

1.0 CHAPTER 1 PURPOSE AND NEED

1.1. Introduction and Historical Background

At first glance, Canyons of the Ancients National Monument (the Monument) presents itself as a strikingly harsh, rugged environment; a landscape of expansive vistas, high rocky mesas, and deep, dry arroyos. Upon closer inspection, the Monument reveals a cultural and historical landscape that offers magnificent, yet fragile, testimony to the people who once lived upon the land; people who established homes, shared meals, raised families, and gathered around campfires to tell stories. The landscape still holds the invaluable remnants of their lives; a vast array of irreplaceable objects that connect the people who visit these lands today with the people who lived here 1,000 years ago.

People have lived and labored to survive among the area's canyons and mesas for thousands of years, from the earliest known hunters crossing the area 10,000 years ago; to the Ancestral Puebloan farmers; to the Ute, Navajo, and European settlers whose descendants still call this area home. Farming in the area blossomed from between A.D. 450 and A.D. 1300, when the area was occupied by Ancestral Pueblo people. Year-round villages were established, evolving from pit house dwellings to small pueblos and then large multi-story dwellings. The Monument has more than 6,000 recorded sites, reflecting all facets of everyday life, including field houses, check dams, reservoirs, kivas, cliff dwellings, shrines, sacred springs, agricultural fields, petroglyphs, and sweat lodges. Some areas within the Monument have more than 100 archeological sites per square mile. The total number of sites is estimated to be 20,000 to 30,000. The Monument offers an unparalleled opportunity to observe, study, and experience how cultures lived and adapted over time in the American Southwest.

Due to the area's internationally significant cultural resources, the Monument was established as the Anasazi Area of Critical Environmental Concern (ACEC) in 1985. In 1999, Interior Secretary Bruce Babbitt recommended to President Clinton that the area be designated as a National Monument.

The Canyons of the Ancients National Monument is part of the National Landscape Conservation System (NLCS), which emphasizes the protection of entire landscapes of cultural and natural values to maintain their integrity amongst the surroundings that sustain them (Appendix Q). The NLCS was created in June 2000 by the BLM to protect the remote and wild character of unique places on BLM-administered lands, including Monuments, Wilderness Areas, National Conservation Areas, Wilderness Study Areas, Wild and Scenic Rivers, and National Scenic and Historic Byways and Trails.

The term "landscape" in the NLCS title is a key element to how these lands are to be managed. There is a strong emphasis on protecting entire landscapes for cultural and natural values, instead of preserving only isolated parcels and fragmented ecosystems. For cultural resources, management and protection is extended to settlement clusters and the surrounding natural resources (setting) so that we can gain a better understanding of how people settled and used the land.

Under Section 2 of the Antiquities Act of June 8, 1906 (34 Stat. 225, 16 U.S. Code [USC] 431), the President can establish as National Monuments "historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States."

On June 9, 2000, the Monument was established by Presidential Proclamation Number 7317 (the Proclamation [Appendix A]), which states:

Containing the highest known density of archaeological sites in the Nation...natural resources and spectacular landforms...rugged and dissected geology...and wildlife species...I do proclaim for the purpose of protecting the objects identified above...Canyons of the Ancients National Monument.

The Monument is managed by the Bureau of Land Management (BLM), an agency under the United States Department of the Interior (USDOI). The BLM manages the Monument pursuant to its basic authorities, the primary one being the Federal Land Policy and Management Act of 1976 (FLPMA). The management of the Monument is subject to the overriding purpose of protecting the objects described in the Proclamation.

While the distinction is not made throughout this document, “the Monument” consists of lands within the original Monument boundary including inholdings that have since been acquired by the BLM. The entire planning area includes not only the Monument but acquired edgeholdings and the Anasazi Heritage Center. The Monument includes approximately 166,000 acres of BLM-administered land. There are approximately 16,600 acres of private land inholdings, and approximately 400 acres of Federal land managed by the National Park Service, as Hovenweep National Monument inside the Monument boundary. The Canyons of the Ancients National Monument is administered by the Bureau of Land Management, under the Department of Interior. The Hovenweep National Monument is administered by the National Park Service, under the Department of Interior.

The Monument contains significant archaeological objects, as well as geological and biological objects, and was established to preserve these objects on a landscape scale. The scientific value of the objects is enhanced when their relationship is examined in a broad comparative context rather than individually. For example, evidence of human occupation and use is found throughout the Monument. Understanding how people survived, how they impacted their surroundings and how they interacted socially and economically is dependent on the analysis and preservation of evidence beyond single dwellings and sites. Therefore, protection of the objects at this landscape level is critical.

Historic uses of the Monument include recreation, hunting, livestock grazing, and energy development. The Monument is home to a wide variety of wildlife species (Appendix H), including unique herpetological resources. Crucial habitat for the Mesa Verde nightsnake, long-nosed leopard lizard, and twin-spotted spiny lizard can be found within the Monument in the area north of Yellow Jacket Canyon. Peregrine falcons have been observed in the area, as have golden eagles, American kestrels, red-tailed hawks, and northern harriers. Game birds like Gambel’s quail and mourning dove are found throughout the Monument both in dry, upland habitats, and in lush riparian habitat along the canyon bottoms.

