

PART I RECORD OF DECISION

CHAPTER 1 INTRODUCTION

This Record of Decision (ROD) documents the approval of the United States (US) Department of the Interior, Bureau of Land Management's (BLM) proposal to manage the BLM-administered lands in the Tres Rios Field Office (TRFO) and to make available for lease — with the consent of the Forest Service — the federal mineral estate and approve associated operations on lands within the administrative boundaries of the San Juan National Forest. This proposal is presented in the Approved Resource Management Plan (RMP). This Approved RMP, with minor exceptions, was described as Alternative B in the San Juan National Forest and Proposed Tres Rios Field Office Land and Resource Management Plan and Final Environmental Impact Statement (Proposed LRMP/FEIS), which was released on September 20, 2013. The ROD applies only to those decisions for management of the public lands and resources within the BLM's Tres Rios Field Office, with the exception of oil and gas leasing decisions. As detailed below, oil and gas leasing on the National Forest System Lands is administered by the BLM, and as a consequence this ROD also applies to the oil and gas leasing decisions made for the San Juan National Forest.

The ROD and Approved RMP, as in the Proposed LRMP, have clarified some of the decisions in the Draft LRMP in order to provide consistency with terminology used in the BLM Planning Handbook H-1601-1.

This ROD provides an overview of the decision, including modifications made to the Proposed LRMP and the adoption of the Forest Service oil and gas leasing availability decisions. The ROD also provides summaries of the alternatives considered, the consultation and coordination process, and an overview of the planning process, including public involvement.

Planning Area

The planning area, the area encompassing the public lands administered by the Tres Rios Field Office (TRFO) that are subject to the Approved RMP, includes approximately 503,600 surface acres and mineral estate, and more than 300,000 acres of federal mineral estate underlying non-federal lands (split-estate) in Archuleta, Dolores, Hinsdale, La Plata, Montezuma, Montrose, San Juan, and San Miguel counties, Colorado (See Part II, Figure 1.1). The planning area does not include lands in the proclaimed boundary of BLM's Canyons of the Ancients National Monument. The planning area provides a regional context for management decisions and establishes a framework for collaborative planning with various governmental or tribal jurisdictions and the public.

CHAPTER 2 THE DECISION

2.1 BLM-Administered Lands

BLM is approving Alternative B with modifications as the Approved RMP for the BLM lands administered by the Tres Rios Field Office. The Approved RMP was prepared under the authority and regulations implementing the Federal Land Policy and Management Act (FLPMA) of 1976 (43 Code of Federal Regulations [CFR] 1600), and includes broad land use plan decisions that provide overall direction for management of resources and resource uses within the TRFO. The Approved RMP, with few minor revisions, carries forward land-use planning decisions presented as the Final San Juan National Forest and Proposed Tres Rios Field Office Land and Resource Management Plan and Environmental Impact Statement (LRMP/FEIS), published September 2013. During preparation of the Approved RMP, some changes were made to the Proposed LRMP to correct errors, clarify intent, and address issues raised during the protest period. Furthermore, aspects of the Proposed Plan explicitly and exclusively applicable to USFS lands have been removed. As a result, the management action numbers changed from those

used in the Proposed LRMP and Final EIS and subsequently the figure numbers and appendices changed. Appendix X (Maps and Appendices Crosswalk) identifies the figure and appendices number from the Proposed LRMP and the corresponding number in the Approved RMP. The changes made to the Proposed LRMP and hereby approved by this ROD in the Approved RMP are detailed in the following section 2.1.2.

2.1.1 Protest Resolution

BLM's planning regulations at 43 CFR 1610.5-2 allow any person who participated in the planning process for the Tres Rios Field Office RMP and has an interest that may be adversely affected by BLM's planning decisions to protest proposed planning decisions within 30 days from the date the Notice of Availability of the RMP/Final EIS was published in the Federal Register. The BLM Director received 25 letters of protest within the protest period. Of these, 14 had standing and included valid protest issues.

Valid protest issues submitted included: protest period extensions, editorial concerns, National Environmental Policy Act (NEPA), the Administrative Procedures Act (APA), Federal Land Policy and Management Act (FLPMA), Areas of Critical Environmental Concern (ACEC), air resources, climate change, special status species, leasable minerals, social and economic interests, travel management, visual resource management (VRM), water and watershed resources, Wild and Scenic Rivers (WSR), lands managed for wilderness characteristics, and Wilderness Study Areas (WSA). Of those issues, the BLM granted in part one protest regarding the 15 potential areas of critical environmental concern that met both the relevance and importance criteria but, due to procedural error, the BLM did not analyze as proposed ACECs in the range of alternatives in the Draft LRMP. As outlined below in Section 2.3, these areas will be evaluated in a future plan amendment; in the interim, the BLM will protect these areas from impairment of their identified relevant and important values .

The BLM Director's decisions on the protests are summarized in the "Director's Protest Resolution Report, Proposed Tres Rios Field Office Land and Resource Management Plan & Final Environmental Impact Statement," released on February 27, 2015 and available on the BLM Web site. These decisions are final for the Department of the Interior. With the exception of the granted protest issue, the Director concluded that the BLM Colorado State Director followed the applicable laws, regulations, and policies and considered all relevant resource information and public input in developing the Proposed LRMP. Each protesting party will be notified in writing of the Director's findings and the disposition of their protests. The BLM Director resolved the protests without making significant changes to the Proposed LRMP, though minor clarifications were made and are summarized in the following section.

2.1.2 Modifications to the Proposed LRMP

As a result of protests on the Proposed LRMP/Final EIS, the Governor's Consistency Review, and continued internal review, BLM made minor changes to the following sections of the Proposed LRMP:

- *Section 2.3 of the Proposed LRMP. Terrestrial Wildlife*
- *Section 2.5 of the Proposed LRMP. Aquatic Ecosystems and Fisheries*
- *Section 2.7 of the Proposed LRMP. Livestock and Rangeland Management*
- *Section 2.12 of the Proposed LRMP. Air Quality*
- *Section 2.13 of the Proposed LRMP. Access & Travel Management*
- *Section 2.18 of the Proposed LRMP. Lands & Special Uses*
- *Section 3.3 of the Proposed LRMP. Lands Managed for Wilderness Characteristics*
- *Section 3.9 of the Proposed LRMP. Wild & Scenic Rivers*
- *Section 3.12 of the Approved RMP. Willow Creek Habitat Management Area*
- *Section 3.13 of the Proposed LRMP. Gypsum Valley Area of Critical Environmental Concern*
- *Section 3.23 of the Proposed LRMP. Dolores River Canyon*
- *Section 3.24 of the Proposed LRMP. Silverton Area*

As described below, these modifications are not considered significant changes. The BLM included the following modifications in the Approved RMP from the Proposed LRMP:

Chapter 2 - Resource Direction

Section 2.3 of the Proposed LRMP. Terrestrial Wildlife

This Approved RMP makes slight modifications to several wildlife standards and guidelines.

