area through in-migration of seasonal residents, both in terms of seasonal workers and those with seasonal homes in the area. There were a total of 10,020 housing units in Chaffee County in 2010, with 24% of those being vacant. Out of the vacant housing units 72% are used for seasonal, recreational, or occasional use (U.S. Census, 2010).

There is considerable support by citizens for encouraging ranchers to keep their land in agricultural production through economic incentives (RRC Associates and Clarion Associates, 1997). According to the National Agricultural Statistics Services (NASS) (2014) there were 77,665 acres of land in 223 farms across Chaffee County, with 61.1 percent being pastureland in 2012. Thirty-eight farms were 500 acres or larger, 74 farms were 49 acres or less and the remaining farms ranged in size from 50 to 499 acres in 2012. The farms sold \$9,618,000 of products in 2012 with 154 farms with sales value under \$10,000. There was an almost equal split in the number of principal operators that indicated that farming was their primary occupation (118 operators) to those that stated that something else was their primary occupation (105). This information tends to indicate that while there are some large-scale farming operations in the area, there are many more small scale farms some of which are likely "hobby farms". The 2007 Census of Agriculture data (NASS, 2009) indicated that 76 farms were categorized as small residential and lifestyle farms.

While agriculture is clearly a part of the landscape and a part of the local culture, it provides minimal employment opportunities (Table 3.4.5-1). Most employment in Chaffee County in 2010-2012 is associated with the government-local, state, federal and military; retail trade; and accommodations and food services. In an area with lower population and employment strongly based upon retail trade, accommodations and food services this can indicate the importance of recreation and tourism for the local economy. As a destination area, visitors tend to stay in this area and spend money on food, miscellaneous items and gifts, and accommodations. A report by Economic Modeling Specialists International (2013) indicates that in 2012, retail trade; arts,

entertainment, and recreation; and, accommodation and food services contributed 20 percent to the gross regional product of Chaffee County.

The variety of recreation in Browns Canyon contributes to this area being a destination area and helps support the local economy. While data is not available to calculate the full economic contribution from all recreation associated with Browns Canyon, there is data available on commercial rafting and angling. Expenditure data provided by a study conducted in 1991 (Roggenbuck, Borrie, and Williams 1993) and adjusted for inflation<sup>2</sup> indicates that commercial rafting customer expenditures<sup>3</sup> are approximately \$124.86 per commercial rafting customer per day. In 2013 there were 86,380 “user days”<sup>4</sup> (CPW 2014) which equates to \$10,785,407 of direct expenditures and a total economic contribution of \$27,610,641 attributed to the commercial rafting customers in 2013<sup>5</sup>. Expenditure data for private (non-commercial) rafters/boaters based upon this same study and adjusted for inflation indicates expenditures of \$63.28 per day per private rafter. This would equate to \$495,799 in direct expenditures based upon 7,835 user days (CPW 2014) and a total economic contribution of \$1,269,245 in 2013. There would be additional economic contributions by other non-rafting recreationists, such as commercial and non-commercial anglers, that visit Browns Canyon; however data is unavailable to quantify this. The economic contribution of recreation, both commercial and non-commercial, in Browns Canyon is reinforced by the large percentage that retail trade, recreation, and accommodation and food services contributes to the gross regional product of Chaffee County as indicated above (Economic Modeling Specialists International 2013) and by the employment in these associated sectors (Table 3.4.5-1).

Recreation in this area clearly contributes to Chaffee County’s local economy by providing seasonal employment opportunities and the likelihood that most expenditures by recreationists occur in Chaffee County. Recreation in Browns Canyon can also contribute to non-local economies since, many of the commercial rafting companies that provide services in Browns Canyon have offices located outside of Chaffee County,<sup>6</sup> and therefore some of the expenditures, such as rafting trip costs, and seasonal employment contributes to those non-local economies as well.

Annual unemployment in Chaffee County from 2010 to 2013 has decreased from 8% to 6.2% (Bureau of Labor Statistics, 2014). Monthly unemployment rates dropped between June and August, likely due to increases in seasonal employment associated with recreation and tourism in the area (BLS, 2014).

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<sup>2</sup> This study determined that the commercial boater had an average per person per day expenditure of \$73.00 in 1991 (Roggenbuck, Borrie and Williams 1993). An adjusted expenditure value was calculated using Bureau of Labor Statistics (BLS) Consumer Price Index (CPI) Inflation Calculator accessed at: [http://stats.bls.gov/data/inflation\\_calculator.htm](http://stats.bls.gov/data/inflation_calculator.htm) on 9/5/2014. This inflation calculator indicated that \$73.00 in 1991 would be \$124.86 in 2013.

<sup>3</sup> Expenditures refer to the money spent by the commercial rafting customers for the things such as the rafting trip itself, souvenirs, lodging, meals while in the area, etc.

<sup>4</sup> User day is defined as a paying guest on a river for any part of a day (CROA, 2014) and is used by CPW.

<sup>5</sup> These calculations are based upon CROA (2014) for the economic multiplier (2.56) and CPW user day data (CPW). The economic multiplier captures the indirect and induced economic contributions related to direct spending.

<sup>6</sup> Locality of commercial rafting companies is based upon information provided by CROA 2014 and use summary by company data provided by CPW.

Per capita personal income in Chaffee County ranged between \$31,250 and \$34,301 during 2010 to 2012, which is lower than the range for the state of Colorado (\$41,717 to \$45,775 for the same time period) (BEA 2014b, BEA 2014c). The lower per capita personal income in Chaffee County is partly related to the high employment in retail trade, accommodations and food services since these tend to have lower wages (Table 3.4.5-1). Personal income is comprised of net earnings, personal current transfer receipts, personal dividend income, personal interest income, and rental income. Net earnings by place of residence contributed the most to personal income in Chaffee County (45.3%) while personal dividends, interest, and rent contributed 32.1% and personal current transfer receipts contributed 22.7% in 2012 (BEA 2014d). This breakdown in personal income indicates that most of the personal income in Chaffee County results from wage and salary jobs (net earnings), however a substantial amount also comes from investment and property income (dividends, interest, and rent). In terms of personal current transfer receipts close to 85% came from retirement benefits, disability insurance and medical benefits; 6% came from veterans' benefits and unemployment insurance; and the rest was comprised of other government and non-government current transfer receipts (BEA 2014e). Given that a large percentage of the population is older it makes sense that most of the current transfer receipts stem from retirement benefits.