The planning process now underway will determine how to protect the Monument objects identified in the Proclamation as well as how to best serve the various needs of multiple user groups. Until the plan is completed, the following documents provide management guidance: San Juan/San Miguel RMP (BLM 1985) with its amendments; the Anasazi ACEC Plan Management Guideline (BLM 1986a); and the Monument Proclamation, BLM Director’s Interim Management Policy for Bureau of Land Management Monuments and National Conservation Areas (BLM 2001a), BLM Colorado State Director’s Guidance for Canyons of the Ancients National Monument (BLM 2001b), the Secretary of the Interior’s Memorandum for Management of the Canyons of the Ancients National Monument (USDOI 2001a), and the Interim Management Guidance for Oil and Gas Leasing and Development of the Canyons of the Ancients National Monument (BLM 2001c). The interim guidance directs BLM to maintain existing policies, designations, and allocations, except where changes are necessary to comply with the Proclamation.

1.2. Overview of the Plan

The FLPMA requires the development and maintenance, and, as appropriate, the revision of RMPs, or land use plans, for public lands. These regulations also require that an RMP include an EIS (43 CFR 1601.0-6). The NEPA of 1969, as amended, requires Federal agencies to prepare an EIS for major Federal actions that could significantly affect the environment. The BLM Interim Management for all National Monuments (BLM 2001a) requires completion of land use plan evaluations and stand-alone RMPs for all National Monuments. In fulfillment of these requirements, the DRMP/DEIS documented the comprehensive analysis of alternatives and environmental impacts for the planning and management of public lands and resources administered by the BLM at the Monument. This PRMP/FEIS carries the analysis one step further by narrowing the focus based on input from the public review of the draft plan. The purpose, or goal, in developing this land use plan is to ensure that public lands and mineral estate administered by the BLM at the Monument are managed in accordance with applicable laws, and regulations as well as with the principles of multiple use and sustained yield. The Monument, although under the administrative care and management of BLM staff, belongs to the American people; thus, it has been the overriding goal of the BLM to actively seek out, engage, and include the public, and all other interested parties, in this planning process—a process that could shape how visitors perceive, experience, use, and enjoy this National Monument.

The Monument is located in the Four Corners region of southwestern Colorado, approximately 45 miles west of Durango, 10 miles west of Cortez, and 12 miles west of Mesa Verde National Park (Mesa Verde) in Dolores and Montezuma Counties. The 166,000 acre Monument contains the highest known density of archaeological sites in the United States. It offers rich, well-preserved remnants of native culture, as well as spectacular landforms, a wide variety of wildlife species (Appendix H), and unique recreation opportunities. Figures 1-1, 1-2, and 1-3 show the location, land ownership status, and topography of the Monument, respectively.

The Monument was established in 2000 by Presidential Proclamation Number 7317 pursuant to Section 2 of the Antiquities Act of June 8, 1906 (34 Stat. 225, 16 U.S. Code [USC] 431). The full text of the Proclamation is presented in Appendix A. Prior to the Proclamation, the BLM managed the area as an ACEC under guidance established in the San Juan/San Miguel RMP ROD (BLM 1985). The Proclamation requires that the Secretary of the Interior prepare a transportation plan that addresses actions, including route closures and travel restrictions, necessary to protect archaeological objects of the Monument. In addition, the FLPMA requires periodic updates to guide management of public lands within the BLM's jurisdiction.

This PRMP/FEIS will provide updated management direction for the Monument, which is needed because social, environmental, and administrative conditions have changed since the San Juan/San Miguel RMP (BLM 1985) was developed. There are a number of new issues, higher levels of controversy around existing issues, and new public land uses and concerns that were not addressed in the 1985 San Juan/San Miguel RMP ROD (BLM 1985). Such issues include, but are not limited to, rangeland health, off-highway vehicle (OHV) use, access and transportation issues, mountain bike use, and new restrictions on mineral development. These factors cause competing pressures on land use management; therefore, they warrant a consistent, coordinated planning approach. Creation of a PRMP/FEIS for the Monument will also permit the BLM to incorporate the required Colorado Standards for Public Land Health and Guidelines for Livestock Grazing Management (Public Land Health Standards) (BLM 1997) and travel management designations into the land management program for the Monument.

The FLPMA provides the authority for the BLM to formulate land use plans and requires that a PRMP/FEIS be developed to guide management decisions. FLPMA states that BLM land

management will be guided by the principles of multiple use and sustained yield. In addition, Section 302(a) requires that where a tract of land has been dedicated to a specific use according to law, such as the Presidential Proclamation that established the Monument, the tract shall be managed in accordance with the provisions of the FLPMA while adhering to the intent of the Proclamation. The primary purpose of this PRMP/FEIS is to ensure that the BLM manages the Monument pursuant to applicable legal authorities.