Bats

- The Proposed LRMP standard 2.3.37 is clarified as follows:

Approved RMP (2.4.26): if abandoned mines are closed *and determined by an agency biologist to be suitable for bat maternity or hibernacula*, surveys will be conducted to determine occupancy.

- The Proposed LRMP standard 2.3.38 is clarified as follows:

Approved RMP (2.4.27): the identified closure dates to protect bat resources may vary, as determined by the wildlife biologist.

Gunnison sage-grouse

- The Proposed LRMP guideline 2.3.71 to limit noise impacts to Gunnison Sage-grouse during the lekking season is corrected as follows:

Approved RMP (2.4.38): The guideline is made a standard in the consistent with noise standards for other species within the Plan.

Approved RMP (2.4.38): The dates of the limitation will apply from March 1 to May 15.

Raptors

- Finally, Table 2.3.2 of the Proposed LRMP, Raptor Timing and Buffer Zone Distance Standards and Guidelines is modified as follows:

Approved RMP Table 2.4: For Golden Eagles, the timeframe for protections from disturbance will occur from February 1 to July 15; for Bald Eagles, the timeframe for protections from disturbance will occur from January 15 to July 15.

Rationale for Changes: The above changes provide clarifications for implementation of the standards and guidelines identified in the Proposed LRMP and do not represent a significant change from the proposed management action and analysis. One change corrects the categorization of a management action, formerly included as a guideline, to be included as a standard. The FEIS analysis supports this correction.

Terrestrial Wildlife

- The Proposed LRMP guideline 2.3.61 for severe and critical big game winter range and winter concentration areas is modified as follows:

Conditions-based winter wildlife closures will be implemented in order to protect critical and severe winter range and winter concentrations areas for elk and mule deer. Specific areas of concern are noted below; additional areas may be analyzed for closure on a site-specific basis.

Durango SRMA (including Animas City Mountain, Grandview,): Winter closure will occur from Dec 1 to April 15 each year. The closure may be extended to April 30 if conditions and wildlife needs are warranted.

Cortez SRMA: Critical winter range closure will be placed on Chutes-n-Ladders, Summit and the Aqueduct portions of the SRMA and closure time periods will be analyzed during the site-specific analysis.

Dolores SRMA: Seasonal closure to motorized travel from Snaggletooth to Disappointment Creek annually from February 1 through May 1 to protect Desert Bighorn Sheep lambing.

Rationale for Changes: The above changes were made based on analysis and additional consultation with Colorado Parks and Wildlife and do not represent a significant change from the proposed management action and analysis.

Section 2.5 of the Proposed LRMP. Aquatic Ecosystems and Fisheries

- The Approved RMP changes the Proposed LRMP standard 2.5.18 regarding instream flow to a guideline (and re-numbered to Section 2.6, in Approved RMP). This ROD further emphasizes that the guidelines outlined in Section 2.6 of the Approved RMP are designed to maintain aquatic ecosystems. As noted in the introduction to Section 2.6, cooperative and collaborative methods will be the preferred approach for meeting these guidelines. Specifically, the BLM will work with the Colorado Water Conservation Board, pursuant to MOUs established between the federal agencies and the Colorado Department of Natural Resources, to identify potential management options. These potential management options will consider water availability, impacts to water yield, and alternative flow protection programs and tools. When deciding upon an appropriate method for protection of aquatic habitat, the BLM will consider the impacts to water yield that could occur from having both an instream flow water right and bypass flow requirement on the same stream system.¹

Where appropriate locations for native or desired non-native fish species occur, or should occur, a minimum level of aquatic habitat shall be maintained by identifying the minimum flow rates required to support that habitat and may consider any of the following options (in no particular order) (see 2.6.19a–2.6.19d) of Section 2.6, Part II.

Rationale for Changes: Consultation during the Governor's Consistency Review process and protest period identified the need for this change. The above change does not represent a significant change to management and is consistent with the analysis found in the EIS.

Section 2.7 of the Proposed LRMP. Livestock and Rangeland Management

- To address resource concerns, the Approved RMP closes two vacant allotments analyzed for closure in Alternative C of the Proposed LRMP/FEIS: Little Molas/West Needles (#08906) and Minnie Gulch (#08909) allotments, both of which overlap with bighorn sheep range. Furthermore, the Approved RMP carries forward Alternative C for the Spring Creek allotment (#17056), located within the Spring Creek Wild Horse Herd Management Area. Upon permit relinquishment, the BLM will designate livestock grazing as not available (43 CFR 4130.2(a)) in the Spring Creek Allotment (#17056). See the management prescription identified in Table 3.9 of the Approved RMP (Part II).

Rationale for Changes: The above changes are consistent with those identified in the range of alternatives. These changes do not represent a departure from the range of alternatives analyzed in the FEIS nor a significant change from the Proposed LRMP.

- The Approved RMP corrects and clarifies Section 2.4.2b of the Proposed LRMP/FEIS, Vol. I regarding the closure of custodial allotments in the Pagosa area; from Alternative B the *twelve* custodial allotments will be no longer available for livestock grazing (43 CFR 4130.2(a)), *if and when*

¹ Utilizing both methods may sometimes be necessary to protect stream flow due to the nature of BLM lands being interspersed with private lands.

the permit is relinquished, due to the difficulties of managing small parcels of public lands within larger private land parcels undergoing subdivision for non-agriculture uses, and remaining unstocked BLM custodial grazing allotments would be closed to improve program administration efficiency. (Note: any decision to close or stock vacant allotments would be evaluated at the project level.)

To account for these corrections and clarifications, the total AUMs that will be managed on the Tres Rios Field Office now account to 22,720; 20,537 are for cattle, and 2,183 are for sheep.

- Furthermore, the Approved RMP includes as a standard the action to manage public lands according to BLM Colorado Public Land Health Standards (BLM 1997); as noted in the FEIS Section 2.2, these standards applied to all alternatives. As noted in Section 3.7.1 of the FEIS, these standards apply not only to management of livestock grazing but more generally to management of rangeland.

Rationale for Changes: These changes were correctly identified in the Appendix and/or the FEIS, but mistakenly omitted from the Proposed LRMP. These changes do not represent a departure from the range of alternatives analyzed in the FEIS.

- Furthermore, the Approved RMP clarifies Section 2.4.2b of the Proposed LRMP/FEIS, Vol. I to specify which vacant allotments are to be combined: Upper Vigil Mesa (#08457) and Vigil Mesa (#08463) will be combined with the active Vigil-Abeyta Mesa (#08456) allotment.
- Finally, this ROD modifies the Proposed LRMP/FEIS Appendix L to reflect the above changes and to clarify which allotments are closed by the RMP; the Proposed LRMP previously only identified those allotments that would remain open. This ROD also modifies Appendix L to include Mt. Elston as an active allotment; it was mistakenly excluded from the Proposed LRMP Appendix L, but is included in Appendix L of the Approved RMP.

Rationale for Changes: The above changes are consistent with those identified in the range of alternatives, but provide a greater level of specificity than did the Proposed LRMP. These changes do not represent a departure from the range of alternatives analyzed in the FEIS.