Table 3.4.5-1: Percent of Total Employment by Industry<sup>1</sup>, 2010-2012 and Average Weekly Wage<sup>2</sup>, 2012 for Chaffee County, Colorado.

<b>Chaffee County, Colorado</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2012</b>
				Average Weekly Wage
<b>Total employment<sup>3</sup> (number of jobs)</b>	10,407	10,607	10,844	
<b>Percent of Total Employment by Industry<sup>4</sup></b>				
Farm employment	2.5	2.4	2.3	NA
Nonfarm employment	97.5	97.6	97.7	NA
Private nonfarm employment	80.3	80.8	81.1	NA
Forestry, fishing, and related activities	(D) <sup>5</sup>	(D) <sup>5</sup>	(D) <sup>5</sup>	\$311
Mining	(D) <sup>5</sup>	0.8	0.8	(D) <sup>5</sup>
Utilities	0.5	0.5	0.5	\$1,393
Construction	8.9	8.7	8.8	\$849
Manufacturing	1.8	1.9	2.3	\$589
Wholesale trade	1.9	2.3	2.5	\$778
Retail trade	13.0	12.7	12.4	\$489
Transportation and warehousing	1.5	1.6	1.6	\$723
Information	1.0	1.1	1.1	\$610
Finance and insurance	3.8	4.1	4.1	\$958
Real estate and rental and leasing	7.0	7.2	7.3	\$603
Professional, scientific, and technical services	5.7	5.8	5.7	\$736
Management of companies and enterprises	(D) <sup>5</sup>	(D) <sup>5</sup>	(D) <sup>5</sup>	(D) <sup>5</sup>
Administrative and waste management services	(D) <sup>5</sup>	(D) <sup>5</sup>	(D) <sup>5</sup>	\$554
Educational services	1.4	1.3	1.4	\$517
Health care and social assistance	5.9	5.7	5.7	\$729
Arts, entertainment, and recreation	6.2	6.2	5.8	\$290
Accommodation and food services	11.4	12.0	12.2	\$282
Other services, except public administration	5.5	5.5	5.5	\$389
Government and government enterprises	17.2	16.8	16.6	\$804

Source: <sup>1</sup>Bureau of Economic Analysis (BEA), 2014a. <sup>2</sup>Bureau of Labor Statistics (BLS), 2013a

<sup>3</sup>BEA employment estimates the number of jobs with equal weight given to full-time and part-time jobs. Unpaid family workers and volunteers are not included. Employment is based on place of work.

<sup>4</sup>Estimates for 2010 are based on the 2007 North American Industry Classification System (NAICS) whereas 2011 and 2012 are based on the 2012 NAICS. The broad categories used in the table are the same for the 2007 NAICS and 2012 NAICS.

<sup>5</sup>(D) indicates the data is not disclosed due to confidential information. The estimates for these items are, however, included in the totals where applicable.

As discussed under the Geologic and Mineral Resources section, mining has occurred in the Brown's Canyon Area in the past, most notably the mining and production of commercial fluorspar. There may be some potential for placer gold mining. Currently, less than one percent of employment in Chaffee County is associated with mining.

### Environmental Effects

#### Proposed Action

Direct and Indirect Impacts: Withdrawal of the lands as discussed will have minor impacts to the local social and economic environment in regards to mining operations in the area and the associated effects of mining to local economics. This is due to that less than one percent of employment in Chaffee County is associated with mining. Also, as discussed in the geologic and mineral resources section, the proposed withdrawal area indicates nominal potential for the development of known mineral resources, with the exception of gold placers that have been documented throughout most of the subject area. The withdrawal does not preclude plans of operations to mine, from coming forward on existing claims.

Recreation in the area is anticipated to continue increasing, in part due to the visual landscape of this area (see the recreation section for information). The withdrawal of the lands will continue to minimize visual impacts associated with mineral entry and continue to provide the remote and primitive nature of the recreational experience. The proposed action will allow recreation and tourism to continue being one of the main contributors to the local economy through employment and income directly related to recreation such as rafting guides as well as through the expenditures and related employment and income associated with retail trade, accommodations and food services.

Protective/Mitigation Measures: None.

Cumulative Impacts: In terms of economic impacts associated with mining, without a better understanding of mineral potential, especially placer gold, in the proposed action area, it is unknown if this action will contribute to a cumulative impact. In relation to recreation and tourism, the proposed action will help in promoting a remote, primitive and scenic experience which will continue to draw in recreationists and tourists.

#### No Action Alternative

Direct and Indirect Impacts: Not withdrawing lands open to mining law can have an impact only if mining occurs after claims are made. If mining does occur, depending on the scale of the operation, economic impacts could include increased employment and income associated with the workers. Mining may have negative impacts to the recreation and tourism industries in

the local area due to the impacts to scenic values and other resources described in the foregoing sections of this EA (see also section 3.5.1); however, without an understanding of a plan of operations associated with potential mining and the magnitude of impact on recreation and tourism, the specific economic impacts cannot be determined at this time. However, if a decrease in recreation and tourism would result, then a reduction in economic contributions to the local economy from recreation could be anticipated.

Protective/Mitigation Measures: None.