Figure 1-1 Location

Figure 1-2 Land Ownership

Figure 1-3 Topography

This PRMP/FEIS has been organized and formatted consistent with applicable National Environmental Policy Act and Council on Environmental Quality (CEQ) guidelines. The goal of this document is to provide the reader with a clear understanding of the Proposed Plan, the environmental resources that may be affected, the potential environmental consequences, and the environmental review and evaluation process. The following are the chapter titles for this document and brief descriptions of the chapter contents:

- **Chapter 1 – Purpose and Need:** This chapter offers a brief history and background of the Monument and describes the purpose and need for the action, the scoping process and issues, planning criteria, the planning process, related plans and relevant policy, and the overall vision of the PRMP/FEIS
- **Chapter 2 – Alternatives:** This chapter describes potential management approaches or “alternatives” and discusses the alternative development process. It describes five alternative land use plans evaluated in detail in this PRMP/FEIS, but focuses on the No Action Alternative, the Preferred Alternative, and the Proposed Plan.
- **Chapter 3 – Affected Environment:** This chapter describes the current physical, biological, human, and land use environments of the Monument. The description provides a baseline against which to compare the impacts of the alternatives. The baseline described in this chapter represents environmental and social conditions and trends in the Monument at the time this document was being prepared.
- **Chapter 4 – Environmental Consequences:** This chapter evaluates how, and to what extent, baseline conditions would be altered by maintaining the No Action alternatives or implementing the Preferred Alternative or the Proposed Plan. These changes are measured in terms of adverse and beneficial impacts, direct and indirect impacts, and individual and cumulative impacts.
- **Chapter 5 – Consultation and Cooperation:** This chapter provides a summary of public involvement efforts including Scoping, the Monument Advisory Committee, the Southwest Resource Advisory Council Subgroup, and comments received on the DRMP/DEIS (Appendix U).
- **Chapter 6 – References**

Appendices A through U provide supporting information for the chapters described above. The acronyms and glossary provided in this document offer more detailed information, which some readers may find helpful when reviewing the main text of the document.

In addition, because management of the Monument is ever-changing, certain figures used in this document will change through time. For example, the acquisition of private land parcels could adjust total Monument acres; a reduction or increase in livestock numbers could result in changes in AUM calculations. This plan is not a static document. Figures used in this document are the most current and reliable ones available at the time of its printing.

NOTE: Potential decisions and/or other discussions contained in this document may refer directly to maps and figures. In fact, many potential decisions themselves are “map based.” Therefore, the reader must rely on the text, maps, and figures taken together to fully understand the potential decisions described for each alternative.

1.3. Purpose and Need for the Plan

The purpose of the Canyons of the Ancients National Monument PRMP is to:

- ensure compliance with Presidential Proclamation 7317 that established the Monument;
- protect the scientific and historic objects, as well as other resources, identified in the Proclamation;
- establish guidance, objectives, policies and direction for managing the Monument; and
- address issues relating to management of the Monument as identified through agency, interagency, and public scoping efforts.

This PRMP is prepared in the context of carrying out the requirements of FLPMA and other applicable authorities. The PRMP will identify the “vision,” long term management goals, intermediate objectives, and specific actions needed to attain the goals established for the Monument.

The PRMP is needed because:

- a Presidential Proclamation established the National Monument as a discrete management unit;
- the Proclamation required protection of the objects of the Monument pursuant to applicable legal authorities; and
- the San Juan/San Miguel Resource Management Plan (1985) does not adequately address current issues and concerns and desired future conditions.

The FEIS provides analysis to support the development of the PRMP and provides a foundation for project-specific analyses that will support future land use decisions on the Monument. The FEIS evaluates existing management and its relationship to Preferred and Proposed Management on the Monument.

To achieve these goals, the BLM must:

- identify desired outcomes, as well as allowable uses and actions that restore and maintain the health of the land; preserve cultural and natural objects; reduce threats to public health, safety, and property; and provide for environmentally responsible activities;
- prepare a transportation plan that addresses actions, including route closures and travel restrictions, necessary to protect the objects of the Monument;
- evaluate the need for Special Designation Areas or other management determinations, as applicable, such as for stream segments eligible for designation as Wild and Scenic Rivers (WSRs), and areas to be managed for wilderness character;
- establish conservation measures for all species listed as threatened, endangered, proposed, candidate, or BLM sensitive. Conservation measures are designed to prevent the need for listing of additional species under the Endangered Species Act (ESA) of 1973, and to improve the condition of all special status species and their habitats to a point where their special status recognition is no longer warranted. (Refer to the August 30, 2000, Interagency Memorandum of Agreement for Programmatic ESA, Section 7 Consultation and BLM Manual 6840, Special Status Species Management [BLM 2001d]);

- apply BLM Rangeland Health Standards (BLM Manual 4180) (BLM 2001e) to recommendations and information from land health assessments to develop direction that enhances or restores physical function and biological health and achieves Public Land Health Standards at the watershed scale;
- recognize valid existing rights, including oil and gas leases, mineral leases, mining claims, and lands and realty actions; and
- integrate the management of the Monument with adjacent land use plans and the San Juan/San Miguel RMP by applying management techniques that are successful in other portions of these areas.