Section 2.12 of the Proposed LRMP. Air Quality

- The Approved RMP includes additional language to clarify the applicability of standards and guidelines in Section 2.12 of the Proposed LRMP/FEIS, Vol. II. Based on the results of the 2010 air quality model completed for the plan revision, air quality standards and guidelines were developed to mitigate potential impacts associated with oil and gas development, in particular to reduce levels of NO₂, SO₂ and impacts to visibility and ecosystem resources. The air quality standards identified as requirements in the Proposed LRMP have been carried forward into the BLM Tres Rios Approved RMP and will be applied as Conditions of Approval to all Applications for Permits to Drill through the NEPA process. Based on project-level NEPA analysis, some or all of the guidelines may also be applied as Conditions of Approval.

Rationale for Changes: The above solely provides clarification of the BLM's implementation of the standards and guidelines for Air Quality and does not change management decisions found in the Proposed LRMP/FEIS.

- The Approved RMP combines desired conditions 2.12.1 and 2.12.3 of the Proposed LRMP to reduce redundancy, see 2.13.1 of Approved RMP. The Approved RMP also removes objectives 2.12.8 and 2.12.10 of the Proposed LRMP.

Rationale for Change: Combining the desired conditions 2.12.1 and 2.12.3 of the Proposed LRMP reduces redundancy in the Approved RMP. Also objectives 2.12.8 and 2.12.10 of the Proposed LRMP were removed because they are pertinent and applicable to Forest Service lands and administration.

Section 2.13 of the Proposed LRMP. Access & Travel Management

- Section 2.14 of the Approved RMP clarifies travel management implementation priorities by geographic area. Although travel management planning is subject to the availability of adequate resources, including funding and labor, Table 2.14 identifies the sequence of areas in which TRFO would prioritize travel planning following the release of the Record of Decision for this RMP. Depending upon available resources and subsequent strategy, some of these areas may be combined to more efficiently complete the associated travel management plans.

Rationale for Change: The above provides clarification of the intended implementation schedule for travel management in order to be consistent with the Travel and Transportation Management Handbook (H8342-1).

Section 2.18 of the Proposed LRMP. Lands & Special Uses

- The Approved RMP includes a new standard, 2.19.12, to clarify intent for travel management on potential future acquisitions. Any land acquired by the BLM over the life of the RMP will be managed under the limited classification criteria as identified in 43 CFR 8342.1. The limited classification criteria specifies that travel will be limited to existing roads and trails until a site determination and travel management plan is completed for the acquisition (43 CFR 8342.2).

Rationale for Changes: The above provides clarification of the BLM's interim travel management strategy for potential future acquisitions and does not change management decisions found in the Proposed LRMP/FEIS.

Chapter 3 – Area Direction

Section 3.1 of the Proposed LRMP. Tres Rios Geographic Area

Moved to Section 2.1 of the Approved RMP for more logical organization of field office-wide management actions.

Section 3.3 of the Proposed LRMP. Lands Managed for Wilderness Characteristics

- The Approved RMP identifies the Coyote Wash unit as available for lease with an NSO stipulation, as analyzed in the Preferred Alternative of the Proposed LRMP/FEIS. The Approved RMP identifies the Snaggletooth unit as not available for lease, as analyzed within Alternative C of the Proposed LRMP/FEIS.

Rationale for Change: The above changes are consistent with those identified in the range of alternatives. These changes do not represent a departure from the range of alternatives analyzed in the FEIS nor a significant change from the Proposed LRMP. The BLM includes the language as a standard in the RMP in order to clarify the management actions analyzed within the FEIS.

Section 3.9 of the Proposed LRMP. Wild & Scenic Rivers

- The Approved RMP emphasizes that the suitability determinations outlined in the Proposed LRMP, Section 3.9, are preliminary administrative recommendations that the BLM may forward to the director, Cabinet Department Secretary, and the President for further review, possible modification, and transmission to the U.S. Congress for action. While these recommendations remain in this preliminary status, the BLM can consider and pursue alternative management direction that may be recommended by other entities and/or individuals that provide appropriate river management and protection for the stream segments determined as suitable. Alternative management approaches that would affect the classification of river segments found suitable, impair or modify the identified

outstandingly remarkable values, or alter the suitability determinations, would be subject to the appropriate environmental review and plan modification processes.

- The Approved RMP also corrects Table 3.9.1 of the Proposed LRMP, which incorrectly grouped USFS administered-miles into the BLM-administered miles for the segment of the Dolores River from McPhee to the BLM Uncompagre Field Office/Tres Rios Field Office boundary. As corrected, the Approved RMP, Table 3.3. a total of 103 miles from Bradfield Bridge to BLM Uncompagre Field Office/Tres Rios Field Office boundary will be managed as suitable by the BLM; the miles upstream from Bradfield Bridge are administered by the USFS. Likewise, the BLM portions of both the Animas River: Bakers Bridge to Sultan Creek segment, as well as Mineral Creek, were not identified in Table 3.9.1 of the Proposed LRMP. As corrected, a total of 1.29 miles and .20 miles of these segments, respectively, will be managed as suitable by the BLM.

Rationale for Changes: The above changes provide clarification of the management decisions found in the Proposed LRMP/FEIS and do not alter the proposed management but provide further clarification for implementing these decisions.

Section 3.12 of the Approved RMP. Willow Creek Habitat Management Area

- The Approved RMP adopts a portion of Alternative C of the Proposed LRMP/FEIS to select Willow Creek for management as a Habitat Management Area. Allowable uses, desired conditions, and program emphases are included in Section 3.11 of the Approved RMP.

Rationale for change: This is within the range of alternatives and will provide for increased consistency with Colorado conservation goals in the Gunnison Sage-grouse Rangewide Conservation Plan.

Section 3.13 of the Proposed LRMP. Gypsum Valley Area of Critical Environmental Concern

- The Approved RMP makes a minor adjustment to the boundary of the Proposed LRMP Gypsum Valley ACEC to minimize conflict from overlapping the ACEC designation with existing uranium mining plan of operation. A revised map is included in the Approved RMP (See Figure 3.6.1). As modified, the ACEC totals 13,135 acres, or approximately 200 acres less than the 13,333 acres identified in the Proposed LRMP.

Rationale for Change: The change above does not represent a significant change to the alternatives or analysis but slightly modifies the boundary to provide improved management and consistency with other planning decisions.

Section 3.23 of the Proposed LRMP. Dolores River Canyon

- The Approved RMP corrects the allowable use within the Dolores River Canyon for fire managed for resource benefit from “restricted”, accompanied by suppression for natural and human ignitions, to “allowable”. See Table 3.12. Dolores River Canyon Allowable Uses.

Rationale for change: The change above does not represent a significant change to the alternatives or analysis, and was originally included in the Draft LRMP.