Cumulative Impacts: Much of the Arkansas is open to mineral entry and mining here would be cumulative to the existing and future mining along the Arkansas. Without a better understanding of the type, level, and timing of a mining operation and the possible associated impacts to recreation, it is not possible to quantify cumulative economic impacts. In terms of the local economy as a whole, it is not possible at this time to estimate the degree to which an increase in economic contribution associated with mining could replace some portion of the economic contribution that might be lost with reduced recreation.

### **3.4.6 ENVIRONMENTAL JUSTICE**

Affected Environment: Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, states “each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations...” (Executive Order 12989).

Minority populations as defined by Council on Environmental Quality (CEQ) guidance under NEPA (CEQ 1997) include individuals in the following population groups: American Indian or Alaskan Native; Asian or Pacific Islander; Black, not of Hispanic origin; or Hispanic. A minority population is identified where “(a) the minority population of the affected area exceeds 50 percent or (b) the minority population percentage of the affected area is meaningfully greater...” (CEQ 1997). Additionally, “[a] minority population also exists if there is more than one minority group present and the minority percentage, as calculated by aggregating all minority persons, meets one of the above-stated thresholds” (CEQ 1997). Low-income populations are determined by the U.S. Census Bureau based upon poverty thresholds developed every year.

U.S. Census data is used to determine whether the populations residing in the study area constitute an “environmental justice population” through meeting either of the following criteria:

- At least one-half of the population is of minority or low-income status; or
- The percentage of population that is of minority or low-income status is at least 10 percentage points higher than for the entire State of Colorado.

CEQ guidance does not provide specific criteria for determining low-income populations as it does for minority populations so for this planning effort we will use the criteria for minority populations, which are discussed above, as the criteria for low-income populations. We identify

low-income and minority population percentages that are “meaningfully greater” as at least 10 percentage points higher than for the entire State of Colorado.

Data for the identification of low-income is from the U.S. Census Bureau, Small Area Income and Poverty Estimates (SAIPE). The SAIPE program produces yearly single year poverty estimates for states, counties, and school districts and is considered the most accurate for these geographic scales, especially for areas with populations of 65,000 or less (U.S. Census 2014). Minority populations are identified using the U.S. Census Population Estimates program which provides estimates for the resident population by age, sex, race, and Hispanic origin at the national, state and county scales. For the purposes of this analysis, the term “minority population” refers to the part of the total population which is not classified as Non-Hispanic White Only by the U.S. Census Bureau. By using this definition of minority population, the percentage is inclusive of Hispanics and multiple race categories and any other minority single race categories. This definition is most inclusive of populations that may be considered as a minority population under EO 12898. Estimates from SAIPE and the Population Estimates program are used in federal funding allocations.

Table 3.4.6-1 indicates that Chaffee County does not have environmental justice populations that meet the criteria above so no further analysis is warranted.

Table 3.4.6-1: Percent Minority and Percent Poverty for Chaffee County, 2012

	<b>Total Population<sup>1</sup></b>	<b>Percent Minority<sup>2</sup></b>	<b>Percent All Ages in Poverty<sup>3</sup></b>
<b>Colorado</b>	5,187,582	30.2%	13.6%
<b>Chaffee County</b>	18,150	14.2%	13.8%

Source: <sup>1</sup>U.S. Census, 2013a; <sup>2</sup>Percent minority calculated from data source U.S. Census, 2013a; <sup>3</sup>U.S. Census, 2013c.

## **3.5 LAND RESOURCES**

### **3.5.1 RECREATION**

**Affected Environment:** Browns Canyon is located in the larger Arkansas River Special Recreation Management Area (SRMA). The SRMA consists of approximately 109,000 acres. SRMA’s provide for intensive management of certain areas of land with high priority outdoor recreation opportunities. The area is characterized by the Arkansas River and its many drainages, steep rugged canyons, open expanses of irrigated pastures, high mountain peaks and lush riparian zones. The major emphasis for recreation is directly related to the Arkansas River, which is considered one of the most commercially boated rivers in the United States.

Further river management can be found in the Arkansas River Recreation Management Plan (ARRMP). This plan was originally prepared in 1989 when the Arkansas Headwaters Recreation Area (AHRA) was created. AHRA is a partnership between Colorado Parks and Wildlife (CPW), BLM and the U.S.F.S. A Cooperative Management Agreement (CMA) outlines the roles and responsibility for each party. The original plan was a product of a very comprehensive public involvement process. Sixteen governmental entities and two citizen groups were involved in the original planning effort. Various recreational user groups, environmental organizations, conservation districts, industry associations and area residents also participated. AHRA is currently preparing the second revision to the original plan. This revision will attempt to match the original effort with an extensive series of public involvement efforts.

Whitewater boating is the most popular recreational activity that occurs in Browns Canyon. 46 commercial boating outfitters depend on Browns Canyon as their primary source of business. Approximately 85,000 commercial customers enjoyed a trip through the canyon in 2013 (see below table for commercial/private boating use from 1991 to 2013). Commercial outfitters often stop in the canyon and provide their guests with a riverside picnic style lunch. There are approximately 16 popular lunch areas throughout the canyon. 20,196 guests and 4004 staff enjoyed a river side lunch in the canyon in 2013. Often guests spend some time after lunch hiking further into the wilderness study area when picnicking on the east side of the river. Commercial outfitters also provide opportunities for their guests to spend the night in the canyon. These trips are supported by a gear boat that brings all the provisions needed for a comfortable stay under the dark, quiet skies the canyon offers. 1,673 guests, supported by 511 staff camped in the canyon in 2013. The majority of these overnight trips typically pull off the river by 5:00, have dinner and either rest by the shores of the river or hike further into the primitive and remote canyons found on the east side of the river. Many private boaters enjoy camping in the canyon. Their numbers are more difficult to obtain since no private boaters permits are needed to boat any part of the river.