These goals and objectives are based on the direction provided by numerous laws, mandates, policies, and plans, including, but not limited to:

- the NEPA;
- the FLPMA;
- the Taylor Grazing Act of 1934 (43 USC 315);
- BLM Planning Regulations (40 Code of Federal Regulations [CFR] 1600);
- the Mineral Leasing Act of 1920, as amended;
- the National Historic Preservation Act (NHPA) of 1966, as amended;
- the Native American Graves Protection and Repatriation Act (NAGPRA) of 1990;
- the Archaeological Preservation Act (ARPA) of 1979;
- the Federal Onshore Oil and Gas Leasing and Reform Act of 1987;
- the Endangered Species Act (ESA), the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act, the Clean Water Act, the Clean Air Act, and other environmental laws;
- the Federal Noxious Weed Act of 1974 (Public Law [PL] 93-629);
- the Final EIS: Vegetation Treatment Using Herbicides on BLM Lands in 17 Western States (FES 07-21; Record of Decision September 2007);
- BLM Instruction Memorandum 2001-022: Planning Guidance for National Monuments and National Conservation Areas (BLM 2001f);
- Fundamentals of Rangeland Health (43 CFR 4180);
- Partners Against Weeds, An Action Plan for the Bureau of Land Management, January 1996b;
- BLM Land Use Planning Handbook, H-1601-1, updated January 5, 2001 (BLM 2001g) and March 11, 2005 (BLM 2005a);
- BLM Manual 1613, Areas of Critical Environmental Concern, (BLM 1988a);
- BLM Manual 1745, Introduction, Transplant, Augmentation, and Reestablishment of Fish, Wildlife, and Plants (BLM 1992);
- BLM Manual 6840, Special Status Species Management (BLM 2001d); and
- BLM Manual 4180, Rangeland Health Standards (BLM 2001e).

1.4. Planning Area

The Planning Area for this PRMP/FEIS consists of the entire area delineated by the boundaries of the Monument, which encompasses approximately 166,000 acres of public land managed by the BLM. There are approximately 16,600 acres of private land inholdings (Figure 1-2), and approximately 400 acres of Federal land managed by the National Park Service, as Hovenweep National Monument inside the Monument boundary. The Monument is generally bounded on the east and north by Colorado Highway 491; on the south by Montezuma County Road G, McElmo Creek, and the Ute Mountain Ute Reservation; and on the west by the Utah/Colorado state line.

The Monument lies within the Colorado Plateau Ecological Province. The Monument exhibits the varied topography, geology, soil, and flora and fauna components typical of this Province, including desert scrub/salt desert, riparian, pinyon-juniper woodlands, mountain shrub, and big sagebrush plant communities. Elevations within the Monument range from approximately 4,900 feet to approximately 7,500 feet above sea level.

1.4.1. Major Issues Addressed

Major planning issues were identified and defined through an analysis of current land use/management in the Monument; the results of BLM internal scoping; as well as public, agency, tribal, and the Committee’s scoping comments. The scoping comments also guided the BLM in determining the appropriate depth of analysis for each issue, as well as in determining which issues were outside of the scope of the DRMP/DEIS and this PRMP/FEIS. As discussed in Chapter 2, the issues identified during the scoping process were taken into consideration during alternative formulation.

Table 1-1 summarizes issues raised by local interested parties and agency staff during the scoping process. Seven issues accounted for almost 77 percent of the scoping comments received from local communities (i.e., Durango, Dolores, Cortez, and Mancos) and agencies. These issues were taken into consideration during alternative formulation of the DRMP/DFEIS and this PRMP/FEIS.

Table 1-1 Planning Issues Raised by Public and Agency Staff During Scoping (Percent of Comments)
Cultural and Paleontological Issues (15.9%)
Protection and preservation of cultural and paleontological resources for current and future scientific research and development opportunities
Access to cultural resource sites
Looting
General Recreation (14.1%)
Permitted and restricted types of recreation and their allocated ‘zones’ or locations
Related routes and transportation issues, such as OHV access and limitations
Transportation Network (12.7%)
Route closures and access
Route maintenance and improvements

Table 1-1 Planning Issues Raised by Public and Agency Staff During Scoping (Percent of Comments)
Rangeland Management/Grazing (10.0%)
Management for healthy plant communities to promote ecosystem health
Administration of grazing allotments
Evaluation of impacts of grazing and adjustment of practices, in terms of current standards and guidelines
Mineral Resources (9.4%)
Limitations on oil and gas exploration and development
Mitigation of impacts from existing and new mineral development
Mineral exploration and development alternatives
Visitor Use (7.4%)
Visitor education opportunities
Facility development and improvements
Commercial tours
Soil, Water, and Air (7.1%)
Protection/preservation of soil, water, and air quality
Mitigation for air pollution

