

Forsythe II
Lands, Special Uses and Minerals Report

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I. Background

This report identifies the right-of-ways and land the Forest Service has acquired. This report also identifies existing special use authorizations or pending special use applications that may be affected by the proposed project. A land status check is completed to identify any outstanding rights, encumbrances or reservations on National Forest System (NFS) land.

The types of special use authorizations include permits or easements for: roads, utility lines, and pipelines. Also identified in this report are any approved or pending mining operations any current or pending land adjustments including exchanges, purchases, donations and Small Tracts Act cases.

II. Affected Environment

Existing Conditions

1. **Land Status:** Within the project area, NFS land is either Reserved Public Domain by presidential proclamation or Acquired, usually by land exchange.
2. **Rights-of-Ways Acquired by the United States (Forest Service) within the project area:**

Road Number	Location
97	T.1S., R.72W., Sec. 23

3. **Special Use Permits and Easements granted by the Forest Service or other Federal agencies within the project area:**

Permit Type	Issued to
Powerline	PSCo (Xcel Energy)
	United Power
Telephone/Fiber Optic	Qwest (Centurlink)
Gas Line	PSCo (Xcel Energy)
	Colorado Natural Gas
Private Property Access	Eclipse Lode and Telephone Lode Road Maintenance Association
	George Mainzer
	Joseph Bacso
	Ailongam Road Association
	Melissa Dunning
	William Tregay
	David Ancelin
	End of the Road Association
	Babcock Road Association
	Poorman-Dunraven Road Association
	Rocky Mountain Lodge
Water Transmission Line	City of Boulder
Septic Leach Field	Rocky Mountain Lodge
Cabin	Rocky Mountain Lodge

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Railroad (issued by the Bureau of Land Management)	Union Pacific Railroad
FERC Hydroelectric License (issued by the Federal Energy Regulatory Commission)	City and County of Denver, through their Board of Water Commissioners

County and State Road Right-of-Ways Granted by the United States:

- There are no known Road Right-of-Ways granted to Boulder or Gilpin Counties within the project area.
- The State of Colorado has been granted a Highway Easement Deed for Colorado State Highway 119 (northern boundary of the project area)

Special Use Authorizations with a pending application or proposal:

- Proposals pending authorization.

Proposal Type	Applicant
Private Property Access	Town of Nederland (Big Springs Egress)
	John Jurcheck
	Scott Gifford
	Elephant Mountain Road Association
	Bryan Heithold
	Boulder County (Mammoth Lode)
	Homestake Lode Road Association

4. **Mining Operations or Notice of Intent (to operate)** –There are active mining claims filed with the Bureau of Land Management within the project area, but no approved or pending plans of operation.
5. **Land Adjustments** – there is no current or proposed land exchange, purchase, or donation cases within the project area. A Small Tracts Act sale is being processed for Rocky Mountain Lodge to acquire NFS land adjacent to their property.

The following lands have been acquired:

T.1S., R.72W.,

Section 16

640 acre parcel acquired in 1936, except minerals

Section 23, SE $\frac{1}{4}$ NE $\frac{1}{4}$

40 acre parcel acquired in 1968

Section 23, metes and bounds description

35 acre parcel acquired in 1976

Section 24, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$

200 acre parcel acquired in 1930

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6. Withdrawals –

The following lands have been withdrawn:

T.1S., R.72W.,

Section 9, Lot 1
Section 17, Lots 1 and 2

Federal Power Commission, Project 1005
60 foot either side of centerline

T.1S., R.71W.,

Section 6, N $\frac{1}{2}$ NW $\frac{1}{4}$

Colorado Highway 119 roadside withdrawal

T.1S., R.72W.,

Section 2, Lot 6
Section 8, Lot 16
Section 19, Lot 21

Public Land Order 1742

200 foot either side of centerline
withdrawn from all forms of appropriation
under the public land laws including mining,
except mineral leasing nor Act of 7-31-1947

T.1S., R.73W.,

Section 13, SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 24, NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 24, NE $\frac{1}{4}$
Section 24, NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 36, NW $\frac{1}{4}$ NE $\frac{1}{4}$

T.1N., R.72W.,

Section 35, E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 36, S $\frac{1}{2}$