Angling from both the shore and from a raft is also a very popular activity that occurs in the canyon. Much of the fishing that occurs in the canyon is by private individuals, however, 198 clients and 105 guides enjoyed a commercial fishing experience in 2013.

The stretch of the Arkansas River through Browns Canyon provides a unique recreation setting that is enjoyed by thousands of visitors on an annual basis making it the most commercially rafted stretch of river in the United States. Visitors achieve a variety of outcomes through participation in whitewater rafting along this stretch of river. Primarily, it offers outcomes associated with the whitewater challenges themselves including enjoying risk taking, relishing personal affiliation and togetherness, and releasing or reducing some built-up mental tensions/stress all of which would be expected of this type of activity. However, the setting of the area (both social and physical) is an integral aspect of connecting visitors with nature, and combined with the whitewater challenges, allows visitors to obtain a suite of outcomes in a single outing offered by no other stretch of the Arkansas River, nor by more than a few sections of rivers in the United States.

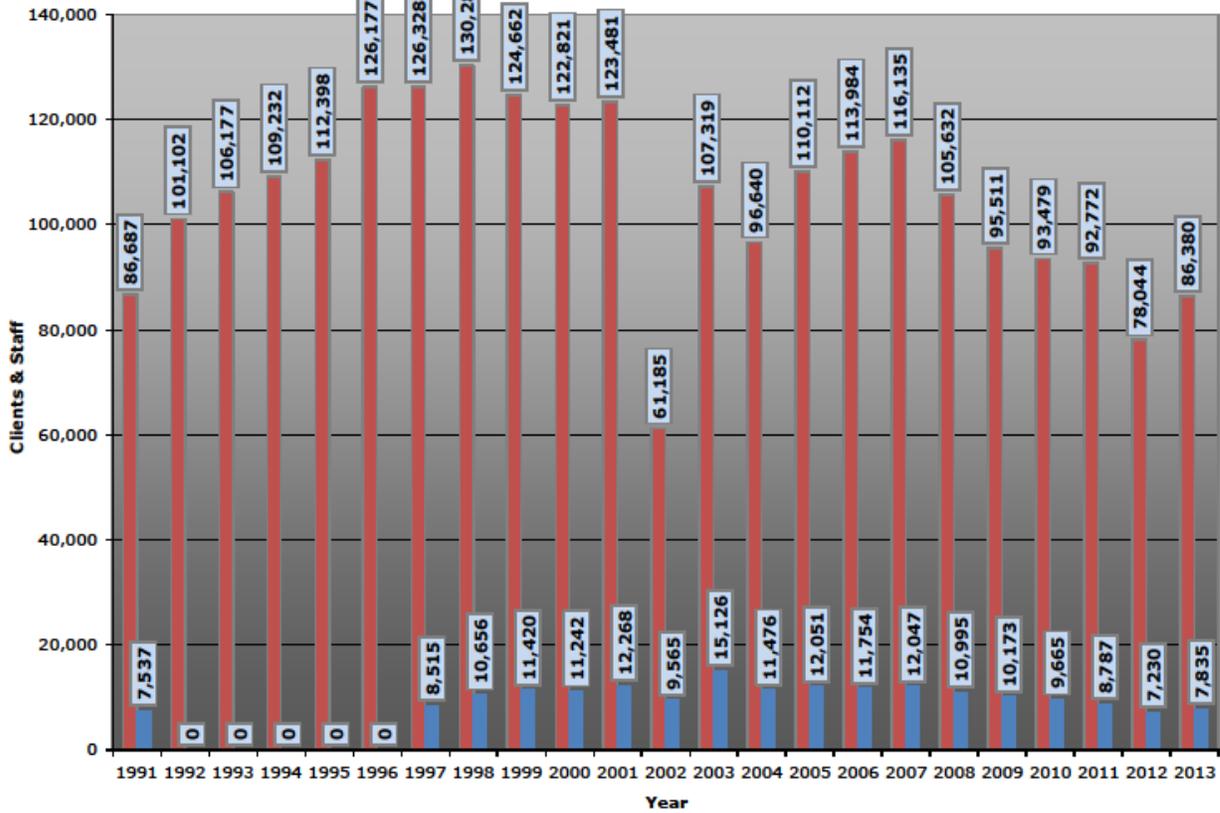
One of the unique aspects of this stretch of the Arkansas is the feeling of remoteness one experiences throughout the trip. The majority of the Arkansas River is in close proximity to a

highway where visitors to the river regularly experience the sights and sounds of urban influences both from traffic along the highway and other visitors due to the ease of access. The stretch through Browns Canyon on the other hand is remotely located approximately three miles from a highway with limited access other than the river itself. The naturalness of this stretch also lends to the backcountry setting that users experience. Despite the presence of an inactive rail line the remainder of the landscape is relatively natural in appearance. There are very few apparent traces of recent or new disturbances within the canyon itself which lends to the overall setting.

Despite the high volumes of recreation use the canyon offers a backcountry social setting as well. This is in large part due to the fact that groups travel within their own pods in the same direction and at the same rate of speed. Visitors seldom see other groups on the river providing the perception of being relatively uncrowded allowing them to connect with nature and achieve these types of outcomes. In-place management strategies also attempt to enhance these desired outcomes.

As a result of the unique aspects of the backcountry setting that Browns Canyon offers, users floating through the Browns Canyon stretch of river are able to better achieve connections with nature allowing them to better disconnect from the stresses of society while at the same time experiencing the thrill of continuous whitewater rapids. This suite of outcomes combined into one outing is truly unique and is the reason that Browns Canyon is arguably the most commercially rafted stretch of river in the United States with visitors returning time and time again.