1.4.2. Issues Not Addressed

All comments received during scoping were classified according to the following categories:

Category A: Issues to be addressed in the Plan

Category B: Issues to be resolved through policy or administrative actions

Category C: Issues to be addressed independent of the Plan

Category D: Issues beyond the scope of the Plan

How individual issues were addressed is outlined in the Scoping Report (BLM 2004). Only those issues identified in Category A were carried through Plan analysis. Examples of issues placed in the various categories are as follows:

Category A: Limit fluid mineral development to existing routes

Limit OHV to designated routes

Allow for commercial tours

Category B: Ban grazing on the Monument

Prohibit all fluid mineral development

Category C: Evaluate mine facilities that are >50 years old for their historical significance

Inventory/classify routes

Conduct cultural resource inventories

Category D: Designate Wilderness Study Areas where appropriate
Protect private water rights
Continue farming and producing crops

1.5. Planning Criteria

Planning criteria were used to guide and direct this PRMP/FEIS and determined how the planning team approached the development of alternatives and, ultimately, the selection of the Preferred Alternative and now the Proposed Plan. Planning criteria ensure that the PRMP/FEIS complies with the Monument Proclamation, that it is tailored to the identified issues, that unnecessary data collection and analysis is avoided, and that the focus remains on the decisions to be made. Planning criteria:

- provide an early basis for determining inventory and data collection needs;
- enable the Monument Manager and staff to develop a preliminary planning base map delineating geographic analysis units;
- stimulate the revision of existing planning criteria and the development of additional criteria through public participation; and
- provide parameters for the decision and alternatives considered in the PRMP/FEIS, taking into account laws, regulations, and policies.

The planning criteria identified for the PRMP/FEIS are as follows:

- The PRMP/FEIS will establish guidance for the management of the resources and values in the Monument. The PRMP/FEIS will supersede the existing 1985 San Juan/San Miguel RMP and will be integrated, to the extent possible, with provisions of existing management plans and policies for adjacent lands (such as the Montezuma County Comprehensive Plan).
- The PRMP/FEIS will be completed in compliance with the Proclamation, FLPMA, the NEPA, the ESA, as well as with all other applicable laws, regulations, executive orders, and BLM policies.
- The Monument planning team worked collaboratively with the State of Colorado, Montezuma and Dolores Counties, Native American tribal governments, cooperating agencies, municipal governments, other Federal agencies, the Monument Advisory Committee, and all other interested groups, agencies, and individuals.
- The planning process will involve Native American tribal governments and will provide strategies for protecting recognized traditional uses.
- The term “No Surface Occupancy” (NSO) applies only to oil and gas leasing and permitting, whereas the term “No Ground Disturbance” (NGD) applies to all other activities. Similarly, the term “Controlled Surface Use” (CSU) applies only to oil and gas leasing and permitting; whereas the term “Site-Specific Relocation” (SSR) applies to all other activities. Timing limitations (TLs) apply to all activities. Lease notices (LNs) apply only to oil and gas leasing and permitting; however, similar requirements would be applied during permit or application approval for other activities.
- All existing stipulations in the San Juan/San Miguel RMP Amendment ROD for oil and gas (BLM 1991a) will be carried forward into the Proposed Plan.

- The PRMP/FEIS will incorporate the Colorado BLM Recreation Guidelines to meet Public Land Health Standards (BLM 2000). It will set forth a framework for managing recreational activities to provide for the enjoyment and safety of the visiting public, consistent with the Proclamation.
- The lifestyles and recreational pursuits of area residents will be considered in the PRMP/FEIS.
- All private lands or private interests located within, or immediately adjacent to, the Monument boundary and acquired by the BLM will be managed consistently with the PRMP/FEIS, subject to any constraints associated with the acquisition.
- The PRMP/FEIS will not address Monument boundary adjustments or proposals to change the Proclamation.
- The PRMP/FEIS will recognize valid existing rights within the Monument. The PRMP/FEIS will also discuss the process the BLM will use to address applications or notices on existing claims or other land use authorizations filed after completion of the Final RMP/Final EIS Record of Decision (ROD).
- The PRMP/FEIS will emphasize the scientific and historic resources of the Monument. It will also identify opportunities and priorities for research and education related to the resources for which the Monument was created. In addition, it will describe an approach for incorporating research into management actions.
- The management of livestock grazing is governed by existing laws and regulations. The PRMP/FEIS will incorporate Colorado Standards for Public Land Health and Guidelines for Livestock Grazing. The PRMP/FEIS will provide a strategy for ensuring appropriate livestock grazing practices are followed within the Monument. The PRMP/FEIS will also allocate available livestock grazing AUMs through the ROD for the associated Final EIS.