T.1S., R.71.,

Tracts 62, 64

Power Site Classification 372

T.1S., R.72W.,

Section 25, Lots 1, 2

T.1S., R.73W.,

Section 34, Lots 7-13, 15 and 16
Section 35, Lots 16, 17, 21-28

T.1S., R71W.,

Section 4, Lots 5, 6, 10, 11, 12
Section 5, Lots 90, 91, 94, 96,
101, 102

Power Site Reserve 496

Section 6, Lots 40, 44, 45, 46
Section 7, Lots 28, 29, 35

SW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 8, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$

T.1S., R.72W.,

Section 1, Lots 23-25
Section 2, Lots 5-14

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Section 12, Lots 3, 4

T.1S., R.71W.,

Section 6, Lot 47

Power Site Classification 127

Section 9, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$

T.1S., R.71W.,

Section 19, Lots 9, 12, 13

Power Site Reserve 78

Section 30, Lots 10-18

Tract 63

T.1S., R.72W.,

Section 25, Lots 5-15

Section 26, Lots 4-10

Section 27, Lots 1, 2

Section 28, Lots 6-10

Section 31, Lots 12, 14, 15, 16

Section 32, Lots 3, 5

T.1S., R.71W.,

Section 18, S $\frac{1}{2}$ Lots 15 & 16,
S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$

Federal Power Commission, Project 2035

Section 19, Lot 5, NE $\frac{1}{4}$ Lot 6, Lots 11-13

W $\frac{1}{2}$ E $\frac{1}{2}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$,

SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 30, Lots 10-18

Tract 63

T.1S., R.72W.,

Section 24, SE $\frac{1}{4}$ Lot 8, NE $\frac{1}{4}$ Lot 11

Section 25, Lots 7, 8

T.1S., R.71W.,

Section 18, Lots 11-16, SE $\frac{1}{4}$ SW $\frac{1}{4}$

Gross Reservoir Recreation Withdrawal

Section 19, Lots 5-13, W $\frac{1}{2}$ NE $\frac{1}{4}$,

Public Land Order 1686

E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$

T.1S., R.72W.,

Section 13, Lots 1, 2, 5, 6

Section 24, Lots 1, 2, 6-11

Section 25, Lots 1, 2, 7, 8

T.1S., R.72W.,

Section 30, Lot 9, S $\frac{1}{2}$ Lot 8, SW $\frac{1}{4}$ Lot 7,

Kelly Dahl Campground Recreation

W $\frac{1}{2}$ Lot 10

Withdrawal,

Public Land Order 1493

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Section 30, Lots 15, 16

Kelly Dahl Extension, PLO 2558

III. Direct and Indirect Effects

No Action Alternative –

Under the No Action Alternative, there would be no change to NFS land. There would be no impact to existing mining operations, landownership patterns or authorized uses on NFS land. There would not be an immediate need to locate and post boundary or acquire road rights-of-ways. Rights-of-ways would continue to be acquired as opportunity, staffing and funding allow. Current authorizations to use NFS land would continue to be administered and any applications for use of NFS land would be processed.

All Action Alternatives –

Minerals

Under all Action Alternatives, there would be no impact to approved mining operations because there are no approved mining operations within the project area. Mining operations unknown to the Forest Service may be occurring because not all mining operations require an approval. These are small operations which are not causing a significant disturbance to surface resources. There could be impacts to these operations. Impacts could include making motorized access more difficult, inadvertent burying or removal of mineral deposit, or imposing timing restrictions on accessing the mining site. Impacts are impossible to predict when the mining operation is unknown.

Land Adjustments/Ownership

The units proposed in all alternatives do not include the property proposed to be sold to Rocky Mountain Lodge; therefore, there will be no impact to this Small Tracts Act sale.

This project will have no impact on Land Ownership or Land Ownership patterns. Because there are no other proposed or on-going adjustments in the project area, there will be no impact.

Existing Special Use Authorizations

There should be no impact to authorized uses as long as care is taken to avoid damage when in the vicinity of these uses. Powerlines, gas lines, telephone/fiber optic lines and railroads are marked or are visible. Authorized and proposed access roads to private property within the project area have been identified. There should be no impact to authorized or proposed access roads to private property.

Big Springs Egress Proposal

All Action Alternatives propose authorizing Doe Trail and/or Wildewood as an emergency egress route from the Big Springs Subdivision in Nederland. The Town of Nederland requested two emergency egress routes to facilitate emergency evacuation of the Big Springs Subdivision. This route would not be open to motorized vehicles except in an emergency evacuation of the subdivision and potentially as a route for emergency personnel to enter the subdivision.