**Commercial/Private People Totals**  
Browns Canyon 1991 thru 2013



Environmental Effects

Proposed Action

Direct and Indirect Impacts: There would be no impacts to recreation from implementing a mineral withdrawal in Browns Canyon. Recreation opportunities would continue to be enhanced by a withdrawal. Motorized mining operations would not occur and the recreational experiences such as solitude and unconfined primitive recreation opportunities would not be impacted. Other recreational opportunities such as picnicking, camping, hiking, wildlife viewing, enjoying the scenery would not be impacted. These experiences and activities would be preserved.

Protective/Mitigation Measures: None.

Cumulative Impacts: None.

No Action Alternative

Direct and Indirect Impacts: The no action alternative could result in impacts to recreation depending upon the extent of mining operations and the number of claims filed. As stated in the visual resources section, even minor contrasts introduced through mining activities would be readily noticeable by the casual observer and would result in negative impacts to visual resources. The same is true for recreation resources where the settings of an area are directly tied to visitor experiences. Visitors to Browns Canyon have a higher sensitivity to a natural setting and new modifications to the natural environment due to their expectations and desired outcomes.

The physical setting, or how natural an area is, plays an important role in visitor experiences affecting their decisions on recreation destinations and their ability to achieve desired recreation outcomes. As identified in the affected environment discussion, Browns Canyon is managed to provide a primitive physical setting where visitors expect natural settings throughout their trip with minimal signs of disturbance. The No Action alternative would alter this setting but at unknown levels. Depending upon the scale and extent of mining operations associated with mining claims, changes could be minor or drastic with the latter resulting in higher levels of impacts. The no action alternative could result in less satisfaction from recreation outings and less outcomes achieved as a result potentially displacing users from this area altogether.

How many other visitors or groups you encounter also affects recreation experiences and one's ability to achieve their desired outcomes. As stated in the affected environment discussion, Browns Canyon sees a high volume of recreation use but the majority travels in the same direction at the same rate of speed so visitor contacts are reduced and a more primitive experience is provided. Only by standing in one place does one realize the volume of use. The same idea applies to visitors floating by other groups. The no action alternative would introduce additional use along the banks of the canyon potentially impacting this social setting in association with mining operations in the area. The extent of change could vary widely depending upon the size and extent of operations and associated impacts would also vary. At low levels the social setting would likely not be altered to point where visitor experiences are diminished. At higher volumes of operations more people and equipment would be evident potentially impacting visitors to the point where they may be displaced.

While the level and extent of mining operations associated with the no action alternative cannot be determined at this time it can be assumed that this action would impact recreation resources. Given the expectations of visitors to this area even minor modifications would be noticed and larger operations would be detrimental to some people's ability to achieve desired outcomes from recreating in Browns Canyon.

There are approximately 46 commercial outfitters that regularly lead rafting trips through the Browns Canyon corridor. Most outfitters and their customers that use the Browns Canyon corridor rely on scenic, recreational and other natural resource values and believe that a change in use of the area by mining activities would be detrimental to the non-motorized recreational activities that depend on this pristine canyon. Private boaters, anglers, and other recreational users in Browns Canyon have mentioned that their previous expectations for the canyon would be changed if mining was allowed in the canyon. Much of the rest of the Arkansas River from

Leadville to Pueblo Reservoir is open to mining claim filing and many claims occur along the majority of the river corridor. The 10 R&PP leases, in addition to Hecla and Ruby Mountain Recreation Sites, found throughout the river corridor have had their mineral segregated from the mining law. Browns Canyon is unique in the fact that mining activities are not a major function within this area and provide a different experience for recreational users than other sections of the river. Mining operations may also affect the type of primitive experience within the canyon-proper. Motorized mining operations would also affect the solitude of the canyon as it relates to an individual's recreational experience. Indirect impacts associated with the potential mining operations may reduce the number of participants who would take a raft trip or hike through the canyon, however, the level of this impact is not quantifiable at this time. The area is also typically marketed for its pristine, primitive, scenic values in combination with the whitewater experience because the rest of the river is impacted by mining activities; this experience makes Browns Canyon a popular place to recreate. The impacts anticipated under the no action alternative likely would directly impact the recreational experience and users of the Browns Canyon area and indirectly impact local economics for the rafting community.

Protective/Mitigation Measures: None, until a plan of operation for mining is submitted.

Cumulative Impacts: Mining claims and associated operations throughout the river corridor could lead to cumulative impacts to recreation use. Water based activities and scenic touring are incredibly popular in the greater region and are dependent upon scenic quality and various recreation settings. As claims are developed there will be an increase in disturbances at various levels depending upon the extent and scale of mining operations cumulatively impacting recreation resources through diminished experiences.

### **3.5.2 WILDERNESS, WILDERNESS STUDY AREAS, AREAS OF CRITICAL ENVIRONMENTAL CONCERN, WILD AND SCENIC RIVERS**

#### **Browns Canyon Wilderness Study Area:**

Affected Environment: The Browns Canyon Wilderness Study Area consists of 6,614 acres of public lands. These lands are located between Salida, CO and Buena Vista, CO. A final environmental impact statement (FEIS) was prepared by the BLM Canon City District Office and signed by the state director in December of 1987. The Secretary of the Interior reported his recommendation to the President that Browns Canyon should be designated wilderness in January of 1992. The President then made his recommendation to Congress that Browns Canyon should become part of the National Wilderness Preservation System. Congress may decide whether or not Browns Canyon is to be designated wilderness.

The FEIS analyzed and described the environmental, social, and economic effects of designating or not designating the area as wilderness. The Browns Canyon WSA has outstanding opportunities for solitude, primitive and unconfined recreation, including backpacking, hiking, camping, photography, hunting, fishing, sightseeing and other back-country activities.

## Environmental Effects

### Proposed Action

Direct and Indirect Impacts: The mineral withdrawal would have the continued effect of protecting values associated with the WSA until the mining operation ceases and successful reclamation occurs. These values coupled with the unique experiences of the WSA offers provides for a positive impact for those who recreate in the canyon.

Protective/Mitigation Measures: None.

Cumulative Impacts: None.