1.6. Planning Process

In general, the BLM follows a ten-step land use planning process, as outlined below. Steps 1 through 8 have been completed for the current process. The results of these steps have been incorporated throughout this PRMP/FEIS, and are as follows:

- **Step 1 – Planning Issues Identified:** Issues and concerns are identified through a scoping process that includes the public, Native American tribes, other Federal agencies, and State and local governments.
- **Step 2 – Planning Criteria Development:** Planning criteria are created to ensure that decisions are made to address the issues pertinent to the planning effort. Planning criteria are derived from a variety of sources, including applicable laws and regulations, existing management plans, coordination with other agencies' programs, and the results of public and agency scoping. As planning proceeds, planning criteria may be updated or changed.
- **Step 3 – Data and Information Collection:** Based on planning criteria, data and information for the resources in the Monument are collected.
- **Step 4 – Analyze the Management Situation:** The collected data and information are assembled into the Analysis of the Management Situation (AMS) document (BLM 2005b).

- **Step 5 – Alternatives Formulation:** A range of reasonable management alternatives that address issues identified during scoping are developed.
- **Step 6 – Alternatives Assessment:** The environmental effects of each alternative are estimated and analyzed.
- **Step 7 – Preferred Alternative Selection:** The alternative that best resolves planning issues is identified as the Preferred Alternative.
- **Step 8 – Resource Management Plan Proposed:** A DRMP/DEIS is issued and made available to the public for a review period of 90 calendar days. During the public review period, the BLM holds additional public meetings to further explain the DRMP/DEIS, address public questions, and accept comments in writing.

After comments to the draft document have been received and analyzed, the DRMP/DEIS is revised and modified, as necessary, and the Proposed RMP/Final EIS is published and made available for public review for 30 calendar days.

- **Step 9 – Decision:** A ROD will be signed to approve the Final Resource Management Plan and Final Environmental Impact Statement, after all protests have been resolved.
- **Step 10 – Implementation and Monitoring:** Upon approval of the ROD, land use decisions outlined in the approved Final Resource Management Plan would be effective immediately and would require no additional planning or NEPA analysis.

Consistent with BLM Land Use Planning Handbook H-1601-1, the BLM will monitor plan implementation and effectiveness, and will report annually, or as the BLM determines is appropriate, on:

- the management actions undertaken;
- the management actions remaining to be undertaken; and
- the effectiveness of those actions toward meeting goals and objectives.

Monitoring strategies would be developed that identify indicators of change, acceptable thresholds, methodologies, protocols, and timeframes that would be used to evaluate and determine whether desired outcomes are being achieved.

The Final RMP will be periodically evaluated, at least every five years as documented in an evaluation schedule. Special or unscheduled evaluations may also be required to review unexpected management actions or significant changes that have the potential to trigger an amendment or revision.

1.6.1. Relationship to BLM Policies, Plans, and Programs

The BLM has three principal levels of land use planning decisions: 1) the RMP level; 2) the activity level; and 3) the site-specific level. This PRMP/FEIS focuses on establishing broad resource objectives and direction while, at the same time, providing some activity-level guidance and site-specific decisions. It builds on the history of natural resource management in the vicinity of the Monument. Activity planning may include implementation plans that tie the vision for a particular resource to general desired outcomes. This plan proposes several activity planning projects. Site-specific decisions are usually tied to a specific location, resource, or activity and generally require their own NEPA.

Table 1-2 highlights the major plans and policies that have led up to how the Monument is presently managed. These plans are incorporated into this PRMP/FEIS by reference, but are not included herein. In addition, some of these plans, as well as other related plans, are currently being updated. All of the new and revised plans will be included in the Administrative Record (AR) for this project and made available upon request. New or updated plans may include:

- the ACEC Management Plan (existing, enlarged, and proposed ACECs);
- the Fire Management Plan;
- the SRMA Management Plan; and
- the Noxious Weed Management Plan.

Table 1-2 Existing and Associated BLM Management Plans and Policies	
Document	Year
San Juan/San Miguel Planning Area RMP (revision in progress)	1985
Anasazi Culture Multiple Use ACEC Management Plan	1986
Trail of the Ancients Scenic and Historic Byway Amended Corridor Management Plan	1998
BLM Standards for Public Land Health in Colorado	1997
Fire Management Plan for the San Juan Field Office and San Juan National Forest	2004
Monticello Field Office RMP (revision in progress)	1991
Canyons of the Ancients National Monument Law Enforcement Plan	In draft

Additional major plans, policies, and programs that apply to BLM land use planning relevant to this PRMP/FEIS are described below.

BLM Wilderness Recommendations

As a requirement under Section 603 of the FLPMA, wilderness studies were completed for all BLM lands in the Monument, and recommendations have been formally submitted to Congress by the President. In the Monument, approximately 25,000 acres are being managed as three separate Wilderness Study Areas until final determination as to their wilderness status is determined by Congress through legislative action.