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Portions of Doe Trail and Wildewood are on NFS land as well as Boulder County Open Space property. The Forest Service may only authorize the portions on NFS land. The Forest Service will not authorize use or construction of either route until Boulder County has approved use of Boulder County Open Space property.

The Wildewood route begins on Town of Nederland property and follows an unauthorized trail on NFS land to Boulder County Road, Magnolia. The approximate length of this route is 0.39 miles over rocky terrain.

The Doe Trail route starts on NFS land for a short distance, then Boulder County Open Space, then NFS land, then back on Boulder County Open Space for the majority of the route, ending at Magnolia Road. The approximate length of this route is 0.72 miles over an abandoned road and abandoned powerline corridor. Neither route will impact other authorized uses of NFS land.

Unauthorized Use of NFS Land

Before treatments occur, NFS land boundary locations are verified. When locating the boundary, encroachments onto NFS land are often discovered. This may cause an increase in the number of encroachments needing resolution.

Rights of Ways

To determine the existing Rights-of-Way and jurisdiction of roads across private property to NFS land within the project area, plats of subdivision or private landownership were researched. County roads are open to public access. Roads which are not county roads and cross private property may need further research to verify jurisdiction. As Forest Service boundary locations are determined, the Forest Service may need to acquire permanent or temporary access across private property to gain access to certain treatment areas.

Decommission Routes

In this project, the Forest Service has proposed decommissioning roads on NFS land. Below is a recommendation and/or effect of decommissioning these roads on NFS land. Some roads will need coordination with private property owners to gain access to NFS land before decommissioning could occur.

Route #	Effect of Decommissioning	Land Perspective Recommendation
606.2		Not on NFS land, remove from Forest Service Road System and remove from consideration
68.2H		Not on NFS land, remove from Forest Service Road System and remove from consideration
302.1C		Not on NFS land, remove from Forest Service Road System and remove from consideration
4W72.0	No Effect to Lands/Minerals	Continue with Proposed Action
3W72.0	No Effect to Lands/Minerals	Continue with Proposed Action
356.1B	No Effect to Lands/Minerals	Continue with Proposed Action
356.1C	No Effect to Lands/Minerals	Continue with Proposed Action
356.1E	No Effect to Lands/Minerals	Continue with Proposed Action
356.1D	No Effect to Lands/Minerals	Continue with Proposed Action

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351.1	No Effect to Lands/Minerals	Continue with Proposed Action
350.1	No Effect to Lands/Minerals	Continue with Proposed Action
352.1A	No Effect to Lands/Minerals	Continue with Proposed Action
348.1A	No Effect to Lands/Minerals	Continue with Proposed Action
348.1B	Access to Private Property	Do not Decommission
348.1C	No Effect to Lands/Minerals	Continue with Proposed Action
359.1L	No Effect to Lands/Minerals	Continue with Proposed Action
359.1J	No Effect to Lands/Minerals	Continue with Proposed Action
359.1I	No Effect to Lands/Minerals	Continue with Proposed Action
359.1D	No Effect to Lands/Minerals	Continue with Proposed Action
359.1E	No Effect to Lands/Minerals	Continue with Proposed Action
359.1F	No Effect to Lands/Minerals	Continue with Proposed Action
359.1Q	No Effect to Lands/Minerals	Continue with Proposed Action
349.1A	No Effect to Lands/Minerals	Continue with Proposed Action
108.1	Access to Private Property	Do not Decommission
201.1B	No Effect to Lands/Minerals	Continue with Proposed Action
201.1C	No Effect to Lands/Minerals	Continue with Proposed Action
68.2E	No Effect to Lands/Minerals	Continue with Proposed Action
68.2F	No Effect to Lands/Minerals	Continue with Proposed Action
302.1F	No Effect to Lands/Minerals	Continue with Proposed Action
302.1G	No Effect to Lands/Minerals	Continue with Proposed Action
302.1H	No Effect to Lands/Minerals	Continue with Proposed Action

IV. Cumulative Effects

For lands/special uses/minerals, only cumulative effects within the project area were considered. The No Action Alternative will not impact Lands/Minerals; therefore, there will be no cumulative effects.

For all Action Alternatives, acquiring additional access may increase the use of NFS land previously inaccessible. If permanent easements cannot be acquired where needed, then the Forest Service will continue to work at gaining access as opportunity and funding allow.