### No Action Alternative

Direct and Indirect Impacts: Those outstanding opportunities that the WSA provides maybe directly impacted if mining was to take place in the canyon. Without withdrawal of the River Corridor in the Browns Canyon area, it is anticipated that mining claims will occur along the river and associated uplands. Potential claims are restricted by topography in parts of the steep, narrow canyon, and there is restricted access to interior claims however, mining activity would still impact the area. Claimants could use the river to access and bring equipment to their individual claims further impacting the uplands. They could also access the river and uplands through the west side of the Browns Canyon area through the ACEC. The WSA would be impacted by activities such as high banking and suction dredging, as well as material removal and loss of vegetation and destabilization of soils. Impacts through mining activates would require reclamation after the activity is completed including vegetation, soil stabilization, and recontouring of the river bank and hillside. However, reclamation and rehabilitation would occur in the future (anywhere from 6 months to decades) allowing temporary short-term impacts to occur.

Protective/Mitigation Measures: None, until a plan of operations for mining is submitted.

## **The Browns Canyon Area of Critical Environmental Concern**

Affected Environment: The proposed public lands to be withdrawn from mineral entry are located in the Browns Canyon Area of Critical Environmental Concern (ACEC). The ACEC includes all 6,614 acres of the scenic river canyon within the wilderness study area (WSA) recommended to Congress as wilderness for its unique naturalness character and primitive recreation, water related recreation, scenic and visual qualities and is under consideration as an archaeological district. The bluffs in the area have been identified as having very significant raptor values and the area has significant bighorn sheep habitat values. This area includes BLM, private and state land considered very important to the integrity and management of this canyon environment. The ACEC consists of 9,411 acres.

## Environmental Effects

#### Proposed Action

Direct and Indirect Impacts: There would be no impact to the ACEC by withdrawing the area from the mining laws.

Protective/Mitigation Measures: None.

Cumulative Impacts: None.

#### No Action Alternative

Direct and Indirect Impacts: There could be a direct impact to the visual resources within the ACEC from mining if the canyon remains open to the mining laws. The area's unique naturalness and primitive recreation opportunities may also be impacted if mining occurs in the canyon.

Protective/Mitigation Measures: None, until a plan of operations for mining is submitted.

### **Wild and Scenic Rivers**

Affected Environment: The Arkansas River was studied in the 1996, Royal Gorge Resource Management Plan. Browns Canyon was found to be eligible and suitable under the Recreation designation, however, it was not recommended. This study may be updated in the upcoming Royal Gorge Resource Management Plan revision.

#### Environmental Effects

#### Proposed Action

Direct and Indirect Impacts: None.

Protective/Mitigation Measures: None.

Cumulative Impacts: None.

#### No Action Alternative

Direct and Indirect Impacts: None.

Protective/Mitigation Measures: None.

### **3.5.3 WILDERNESS CHARACTERISTICS**

Affected Environment: The public lands located on the east side of the river have been determined to have wilderness characteristics and have been identified as a WSA. The public lands located on the west side of the river have been determined to not contain wilderness characteristics. To be considered for wilderness the following characteristics need to be present:

- An area where the earth and its community of life are untrammelled by man,

- An area where man himself is a visitor who does not remain,
- An area of undeveloped Federal land retaining its primeval character and influence
- An area without permanent improvements or human habitation,
- An area which generally appears to have been affected primarily by the forces of nature
- An area with the imprint of man's work substantially unnoticeable
- An area having outstanding opportunities for solitude
- An area having outstanding opportunities for a primitive and unconfined type of recreation
- An area of at least 5,000 acres of land, or of sufficient size as to make practicable its preservation and use in an unimpaired condition,
- An area that may contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

### Environmental Effects

#### Proposed Action

Direct and Indirect Impacts: None

Protective/Mitigation Measures: None

Cumulative Impacts: None.

#### No Action Alternative

Direct and Indirect Impacts: None.

Protective/Mitigation Measures: None.

### **3.5.4 RANGE MANAGEMENT**

Affected Environment: The proposed action includes six grazing allotments that are located along the Arkansas River. The allotments include Sugarloaf Mountain, Ruby Mountain, Three Mile Creek, Hecla Junction East, Hecla Junction West and Browns Canyon Allotments. The Arkansas River corridor is typically used to access livestock water while cattle are grazing the uplands and used as a travel route to access different areas of an allotment.

### Environmental Effects

#### Proposed Action

Direct and Indirect Impacts: The Proposed Action places a withdrawal on the area for future mining activity. The withdrawal itself would not limit current grazing authorizations. This action does not physically change anything from the existing situation since no mining is occurring. Therefore, there is no negative impact to grazing operations within the proposal.

Protective/Mitigation Measures: None.

Cumulative Impacts: None.

#### No Action Alternative

**Direct and Indirect Impacts:** The no action alternative does not recommend withdrawal of these lands from future mining activities and these lands would be open to claim and potential mining activity. The impacts to range operations cannot be evaluated until a specific plan of operations is proposed. Potential impacts to grazing management could be loss of access to livestock water, forage along the banks of the Arkansas River, and loss of livestock travel routes. Again, these impacts cannot be evaluated without a specific mining proposal and even then some impacts could be mitigated.

**Protective/Mitigation Measures:** None, until a plan of operations for mining is submitted.

### **3.6 CUMULATIVE IMPACTS SUMMARY**

The action of approving the withdrawal would not add to cumulative impacts. The no action alternative would have the effect of opening up the area to mining claims which could potentially add to cumulative effects.

A reduced potential for establishment of invasive plant infestations in the project area would be beneficial but would have a minimal cumulative impact in view of the number of acres of infestation in the project area.

Much of the Arkansas is open for mineral entry. Retaining the lands discussed add some measure of risk that more stream miles potentially could be mined. Mining here would be cumulative mining in other Arkansas River locations.