National Off-Highway Vehicle (OHV) Strategy

On January 19, 2001, the BLM released a National Management Strategy for Motorized Off-Highway Vehicle Use (OHV) on Public Lands (BLM 2001h). This strategy is aimed at recognizing the interests of motorized OHV users while, at the same time, protecting environmentally sensitive areas on public lands. It also seeks to focus the BLM's scarce funding and staffing resources for motorized OHV management at the local field office level. In

addition, the Proclamation that established the Monument prohibited all motorized and mechanized vehicle use off-road, except for emergency or authorized administrative purposes.

National Mountain Bike Strategy

On November 12, 2002, the BLM released a National Mountain Bicycling Strategic Action Plan (BLM 2002a). This plan offers a comprehensive approach to addressing issues regarding mountain bicycling and other mechanical transport activities on public lands. This Action Plan focuses on guidance and actions for BLM field office managers and staff, special interest groups, and the public. It provides innovative and proactive approaches to protecting soil, water and wildlife habitat; threatened or endangered plant and animal species; native vegetation; heritage resources; and other resources while, at the same time, providing for high-quality, environmentally responsible recreational opportunities. Implementation of this PRMP/FEIS would be an ongoing, adaptive approach and would require the continued cooperation and participation of the public.

Federal Lands Hunting, Fishing and Shooting Sports Roundtable Memorandum of Understanding

The Federal Lands Hunting, Fishing and Shooting Sports Roundtable Memorandum of Understanding (MOU #250-2007-03) were entered into by the Department of Interior Bureau of Land Management, Fish and Wildlife Service, Department of Agriculture Forest Service and 40 Private Organizations. The purpose of the MOU was to enhance public access to Federal lands and to improve opportunities on Federal lands to fish, hunt, and engage in shooting sports activities in a safe and environmentally sound manner for the purpose of promoting marksmanship, public safety, hunter education, competition, lawful hunting, and public demonstrations.

Wind Energy Development Program

The BLM is responsible for the development of wind energy resources on BLM-administered lands. This interim policy was developed, in part, in response to the national energy policy recommendations that the Departments of the Interior, Energy, Agriculture, and Defense work together to increase renewable energy production (National Energy Policy Development Group [NEPDG] 2001). To further support wind energy development on public lands and to minimize potential environmental and sociocultural impacts, the BLM is seeking to build on the existing interim policy to establish a Wind Energy Development Program. Further guidance is found in the Final Programmatic EIS on Wind Energy Development on BLM-Administered Lands in the Western United States (June 2005d) and the Wind Programmatic EIS ROD (December 15, 2005e).

Native American Consultation, in Accordance With Executive Orders 12866, 13084, et seq.

Executive Order 12866 enhances planning and coordination efforts with respect to both new and existing regulations, and makes the process more accessible and open to the public. Executive Order 13084 establishes requirements for meaningful consultation and collaboration with Native American tribal governments in the development of regulatory practices on Federal matters that significantly or uniquely affect their communities.

CFR Title 43, Section 1610, and BLM Manual and Handbook 1601 on Land Use Planning

CFR Title 43, Section 1610 states that guidance for preparation and amendment of DRMPs/DEISs may be provided by the Director of the BLM and the Colorado State Director, as needed, to help District and Area Managers and staff prepare a specific plan.

BLM Manual and Handbook H-1601-1 (BLM 2005a) provide guidance to the BLM on the requirements of the FLPMA, the BLM's Planning Regulations (43 CFR 1600), and the NEPA. Nothing in the BLM Manual or in the BLM handbook supersedes the legal and regulatory mandates in the Code of Federal Regulations (CFR). The BLM Manual and Handbook 1601 provide guidance for preparing new RMPs (draft and final), plan revisions, plan amendments, other equivalent plans (such as plans adopted from other agencies), and subsequent implementation-level plans. Procedures and requirements are set forth to ensure that BLM plans meet regulatory and statutory requirements. To the extent possible, this guidance integrates BLM land use planning requirements with the NEPA.

Federal Land Policy Management Act (FLPMA) of 1976, as amended

FLPMA establishes the land management authority of the BLM and provides guidance for how public lands are to be managed by the BLM. The BLM manages public lands on the basis of multiple use and sustained yield. It requires that the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values be protected. The PRMP/FEIS will not terminate any valid ROWs or customary operation, maintenance, repair, or replacement activities in existing ROWs on BLM lands.

National Environmental Policy Act (NEPA) of 1969, as amended

NEPA established a national policy to maintain conditions under which people and nature can exist in productive harmony while, at the same time, fulfilling the social, economic, and other requirements of present and future generations of Americans. It established the CEQ to coordinate environmental matters at the Federal level and to advise the President on such matters. Under the law, all Federal actions that could result in a significant impact on the environment are subject to review by Federal, State, local, and Native American tribal environmental authorities, as well as by affected parties and interested citizens.