Section 3.24 of the Proposed LRMP. Silverton Area

- The Approved RMP corrects an error in the Proposed LRMP, Table 3.24.1, which identified allowable, restricted, and prohibited uses in the Silverton area. For saleable and locatable minerals, the proposed management actions were swapped. See corrected Table 3.13.1 in the Approved RMP.

Rationale for Changes: The change does not represent a departure from the range of alternatives analyzed in the FEIS.

Appendices

Note: Changes to the appendices of the Proposed LRMP will be made to reflect the modifications in the Approved RMP, as noted above. In addition, the Approved RMP approves modifications to the appendices of the Proposed LRMP/FEIS as follows:

Appendix D of the Proposed LRMP. Wild & Scenic Rivers. The BLM has corrected an erroneous reference to the La Plata County land-use code on page D-38. The BLM notes that the correct reference is Section 106-151 and the North County Land Use District Plan classifies the majority of this land as large-lot residential.

The BLM corrected Table D.22 of Appendix D of the Proposed LRMP, which incorrectly included Summit Canyon as a suitable segment. The associated text regarding the suitability analysis noted that Summit Canyon was not found suitable for the Proposed LRMP.

Appendix E of the Proposed LRMP. Special Recreation Management Areas.

The BLM corrected an erroneous omission of specific management actions from Appendix E for two areas within the Cortez Special Recreation Management Area. As specified in the Decision Notice for the Cortez-Mancos Travel Management Plan, both the Phil's World area and Mud Springs are designated day-use only, with the exception of the non-motorized trails at Phil's World, which would allow use at night. Recreational shooting is prohibited at both Phil's World and Mud Springs.

Appendix H of the Proposed LRMP. Oil & Gas Leasing Stipulations.

The BLM eliminated an erroneous inclusion in the Proposed LRMP, Appendix H, of Stipulation 3.4.3, *Controlled Surface Use – Occupied Habitat*, page H-30. For the preferred alternative, the FEIS analyzed the impacts of oil and gas development on Gunnison Sage-grouse habitat with the exclusive use of the NSO stipulation in occupied habitat. The CSU, a less restrictive stipulation, is intended only for unoccupied habitat.

The BLM updated the language in the lease stipulations and removed the word “critical” (Appendix H 3.4.2) for Gunnison sage-grouse habitat to provide consistency with the recent listing as threatened (November 12, 2014). The FEIS analyzed habitat occupancy so this is considered a minor update.

Appendix U of the Proposed LRMP. Areas of Critical Environmental Concern.

The BLM has corrected Table U.1 for each of the 15 Areas of Critical Environmental Concern that were found to meet relevance and importance criteria, as noted in Section 2.3 of this ROD, of the original 19 areas identified as meeting relevance and importance criteria in the Draft LRMP, only 4 areas that meet both relevance and importance criteria were included in the alternatives to be analyzed as potential ACECs. To correct this oversight, the BLM will evaluate the protection of the additional 15 potential ACECs in a future plan amendment. Additionally, a GIS error in the total planning area acreage was corrected for the Gypsum Valley ACEC.

This section concludes the changes from the Proposed LRMP for the Approved RMP for BLM-Administered lands.

2.1.3 Consideration of Legislation

Since publication of the Proposed LRMP in September 2013, legislation (“Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015”, H.R. 3979) was passed by Congress in December 2014 that affects the management of the BLM Tres Rios planning area. The legislation (Sec. 3062 Hermosa Creek Watershed Protection) included a mineral withdrawal; a Recreation

and Public Purposes Act land conveyance; release of a portion of the West Needles contiguous WSA and creation of the Molas Pass Recreation area (see Figure 2.15.4, ARMP); a transfer of administrative jurisdiction from BLM to U.S. Forest Service for the remaining portion known as West Needles Contiguous WSA; and summarized below:

Durango Area Mineral Withdrawal (Section 3062 (d)(1)and(2)). “Subject to valid existing rights, the land and mineral interests are withdrawn from all forms of entry, appropriation, and disposal under public land laws; location, entry and patent under the mining laws.” The areas are depicted in a map entitled, “Perins Peak & Animas City Mountain, Horse Gulch and Lake Nighthorse Mineral Withdrawal” and dated April 5, 2013. (Figure 2.20.7)

Public Purpose Conveyance (Section 3062 (d)(3) and (e)). “The Secretary of the Interior may convey any portion of land described to the City, the County, or the State pursuant to the Act of June 14, 1926 (Recreation and Public Purposes Act, 43USC 869 et seq) or by exchange land depicted on a map entitled, “La Plata County Grandview Conveyance” and dated May 5, 2014, consisting of approximately 82 acres.

Molas Pass Recreation Area; Wilderness Study Area Release; Wilderness Study Area Transfer of Administrative Jurisdiction (Section 3062 (f) and (g)):

- **Molas Pass Recreation Area (Section 3062(f)(1) and Section 3062(f)(2)(B)(3)(A).** 461 acres previously part of the West Needles Contiguous Wilderness Study area within San Juan County, Colorado was released and designated (See Figure 3.6.3) as the “Molas Pass Recreation Area.” The Recreation area shall include: Section 3062(f)(1)(B) use of snowmobiles on designated trails for winter motorized travel and grooming and in designated areas for open motorized travel. Section 3062(f)(1)(C) includes consideration of other recreational opportunities within the Recreation Area.
- **Molas Pass Wilderness Study Area (Section 3062 (f)(2):** Transfer of administrative jurisdiction of the that portion remaining of the Federal land generally known as West Needles Contiguous WSA and renamed, Molas Pass Wilderness Study Area is transferred from the BLM to Forest Service.

2.2 Forest Service-Administered Lands: Oil & Gas Resources on the San Juan National Forest

2.2.1 The Decision

The BLM adopts the LRMP/FEIS for the USFS decisions outlined in the September 2013 Record of Decision, Oil and Gas Leasing Availability, San Juan National Forest. BLM concurs with the selection of Alternative B as described in the USFS ROD.

The BLM and the USFS jointly prepared the FEIS. The FEIS will be adopted without re-circulating, as the BLM has concluded that its comments and suggestions have been incorporated during the National Environmental Policy Act (NEPA) process (40 CFR 1506.3(c)). Furthermore, the FEIS meets the requirements of the regulations for implementing the Federal Land Policy and Management Act of 1976 (Title 43 CFR, Part 1600).

Alternative B was the selected alternative in the USFS ROD, and BLM concurs in the selection of Alternative B and adopts Alternative B herein. This decision was made in accordance with the National Forest Management Act of 1976 (16 U.S.C. §§ 1600-1614 et seq.) which provides for the multiple use and sustained yield of goods and services from the National Forest System in a way that maximizes long-term net public benefits in an environmental sound manner (36 CFR 219.1(a)). The leasing decision

incorporates the lease terms and stipulations determined by the USFS to be necessary and justifiable to mitigate effects to surface resources, based on analysis documented in the FEIS. The USFS and BLM will monitor and enforce these mitigation measures and stipulations in accordance with regulatory requirements at 43 C.F.R. § 3160 et seq. and 36 C.F.R. § 228 et seq.