Additional mineral withdrawals throughout the river corridor would enhance the scenic values by eliminating future mining operations.

The filing of mining claims along the entire length of the Arkansas River could potentially result in cumulative impacts to visual resources. The extent and severity of this impact is largely dependent upon the scale and nature of the mining operation but the incremental increase would have similar impacts to those identified for Browns Canyon. While the scenic quality, viewing distances, and viewer sensitivity varies throughout the river corridor new contrasts associated with mining operations would be readily noticeable and would affect the quality of the scenic values.

Mining claims and associated operations throughout the river corridor could lead to cumulative impacts to recreation use. Water based activities and scenic touring are incredibly popular in the greater region and are dependent upon scenic quality and various recreation settings. As claims are developed there will be an increase in disturbances at various levels depending upon the

extent and scale of mining operations cumulatively impacting recreation resources through diminished experiences.

In terms of economic impacts associated with mining, without a better understanding of mineral potential, especially placer gold, in the proposed action area, it is unknown if this action will contribute to a cumulative impact. In relation to recreation and tourism, the proposed action will help in promoting a remote, primitive and scenic experience which will continue to draw in recreationists and tourists.

Much of the Arkansas is open to mineral entry and mining here would be cumulative to the existing and future mining along the Arkansas. Without a better understanding of the type, level, and timing of a mining operation and the possible associated impacts to recreation, it is not possible to quantify cumulative economic impacts. In terms of the local economy as a whole, it is not possible at this time to estimate the degree to which an increase in economic contribution associated with mining could replace some portion of the economic contribution that might be lost with reduced recreation.

The mineral resources throughout Front Range are slowly being encumbered by various surface uses and designations that may not be compatible with future mining activities. Without better understanding, the mineral potential of placer gold for the area of this proposed action, it is unknown if this action will contribute to a cumulative impact to mineral resources.

## **CHAPTER 4 - CONSULTATION AND COORDINATION**

### **4.1 LIST OF PREPARERS AND PARTICIPANTS**

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Please see Interdisciplinary Team Review list for BLM Participants

### **4.2 TRIBES, INDIVIDUALS, ORGANIZATIONS, OR AGENCIES CONSULTED**

See Interdisciplinary Team Review Section (Native American Religious Concerns) for a list of the Tribes Consulted.

## **CHAPTER 5 - REFERENCES**

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# **Finding Of No Significant Impact (FONSI)**

## **DOI-BLM-CO-200-2013-0088 EA**

Based on review of the EA and the supporting documents, I have determined that the project is not a major federal action and will not have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects from any alternative assessed or evaluated meet the definition of significance in context or intensity, as defined by 43 CFR 1508.27. Therefore, an environmental impact statement is not required. This finding is based on the context and intensity of the project as described below.

### RATIONALE:

#### **Context:**

Browns Canyon is located roughly midway between the towns of Buena Vista and Salida, in Chaffee County, Colorado. The Proposed Action is to withdrawal from settlement, sale, location or entry under the general land laws, including the United States mining laws, but not from leasing under the mineral leasing laws to protect scenic, historic, recreation, geologic, primitive and other natural environmental values was selected. This withdrawal includes 2,214.3 acres of public lands in Browns Canyon. The withdrawal was implemented in 1991 and expired in December, 2011.

Browns Canyon has national significance and has been recommended by the President for Wilderness designation. There have also been recent Congressional proposals to designate Browns Canyon as a National Monument.

#### **Intensity:**

I have considered the potential intensity/severity of the impacts anticipated from the Browns Canyon Mineral Withdrawal Project decision relative to each of the ten areas suggested for consideration by the CEQ. With regard to each:

#### **Impacts that may be beneficial and adverse:**

These values coupled with the unique experiences of the WSA offers provides for a positive impact for those who recreate in the canyon.

Withdrawal of lands as discussed mirrors other actions BLM has undertaken to enhance river values. River protection stewardship has been an overarching direction in policy and guidance within BLM and the withdrawal of these lands would be compatible with that direction.

Mining impacts to soil resources are well documented historically and because of annual runoff events and loss off soil structure, restoration actions on modern mining operations have proven to be difficult rendering post reclamation unsuccessful quite often.

Mineral development typically causes severe soil disturbance that is susceptible to colonization by invasive plants. Withdrawing the project area from mining law would reduce the potential for establishment of invasive plant infestations.

Withdrawal from the stated surface disturbing activities would preserve the integrity of the landscape and protect wildlife habitat from future degradation. By eliminating sources of human disturbance that are not advantageous to wildlife species and its habitat will only benefit the resource long-term.

The direct impact to the visual resources from the mineral withdrawal would be the protection of the visual resources from potential mining operations. Recent preliminary data from visual resource inventories indicate that tourists, residents, and businesses are highly sensitive to any new contrasts within the viewshed of the Browns Canyon stretch of the Arkansas River that would impact the scenic quality of the area. The majority of these viewers take in the scenery while traveling either along the shore, hiking, or floating down the river. Given the relatively constricted nature of the canyon the landscape is considered enclosed, feature and focal with short viewing distances and no middle ground or background viewing distances. The primary activities are generally contemplative in nature and viewers spend long periods of time taking in all aspects of the adjacent scenery.

As a result of the unique aspects of the backcountry setting that Browns Canyon offers, users floating through the Browns Canyon stretch of river are able to better achieve connections with nature allowing them to better disconnect from the stresses of society while at the same time experiencing the thrill of continuous whitewater rapids.

This action will not allow exploration or extraction of locatable minerals, which will directly impact the ability to explore for and mine locatable minerals within the proposed subject area.

**Public health and safety:**

There are no health and safety concerns from implementing the proposed action.

**Unique characteristics of the geographic area:**

Portions of the proposed mineral withdrawal are located in the Browns Canyon Wilderness Study Area and the Browns Canyon Area of Critical Environmental Concern. The withdrawal would further serve to protect resource values protected under these management designations.