Clean Air Act of 1963, as amended

The United States Congress passed the Clean Air Act in 1963, the Air Quality Act in 1967, the Clean Air Act Extension of 1970, and Clean Air Act Amendments in 1977 and 1990. The 1963 Clean Air Act relied on states to issue and enforce regulations regarding air pollution. Congress amended the Clean Air Act in 1970 and established the Environmental Protection Agency (EPA) to set and enforce national standards for air pollution. In 1990, the EPA was authorized to set National Ambient Air Quality Standards (NAAQS), which establish acceptable concentrations of six criteria pollutants: ozone (O₃), carbon monoxide (CO), sulfur dioxide (SO₂), lead (Pb), nitrogen dioxide (NO₂), and particulate matter (PM_{2.5}).

Clean Water Act (CWA) of 1948, as amended

The Clean Water Act (CWA), or the Federal Water Pollution Control Act, is the principal law governing pollution of the nation's surface waters (33 USC 1251). Originally enacted in 1948, it was revised, by subsequent amendments, to spell out ambitious programs for water quality improvements; programs that are still being implemented by industries and municipalities. The Clean Water Act consists of two major parts. The first provision authorized Federal financial assistance for municipal sewage treatment plant construction. The second provision, which is regulatory, established a national policy to maintain conditions under which people and nature can exist in productive harmony while, at the same time, fulfilling social, economic, and other requirements.

Endangered Species Act (ESA) of 1973, as amended

Management activities on private and public lands are subject to the ESA, as amended. It directs project proponents or government agencies, as appropriate, to consult with the United

States Fish and Wildlife Service (USFWS) and/or the National Oceanic and Atmospheric Administration Fisheries Service (NOAA Fisheries) to address the effects of management activities on threatened and endangered species and designated critical habitat. This consultation leads to the issuance of a Biological Opinion (BO), and may result in the issuance of a Section 10(a) permit (for non-Federal actions) or a Section 7 permit (for Federal actions) by the USFWS and/or NOAA Fisheries. The BLM is consulting with the USFWS regarding any actions that may, under this PRMP/FEIS affect ESA listed species. To this end, a Biological Assessment (BA) has been prepared for the actions proposed through this PRMP/FEIS. The USFWS has concurred with BSM determinations in the Biological Assessment (Appendix O).

National Historic Preservation Act (NHPA) of 1966, as amended

The NHPA (36 CFR 800) is the primary Federal law providing for the protection and preservation of cultural resources. The NHPA established the National Register of Historic Places (NRHP, 36 CFR 60), the Advisory Council on Historic Preservation (ACHP), and the State Office of Historic Preservation (SHPO).

Migratory Bird Treaty Act (MBTA) of 1918, as amended

The Migratory Bird Treaty Act (MBTA) is the domestic law that implements the United States' commitment to four international conventions (with Canada, Japan, Mexico, and Russia) for the protection of a shared migratory bird resource. Under this law, all migratory birds and their parts (including eggs, nests, and feathers) are fully protected. Each of the conventions protects select species of birds that are common to multiple countries (i.e., they occur in more than one country at some point during their annual life cycle). The law is implemented by the USFWS. The BLM would be required to manage the bird populations on BLM-administered public lands in the Monument consistent with the requirements of the MBTA.

The Brunot Agreement of 1874

The Brunot Agreement, ratified by Congress in 1874, withdrew over 5,000 square miles in the mountains of southwestern Colorado from the 1868 Ute Reservation. The Brunot cession area includes 3,857 acres (including 216 acres of private land) in the southeastern corner of the Monument (Map 15). The agreement, entered into between the United States (as represented by Felix Brunot) and the Ute Indians in Colorado, was passed into law (18 Stat., 36) by the House of Representatives and the Senate of the U.S. Congress on April 29, 1874 (after Congress decided in 1871 that the U.S. would no longer make treaties with Native American tribes; yet continued to interact with Native American tribes in much the same manner through executive orders and agreements enacted as statutes). Under the "reserved rights doctrine," hunting rights on reservation lands relinquished by the Ute were retained; that is, the tribes retained such rights as part of their status as prior and continuing sovereigns. Article II of the Brunot Agreement specified that "the United States shall permit the Ute Indians to hunt upon said lands so long as the game lasts and the Indians are at peace with the white people." This is considered a valid existing right that, under the terms of the Proclamation, must be honored.

These hunting rights currently apply only to the Ute Mountain Ute Indian Tribe, acknowledged when the tribe sued the State of Colorado for their historical hunting rights in 1978. The rights were granted to the tribe under a consent decree that gives enrolled members of the Ute Mountain Ute Tribe the right to hunt deer and elk in the Brunot area for subsistence, religious, or ceremonial purposes. The consent decree specifies that tribal members may hunt deer and elk without a state license year-round, providing that they obtain a tribal hunting permit. Other game animals may be hunted without a license and without bag limits, but only during hunting seasons established by the Colorado Division of Wildlife (CDOW). In exercising their Brunot

hunting rights, the Ute Mountain Ute must adhere to Federal regulations designed to protect natural and cultural resources.