2.2.2 Authorities

As identified in 40 CFR 1506.3(a), “An agency may adopt a Federal draft or final EIS or portion thereof, provided that the statement or portion thereof meets the standards for an adequate statement under their [the CEQ] regulations.”

The Mineral Leasing Act of 1920, as amended, provides the Secretary of the Interior the authority to issue oil and gas leases on lands where oil and gas rights are held by the Federal Government. This authority has been delegated to BLM. The issuance of oil and gas leases on National Forest System Lands by BLM requires the consent of the Secretary of Agriculture under the Federal Onshore Oil and Gas Leasing Reform Act of 1987 (43 CFR 3101.7-1 (c)). USFS regulations under 26 C.F.R. § 228.102(e) allow the agency to authorize the BLM to lease individual, specific areas of land administratively available for lease and to include the stipulations determined to be necessary. This authority to object or not object to leasing and to require specific conditions for leasing has been delegated to Forest Supervisors for National Forest System lands.

2.2.3 Implementation

This decision is to adopt the allocation-level decisions and associated analysis outlined in the USFS Record of Decision regarding lands available for oil and gas leasing. With respect to implementation, the USFS retains the authority at the site-specific, project-level to consent to lease USFS subsurface mineral estate and to condition any such leases. The BLM will forward any parcel nominations to the USFS as received. The USFS will review the parcels nominated and provide consent consistent with the Record of Decision. Following consent, the BLM will determine whether to offer the parcels in a subsequent lease sale and to issue the lease if sold. The BLM will tier to the Final EIS to support subsequent NEPA decisions.

2.3 Future Planning Efforts

Areas of Critical Environmental Concern

As identified in the Proposed LRMP, Appendix U, and as a result of protests, decisions on Areas of Critical Environmental Concern will be addressed in a future plan amendment. Of the original 19 areas identified as meeting relevance and importance criteria in the Draft LRMP, only 4 areas that meet both relevance and importance criteria were included in the alternatives to be analyzed as potential ACECs. To correct this oversight, the BLM will evaluate the protection of the additional 15 potential ACECs in a future plan amendment. In order to provide consistency of analysis for the ACECs, the amendment may also address those ACECs carried forward within the Approved RMP.

In the interim, the relevance and importance values identified within these 15 areas are largely protected through specific direction in the Approved RMP. In addition, protection of identified relevance and importance values will be considered during project-level analysis of any management actions or project proposals. The BLM will not approve activities in these areas that would impair the potential relevant and important values identified in Appendix U until a determination is made through the plan amendment.

Gunnison Sage-grouse

Furthermore, the BLM has committed to completing plan amendments throughout the range of the Gunnison Sage-grouse, in order to increase regulatory certainty that adequate conservation measures are in effect on BLM lands for this species through the Gunnison Sage-grouse Range-wide Plan

Amendment. As the TRFO contains occupied and unoccupied Gunnison Sage-grouse habitat, this RMP may be amended through that effort.

CHAPTER 3 THE ALTERNATIVES

NEPA requires the BLM to develop a range of reasonable alternatives during the planning process (40 CFR 1505.1(e)). The basic goal of developing alternatives is to prepare different combinations of management scenarios in order to address all identified issues and resolve conflicts among uses. Alternatives must meet the purpose and need; must be reasonable; must provide a mix of resource protection, use, and development; must be responsive to the issues; and must meet the established planning criteria. Under all of the alternatives, TRFO would manage the public lands in accordance with all applicable laws, regulations, policies, standards, and guidelines.

3.1 Alternatives Considered in Detail

In selecting the Approved RMP, the BLM gave careful consideration to a range of management options identified in the alternatives (the three listed below), Alternative B is the selected alternative with modifications, and evaluated in detail in the FEIS. Each of the alternatives not selected is summarized below, and a rationale is provided for why they were not selected as the Approved RMP.

Alternative A represented the continuation of current management direction under the existing San Juan/San Miguel Resource Management Plan (1985). Alternative A met the NEPA requirements that a No Action Alternative be considered (40 CFR 1502.14). The no action alternative, often referred to as the existing management situation, is required by NEPA to serve as a baseline for comparison of the potential environmental effects that could result from each alternative. Resource uses and values would have received emphasis at previous levels, and previous management strategies would have continued to be applied.

Since the need for the RMP revision includes updating the current resource management plan to address changed resource conditions, evolving demands on resources, and new and revised national-level policy, the no action alternative would not have met the purpose and need for the Approved RMP. Nor would the planning issues and management concerns have been resolved.

Alternative C—which may be considered the “environmentally-preferred alternative” per 40 CFR 1505.2 (b)— would have provided for a mix of multiple-use activities with a primary emphasis on maintaining the undeveloped character of the planning area. Alternative C would have identified more resources and areas for special designation than the other alternatives and overall would have emphasized the undeveloped areas and non-motorized recreational activities to a greater degree than any of the other alternatives.

Alternative C was not selected as the Preferred Alternative because it lacked a balanced approach to multiple use. Economically valuable extraction would have been widely restricted, and land management tools for the BLM would have been limited. Furthermore, the emphasis on primitive recreation and limited motorized access would run counter to increasing public demand for diverse recreational experiences on the public lands.

Alternative D would have provided for a mix of multiple-use activities, with a primary emphasis on energy development and working rangelands in order to produce a higher level of commodity goods and services when compared to the other alternatives. Alternative D would have allocated the least amount of land for special designation. Under Alternative D, production of goods and services would have been greater than that proposed under Alternatives B and C.

Similar to Alternative C, Alternative D was not selected as the Preferred Alternative because it lacked a balanced approach to multiple use. Primary emphasis on increased commodity production would not

have enabled BLM to manage sensitive resource values, nor would it have provided for a “combination of balanced and diverse resource uses that takes into account the long-term needs of future generations...” (FLPMA Sec. 103(c)).

3.2 Considerations in Selecting the Approved Plan

The alternatives described in the Draft LRMP/Draft EIS and public comment and input provided throughout this planning process were considered in preparing the Proposed LRMP. The Approved RMP is based on the Preferred Alternative B described in the Proposed LRMP (2013), which was based on Alternative B in the Draft LRMP/Draft EIS (BLM 2007). In developing the Approved RMP, the BLM had the discretion to select an alternative in its entirety or to combine aspects of the various alternatives that were presented in the Draft LRMP/EIS or the Proposed LRMP/FEIS. This included considering management approaches that were presented during the comment period that do not result in significant changes from what the Draft LRMP/EIS considered.

Alternative B, the Preferred Alternative, focuses on balancing the goals of maintaining working forest and rangelands and retaining core, undeveloped lands and providing and maintaining the full diversity of uses and active recreation opportunities. Uses and activities that require roads, such as timber harvesting and oil and gas development, would be mostly focused in areas that already have roads, while the relatively undeveloped areas and areas that currently do not have roads would, for the most part, remain that way.

Alternative B was chosen because it responds best to the major issues while providing for common ground among conflicting opinions and multiple uses of public lands in a sustainable fashion. Four major issues were identified during the scoping process, and confirmed throughout the formal and informal public review of the Draft:

- Issue 1: Balancing management between the ideas of maintaining "working rangelands" and retaining "core undeveloped areas"
- Issue 2: Providing recreation and travel management within a sustainable ecological framework
- Issue 3: Management of special area designations and unique landscapes
- Issue 4: Management of oil and gas leasing and development

Based on the input received during the planning process, there was both support and opposition to many components of the RMP. However, the BLM did not receive comments from federal or state agencies or from tribal governments indicating that the Proposed LRMP/FEIS was inconsistent with existing plans or policies. Inconsistencies with State policy were resolved through the Governor's consistency review; the resulting modifications are noted in the Approved RMP, Section 1.1.1.

Public comments and input received during all stages of planning resulted in fine tuning the RMP. Furthermore, the BLM considered all comments and protests received on the Proposed LRMP and input from the Governor's consistency review. This ROD serves as the final decision for the land use plan decisions in the Approved RMP, which will become effective on the date this ROD is signed. As noted above, the BLM intends to issue a Plan Amendment to address Areas of Critical Environmental Concern and Gunnison Sage-grouse. Further supplements or amendments and their associated analyses may occur in the future and would serve to amend this plan.

3.3 Alternatives Considered but Not Analyzed

The following alternatives and management options were considered as possible ways of resolving resource management issues and conflicts but were eliminated from detailed analysis because they were either unreasonable or not practical for technical, legal, or policy reasons in the Final EIS (September 2013). However, many of the suggestions proposed by interested parties and the public were used to develop and shape the analyzed alternatives, even if they were presented in an alternative that

was not carried forward in its entirety. Specific alternatives considered but not carried forward for detailed analysis are as follows; the rationale for the alternative's elimination is provided under each heading.

- **Closure of the TRFO to livestock grazing:** This alternative would not have met the purpose and need of the Approved RMP, as FLPMA requires the public lands be managed on a "multiple use and sustained yield basis" (FLPMA Sec. 302(a) and Sec. 102(7) and includes livestock grazing as a principal use of public lands. In addition, NEPA requires that agencies study, develop, and describe appropriate alternatives and recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources. Since no issues or conflicts were identified during the planning process which require the complete elimination of grazing within the planning area for their resolution, this alternative would have been arbitrary.
- **No Coalbed Methane Gas Development in the HD Mountains Alternative:** This alternative would prohibit further development of existing oil and gas leases in the HD Mountains. However, this alternative would not be practical, due to valid existing rights. A number of persons also asked that the HD Mountains be recommended for inclusion in the National Wilderness Preservation System and/or be managed as an Forest Service MA 1 (Final EIS, 2013), where natural processes dominate. The USFS HD Mountains Roadless Area was analyzed but was found to not be available for wilderness, due to its high mineral potential, approved plans, and current development of existing oil and gas leases within the area.

The ROD for the Northern San Juan Basin Coalbed Methane (NSJB-CBM) Development EIS (USFS and BLM 1982) describes how development of current leases would proceed in the HD Mountains. The Final EIS for the current LRMP addresses future management of the HD Mountains, including whether the area should be available for leasing after the current leases expire.

- **Citizens for the Wild San Juan's Alternative:** As presented to the TRFO, this alternative's goal would be to expand large, wild core habitats; return native fish and wildlife species; secure critical landscape connections; and promote living, working, and playing in harmony with native species and wild habitats in the planning area. This alternative, along with similar comments and suggestions from participants in the community study group process, was the primary basis for Alternative C. Many ideas from this alternative would be represented under Alternative B, and, to a lesser extent, Alternative D. The exact alternative was not analyzed in detail because it included wilderness recommendations for some lands that were found not to be capable or available for wilderness and Wild and Scenic River (WSR) recommendations for some stream segments that were found not to be eligible for WSR status.
- **The Citizens' Wilderness Proposal Alternative:** This alternative, originally submitted in 1999 and subsequently updated and resubmitted in December 2005, advocates citizens' proposed wilderness areas for the TRFO. Most of the proposal's wilderness recommendations are represented by Alternative C. The exact citizens' alternative was not analyzed in detail because the BLM does not have the authority to recommend new wilderness areas or create new WSAs. Although the addition of new WSAs, or boundary changes to existing WSAs, was not considered in detail, several of the areas identified in the citizen's wilderness proposal are addressed through the TRFO's inventory of lands with wilderness characteristics, which is discussed in Appendix O of the Proposed LRMP.

CHAPTER 4 CONSULTATION AND COORDINATION

4.1 Public Participation

The Notice of Intent to initiate the planning process for the RMP was published in the Federal Register in September 1999. Of special note for this planning process, the USFS and BLM conducted a broad, thorough, and innovative community-based public input process that far exceeded the typical efforts of a federal lands scoping process. Between January 2005 and January 2006, the agencies coordinated 21 professionally facilitated public meetings with a total of more than 450 registered attendees. These

meetings were held in towns throughout the planning area in order to encourage geographically diverse public participation. Open to all participants, these meetings were heavily advertised with local and regional media. More than 3000 comments were collected pertinent to the specific landscapes discussed in each meeting. Other elements of the scoping process included recreation interviews conducted in 2004, public written comments submitted between 1999 and 2006, a Governmental Water Roundtable that included 10 meetings between May 2005 and March 2006, and a workshop in 2004 focused on aspen forest management.

Using the information and the public input generated throughout the scoping period and early planning stages, the USFS and the BLM completed the Draft LRMP/EIS, for which the EPA published a Notice of Availability (NOA) in December 2007. The NOA initiated the 90 day public comment period required for planning actions.

Following the release of the Draft, the USFS and BLM also held a series of 10 public meetings throughout the planning area, with a total attendance of approximately 650 individuals. Furthermore, interviews were conducted with more than 80 recreationists. Based on public comments, the BLM identified the need to prepare a Supplement to the Draft EIS to consider the Reasonable Foreseeable Development potential of oil and gas in the Gothic Shale Gas Play. When the USFS and BLM released the Supplement to the Draft EIS in August 2011, the agencies held additional public meetings in Durango, Norwood, Dove Creek, and Cortez to explain the content and analysis within the Supplement.

The USFS and BLM further refined the Draft LRMP/EIS based upon public comment, and issued the Proposed LRMP/Final EIS in September 2013. As described in Section 2.1.1 and the "Director's Protest Resolution Report, Proposed Tres Rios Field Office Land and Resource Management Plan & Final Environmental Impact Statement, a protest period was provided for the BLM land use plan decisions contained in the Proposed LRMP/Final EIS. Twenty-five timely letters of protest were received by the BLM's Washington Office, the office responsible for resolving the protests on behalf of the BLM Director. Of the 25 letters, 14 were determined to have standing as participants in the planning process and to contain valid protest issues. The BLM granted one protest in part, resulting in the BLM's commitment to complete a future plan amendment to address additional potential areas of critical environmental concern.

4.2 Cooperating Agencies

To integrate a regional land management perspective into the plan, the USFS and BLM invited over 30 local governments, Tribes, and State and Federal agencies to become a Cooperating Agency for the RMP planning process. The Town of Rico and Montezuma County formally agreed to be cooperating agencies during the planning process. Under the provisions of NEPA, these government entities have jurisdiction by law or special expertise with respect to potential impacts (40 CFR 1506.1). These cooperators provided valuable input during periodic meetings and through detailed correspondences that contributed substantially to the quality of the FEIS and the selection of the Approved RMP.

4.3 Native American Tribes

Twenty-six tribes have expressed affiliation with the lands located within the planning area. These include the Jicarilla Apache Nation, Kewa Pueblo (formerly Pueblo of Santo Domingo), Navajo Nation, Pueblo of San Ildefonso, Pueblo of Sandia, Pueblo of Santa Ana, Ohkay Owingeh (formerly Pueblo of San Juan), Pueblo of Acoma, Pueblo of Cochiti, Pueblo of Isleta, Pueblo of Jemez, Pueblo of Laguna, Pueblo of Nambe, Pueblo of Picuris, Pueblo of Pojoaque, Pueblo of San Felipe, Pueblo of Taos, Pueblo of Tesuque, Pueblo of Zia, Southern Ute Indian Tribe, The Hopi Tribe, Uintah and Ouray Ute Indian Tribe, Ute Mountain Ute Indian Tribe, Ysleta del Sur Pueblo, and the Zuni Tribe. In accordance with NEPA and the NHPA, the USFS and BLM consulted with these 26 tribes since the initiation of the RMP revision, and all tribes were invited to be cooperating agencies. During the course of the planning process, the USFS and the BLM held several face-to-face meetings with the tribes, in addition to sending letters to provide progress updates and invite them to consult. As presented in the FEIS, tribes expressed most concern about the management of Chimney Rock National Monument (managed by USFS), oil and gas leasing and development, management of traditional cultural properties, and a focus on limited ground

disturbance. The Tres Rios Field Office will continue consultation with the tribes on a government – to – government basis throughout implementation of the Approved RMP.

Government to Government Consultation – Ute Mountain Ute

Since the Proposed Plan was issued on September, 2013, Ute Mountain Ute requested additional consultation regarding aquatic standards and tribal water rights. BLM recognizes it's role and responsibilities to tribal trust within its authorities.

Through consultations it was determined that the provisions of the Approved RMP will not impact or affect the delivery of existing water supplies and water rights decreed to the Ute Mountain Ute Tribe.

The legal authorities relied upon by the BLM to create the Approved RMP do not provide the BLM with authority to direct or affect the Ute Mountain Ute Tribe's water rights secured through the Colorado Ute Indian Water Rights Final Settlement Agreement of December 10, 1986, other applicable laws, Acts of Congress, and Colorado water decrees associated with the use and delivery of the Ute Mountain Ute Tribe's water rights.

The Ute Mountain Ute Tribe's decreed water rights are held in trust by the United States for the benefit of the Tribe. The Department of the Interior has a trust responsibility to protect and maintain these water rights in accordance with applicable laws. Nothing in the ARMP affects this special relationship, which includes BLM's commitment to comply with the letter and spirit of applicable law to protect and maintain the water rights under the 1986 Settlement Agreement.

The legal authorities relied upon by BLM to create the Approved RMP do not provide the BLM with authority to direct or affect the delivery of tribal water supplies from Bureau of Reclamation's Dolores Project or Animas-La Plata Project. The lack of BLM authority to direct or affect tribal water supplies extends to all water deliveries made pursuant to the Colorado Ute Indian Water Rights Final Settlement Agreement. The deliveries include all federal reserved water rights exercised by the tribe and all project water deliveries requested by the tribe from existing Reclamation projects.

The Aquatic Habitat Standards-Guidelines in Sections 2.6.18a-d and 2.6.22 of the ARMP do not apply to delivery of tribal water supplies or tribal water allocations in the Dolores Project or the Animas-La Plata Project. Rather, the standards and guidelines are intended to apply to water facilities that require reauthorization or new land use authorization from BLM. BLM is not aware of any facilities used for delivery of tribal water supplies that will require new or ongoing authorization from BLM.

The Wild and Scenic Rivers determinations found in Section 3.3 of the ARMP will not affect delivery of tribal water supplies or tribal water allocations in the Dolores Project. Rather, the suitability determinations are intended to guide BLM land use decisions that could affect the streams that are determined to be suitable. Specifically, the identification of roundtail chub, bluehead sucker, and flannelmouth sucker as outstandingly remarkable values on the Dolores River below the Dolores Project will not affect delivery of existing tribal water supplies and water rights decrees from the Dolores Project.

4.4 Agency Consultations

4.4.1 Endangered Species Act

In accordance with the requirements of Section 7 of the ESA, the BLM consulted with the USFWS to ensure that the BLM's proposed action would not jeopardize the continued existence of any listed threatened, endangered, or proposed species or critical habitat. The BLM prepared a Biological Assessment (BA) to evaluate the potential effects of the RMP on federally listed species and their habitats, as well as the species Gunnison Sage-grouse. The U.S Fish & Wildlife Service (FWS) concurred

with the BLM's determinations of effects to species and their habitat in their letter of March 26, 2014 and provided a formal Conference Opinion for the Gunnison Sage-grouse.

On November 12, 2014, the Service announced that it determined the Gunnison sage-grouse, requires the protection of the Endangered Species Act (ESA) as a threatened species. Subsequently, on December 15, 2014 the FWS adopted the conference opinion of March 26, 2014 for the Tres Rios Approved RMP for the TRFO as the Biological Opinion (BO). The Conference Opinion will be referenced as the BO. The BA, Conference Opinion, BO and associated correspondence are included in Appendix Y.

Accordingly, the RMP "may affect, but is not likely to adversely affect" the Canada lynx, Mexican spotted owl, Southwestern willow flycatcher, Uncompahgre fritillary butterfly, Greenback cutthroat trout, and the Pagosa skyrocket and its designated critical habitat. Furthermore, the BLM reviewed the Canada Lynx Conservation Assessment and Strategy (LCAS) and determined the RMP to be in compliance with the LCAS.

For the Gunnison sage-grouse the formal BO agreed with the BLM's effects determination that the RMP "may affect, is likely to adversely affect" the species and its proposed critical habitat. As noted in Section 2.3 above, the BLM is undertaking a separate planning effort for GUSG habitat throughout occupied habitat in Colorado to incorporate clear and consistent conservation measures into BLM land use plans, for which the BLM published a Notice of Intent on July 18, 2014.

FWS concluded in the BO that the Tres Rios Field Office RMP, as proposed, was not likely to jeopardize the continued existence of the Gunnison sage-grouse species. Likewise, the FWS concluded that the RMP is not likely to result in destruction or adverse modification of proposed critical habitat for Gunnison Sage-grouse, but that RMP implementation will likely maintain the habitat's functionality to serve the intended conservation role for the species. The FWS concluded that the RMP will not appreciably diminish the value of proposed critical habitat for both the survival and recovery of the species.

Because the BO is at a broad programmatic level, the best information available is not sufficient for the FWS to determine any specific level of anticipated take, and so the FWS did not identify any reasonable and prudent measures or terms and conditions for the BLM. Any subsequent action implemented under the RMP that may affect the GUSG or proposed critical habitat must go through separate section 7 consultation, should the species be listed. At that time, the FWS may define incidental take and apply associated terms and conditions for the BLM to follow.

4.4.2 National Historic Preservation Act

In accordance with the requirements of Section 106 of the National Historic Preservation Act, the BLM consulted with and obtained comment from the Colorado State Historic Preservation Office (SHPO) concerning the content of this RMP. These comments have been taken into account in development of the Approved RMP, and further consultation with the SHPO will take place as specific actions implementing the RMP are developed.

CHAPTER 5 IMPLEMENTATION DECISIONS & ADMINISTRATIVE ACTIONS

5.1 Implementation Decisions

Implementation decisions (or activity-level decisions) are management actions tied to a specific location that implement land use plan decisions. Implementation decisions generally constitute the BLM's final approval, allowing on-the-ground actions to proceed and require appropriate site-specific planning and

NEPA analysis. Such decisions may be incorporated into implementation plans (activity or project plans) or may exist as stand-alone decisions.

Unlike land use plan decisions, implementation decisions are not subject to protest under the planning regulations. Instead, implementation decisions are subject to various administrative remedies, particularly appeals to the IBLA (under 43 CFR, 4.410). Where implementation decisions are made as part of the land use planning process, they are still subject to the appeals process or other administrative review, as prescribed by the specific resource program regulations after the BLM resolves the protests to land use plan decisions and decides to adopt the management plan. For example, the designation of a specific travel route is an implementation level decision, rather than a land use plan decision; consequently, individual route designations are subject to a separate appeals process.

The Approved RMP hereby incorporates the 2008 Cortez-Mancos Travel Management Plan EA (CO-800-2006-090-EA) by reference. As noted on page 97 of the Proposed LRMP, Vol. II, "...the Mancos-Cortez Travel Management Plan (USFS and BLM 2008) analyzed limiting motorized use to a designated system of roads and trails in the Phil's World and Mud Springs area...This system of routes is carried forward under this [Proposed] LRMP and would further limit mechanized travel to designated routes upon completion and publication of supplemental rules in the Federal Register..."

For the Tres Rios RMP, route designations adopted from the Cortez Travel Management Plan constitute the only implementation-level decisions that would be subject to appeal.

5.1.1 Appeal Procedures for Implementation Decisions

Implementation decisions are not subject to protest under the planning regulations. However, any party adversely affected by an implementation decision may appeal such a decision to the Interior Board of Land Appeals after the ROD is signed. The following procedures describe the appeal process for the implementation decisions, which will be available for appeal immediately upon public release of this ROD/Approved RMP.

Any party adversely affected by an implementation decision may appeal within 30 days of receipt of this decision in accordance with the provisions of 43 CFR Part 4.4. The appeal must include a statement of reasons or file a separate statement of reasons, which must be filed within 30 days of filing the appeal. The appeal must state if a stay of the decision is being requested in accordance with 43 CFR 4.21 and must be filed with the Tres Rios Field Manager at the following address:

Bureau of Land Management
Field Manager, Tres Rios Field Office
Dolores Public Lands Office
29211 Highway 184
Dolores, Colorado

A copy of the appeal, statement of reasons, and all other supporting documents shall be sent to the Regional Solicitor at the following address:

Regional Solicitor
Rocky Mountain Region
United States Department of the Interior
755 Parfet Street, Suite 151
Lakewood, Colorado 80215

If the statement of reasons is filed separately, it must be sent to the following address:

United States Department of the Interior
Office of Hearings and Appeals

Interior Board of Land Appeals
801 N. Quincy Street, Suite 300
Arlington, Virginia 22203

Request for Stay

Any party wishing to file a request for stay pending the outcome of an appeal of one or more implementation decisions must show sufficient justification based on the following standards under 43 CFR 4.21:

- The relative harm to the party if the stay is granted or denied
- The likelihood of the appellant's success on the merits of the stay
- The likelihood of immediate and irreparable harm if the stay is not granted
- Whether the public interest favors granting the stay

As noted above, the request for stay must be filed with the BLM Field Manager at the address listed above.

5.2 Administrative Actions

Although the BLM's intent and commitment to accomplish administrative actions is generally addressed in an EIS, such activities are not management decisions. Administrative actions are day-to-day activities conducted by the BLM, often required by FLPMA, but may not require NEPA analysis or a written decision by a responsible official. Examples of administrative actions include mapping, surveying, conducting inventory or monitoring, scientific research, other studies, partnering and collaborating with partners, developing educational materials, and working with local communities or interest groups.

CHAPTER 6 MITIGATION MEASURES

In developing the alternatives, the BLM used a variety of management methods and tools, including identifying allowable uses, temporal and/or spatial restrictions on uses, where specific uses will be prohibited, and specific actions needed to achieve desired outcomes. Restrictions on uses include seasonal closures, limitations on surface disturbance, and application of best management practices (BMPs).

CHAPTER 7 PLAN MONITORING AND EVALUATION

During the life of the RMP, the BLM expects that new information gathered from field inventories and assessments, research, other agency studies, and other sources will update baseline data or support new management techniques, Best Management Practices (BMPs), and scientific principles. To the extent that such new information or actions address issues covered in the plan, the BLM will integrate the data through plan maintenance. Furthermore, the TRFO will conduct monitoring and evaluation of RMP decisions to measure the effectiveness of the management actions and allowable use decisions in achieving the RMP's goals and objectives. In the event that monitoring indicates the RMP's objectives are not being met, the BLM will consider adjustments of appropriate scope (Adaptive Management: The U.S. DOI Technical Guide). In cases where new information would cause a more significant change in planning direction, a plan amendment and associated environmental analysis may be required.

CHAPTER 8 PLAN APPROVAL

Field Manager Recommendation

Having considered a full range of alternatives, associated impacts, and public and agency input, I recommend the adoption and implementation of the Tres Rios Field Office Proposed Resource Management Plan as the Approved Resource Management Plan. *

Recommended:



Connie Clementson
Field Manager
Tres Rios Field Office



Date

District Manager Concurrence

I concur with the adoption and implementation of the Tres Rios Field Office Proposed Resource Management Plan as the Approved Resource Management Plan. *

Concurrence:



Lori Armstrong
District Manager
Southwest District Office



Date

State Director Approval

In consideration of the foregoing, I approve the Tres Rios Field Office Proposed Resource Management Plan as the Approved Resource Management Plan. *

Approved:



Ruth Welch
Colorado State Director



Date

* Tres Rios Field Office Proposed Resource Management Plan Alternative B with modifications as identified in Chapter 2 previously.

This page intentionally left blank.