**Degree to which effects are likely to be highly controversial:**

There is no potential for controversy with the effects of the proposed action or disagreement among the ID team members or reviewers in regards to the effects on resource values.

**Degree to which effects are highly uncertain or involve unique or unknown risks:**

The effects of the proposed action are not highly uncertain and do not involve unique or unknown risks. While mineral withdrawals are not common, they do occur throughout BLM managed public lands.

**Consideration of whether the action may establish a precedent for future actions with significant impacts:**

Mineral withdrawals are evaluated on a case to case basis. Previous mineral withdrawals have no bearing on whether this withdrawal is successful. No precedent would be set by approving this withdrawal because each withdrawal needs to stand on its own merit.

**Consideration of whether the action is related to other actions with cumulatively significant impacts:**

The mineral resources throughout Front Range are slowly being encumbered by various surface uses and designations that may not be compatible with future mining activities. Without better understanding the mineral potential of placer gold for the area of this proposed action it is unknown if this action will contribute to a cumulative impact.

A reduced potential for establishment of invasive plant infestations in the project area would be beneficial but would have a minimal cumulative impact in view of the number of acres of infestation in the project area and again such benefits would be speculative not know the potential impact of future mineral entry.

Much of the Arkansas is open for mineral entry. Retaining the lands discussed (not under a Public Lands withdrawal) add some measure of risk that more stream miles potentially could be mined. Mining here would be additive to mining in other Arkansas River locations.

**Scientific, cultural or historical resources, including those listed in or eligible for listing in the National Register of Historic Places:**

The proposed action could indirectly provide benefit to cultural resources through eliminating potential mineral entry and its associated impacts. The proposal for the withdrawal would have no direct effect on historic properties.

**Threatened and endangered species and their critical habitat:**

Withdrawal from the stated surface disturbing activities would help to preserve the integrity of the landscape and protect wildlife habitat from future degradation. By eliminating sources of human disturbance that are not advantageous to wildlife species and its habitat will only benefit the resource long-term. However, withdrawal does not preclude plans of operations to mine from coming forward on the existing claims that are not withdrawn. Resulting impacts to threatened, endangered, and sensitive species and protection measures to protect these resources will need to be addressed in future analysis if plans of operations are brought forward at these locations.

**Any effects that threaten a violation of Federal, State or local law or requirements imposed for the protection of the environment:** The proposed action conforms with the provisions of NEPA (U.S.C. 4321-4346) and FLPMA (43 U.S.C. 1701 et seq.) and is compliant with the Clean Water Act and The Clean Air Act, the National Historic Preservation Act, Migratory Bird Treaty Act (MBTA) and the Endangered Species Act.

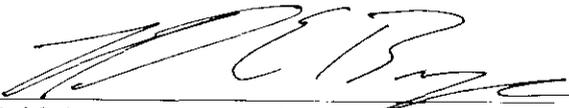
NAME OF PREPARER: John Nahomenuk

SUPERVISORY REVIEW: Melissa K. S. Garcia

NAME OF ENVIRONMENTAL COORDINATOR: /s/ Martin Weimer

DATE: 1/10/15

SIGNATURE OF AUTHORIZED OFFICIAL:

  
Keith E. Berger, Field Manager

DATE SIGNED:

1/13/15

APPENDICES:

ATTACHMENTS:

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
ROYAL GORGE FIELD OFFICE

**DECISION RECORD**  
**Browns Canyon Mineral Withdrawal**  
**DOI-BLM-CO-200-2013-0088-EA**

DECISION: It is my decision to recommend to the Secretary of the Interior the Proposed Action as described in the attached EA.

The proposed action is to withdraw 2,114 acres within the Browns Canyon area along the Arkansas River corridor. The recommended withdrawal would reduce potential degradation of scenic, recreation, historic, primitive, and other natural environmental values in Browns Canyon. The recommended withdrawal would close 2,114 acres of public lands from location and entry under the general mining laws, but not the mineral leasing laws, subject to valid existing rights.

Under 3809 Regulations (43 CFR 3809), surface lands are managed to prevent unnecessary or undue degradation of the public lands. The scenic resources, primitive values, and recreational experience is not addressed in the 3809 regulations with regard to management and prevention of undue and unnecessary degradation; therefore, a withdrawal to preserve these values is warranted.

**Public comments received on the EA:**

There was one comment received from the Wilderness Society who supports the proposed action and requested that they be informed if there are additional opportunities to comment on this EA.

This office completed an Environmental Assessment and reached a Finding of No Significant Impact indicating that the action has been analyzed in the EA and the selected alternative will have no significant effect therefore an EIS will not be prepared.

**RATIONALE:**

Public Land Order 6916 withdrew 2,214 acres on December 12, 1991 for a period of 20 years to protect the primitive and recreational values of Browns Canyon. The withdrawal expired in December of 2011. The current proposal is to recommend the withdrawal of the same lands.

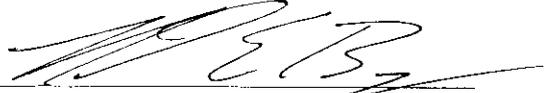
The rationale for this decision is found in the unique recreational experiences and in the remoteness, solitude, and unconfined primitive recreation opportunities of the canyon. Additional values associated with the scenic, historic, geological, primitive recreation opportunities and the natural environment should also continue to be protected. The economic benefits that Browns Canyon provides to the Upper Arkansas River Valley, mainly from whitewater boating, is also a factor that was considered in this decision.

MITIGATION MEASURES\MONITORING:

No mitigation measures have been identified for this action.

No monitoring needs have been identified for this action.

SIGNATURE OF AUTHORIZED OFFICIAL:



Keith E. Berger, Field Manager

DATE SIGNED:

1/13/15

ATTACHMENTS: