
Chapter 6

Consultation and Coordination

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CONSULTATION AND COORDINATION

6.1 CHANGES BETWEEN THE DRAFT LUPA/EIS AND PROPOSED LUPA/FINAL EIS

As a result of public comments, cooperating agency coordination, and internal review of the Draft LUPA/EIS, the BLM and Forest Service have made several changes to this chapter. Changes include the following:

- In the Draft LUPA/EIS, Consultation and Coordination was addressed in **Chapter 5**. In the Proposed LUPA/Final EIS, discussion of cumulative effects has been separated from the direct and indirect impacts discussed in **Chapter 4** and has become its own chapter. As a result, Consultation and Coordination has been moved from **Chapter 5** to **Chapter 6**.
- Information related to ongoing consultation and coordination efforts have been included.
- The section addressing consistency with state, local, and tribal plans has been revised to reflect just the Proposed Plans rather than all of the draft alternatives. Consistency discussions have also been consolidated.
- Language outlining public outreach efforts on the Draft LUPA/EIS have been added.
- Language summarizing comments received on the Draft LUPA/EIS and how the BLM and Forest Service addressed those comments has been added.

6.2 INTRODUCTION

This chapter describes the efforts undertaken by the BLM and Forest Service throughout the process of developing the LUPA/EIS to ensure the process remained open and inclusive to the extent possible. This chapter also describes efforts taken to comply with legal requirements to consult and coordinate with various government agencies. These efforts include public scoping; identifying and designating cooperating agencies; consulting with applicable federal, state, and tribal governments; and identifying “any known inconsistencies with State or local plans, policies or programs” (43 CFR 1610.3-2(e)).

The BLM and Forest Service land use planning activities are conducted in accordance with NEPA requirements, CEQ regulations, and DOI and USDA policies and procedures implementing NEPA, as well as specific BLM and Forest Service planning and NEPA policies. The NEPA and associated laws, regulations, and policies require the BLM and Forest Service to seek public involvement early in and throughout the planning process to develop a range of reasonable alternatives to proposed actions and to prepare environmental documents that disclose the potential impacts of proposed alternatives.

Public involvement and agency consultation and coordination have been at the heart of the planning process leading to this Proposed LUPA/Final EIS. These efforts were achieved through Federal Register notices, public and informal meetings, individual contacts, media releases, planning bulletins, and a series of GRSG planning-related websites. This chapter documents the outreach efforts that have occurred to date. Additional efforts will continue as the planning process continues and the Final LUPA and RODs are prepared.

6.3 FORMAL CONSULTATION EFFORTS

Various federal laws require the BLM and Forest Service to consult with American Indian Tribes, the State Historic Preservation Office, and USFWS, the EPA, and the US Department of Defense during the planning/NEPA decision-making process. This section documents the specific consultation and coordination efforts undertaken throughout the process of developing the LUPA/EIS.

6.3.1 American Indian Tribal Consultation

In accordance with the National Historic Preservation Act and several other legal authorities (see BLM Manual 8120 and Forest Service Manual 2360), and in recognition of the government-to-government relationship between individual tribes and the federal government, the BLM has initiated tribal consultation efforts related to preparation of this LUPA. In December 2011, the BLM sent letters to tribal governments providing initial notification of the LUPA, background information on the project and notification of subsequent consultation efforts related to the planning process. These letters were sent to following 15 tribes who are located in Utah or have cultural ties to areas with GRSG habitat in Utah:

- Confederated Tribes of the Goshute Indian Reservation
- Eastern Shoshone Tribe
- Hopi Tribal
- Kaibab Band of Paiute Indians
- Navajo Nation
- Navajo Utah Commission
- Northwest Band of Shoshone Nation
- Paiute Indian Tribe of Utah
- Shoshone-Bannock Tribes
- Skull Valley Band of Goshute Indians

- Southern Ute Indian Tribe
- Te-Moak Tribe of Western Shoshone Indians of Nevada
- Ute Indian Tribe—Uintah and Ouray Reservation
- Ute Mountain Ute Tribe
- White Mesa Ute Tribe

The initial letters were followed by personal phone contacts from BLM managers to tribal representatives. These initial contacts also included an invitation to be a cooperating agency. Cooperating agency activities are discussed generally in **Section 6.1**, Cooperating Agencies, and specifics related to tribal participation and coordination is included below.

The Confederated Tribes of the Goshute Indian Reservation responded to the initial letter, accepting the invitation to be a cooperating agency. The BLM presented additional information related to the project at a Tribal Council Meeting on February 10, 2012. The Confederated Tribes of the Goshute Indian Reservation formalized their cooperating agency status through a Memorandum of Understanding on June 1, 2012. They have participated in a variety of meetings, briefings, and reviews throughout preparation of the EIS.

The Shoshone-Bannock Tribes responded to the letter and follow-up phone conversations, requesting additional information before making a decision on cooperating agency status. Through coordination with the BLM's Utah and Idaho State Offices and the Shoshone-Bannock Tribe, the Tribe decided not to become a cooperating agency, but did request ongoing consultation in relation to the GRSG planning efforts in Idaho and the adjacent states. It was determined that the BLM's Idaho Falls District would take the lead in face-to-face consultation efforts, but that if additional information was necessary from other planning efforts, that information would be provided as needed and requested.

The Paiute Indian Tribe of Utah also requested information on the project. The BLM and Forest Service consulted with the Paiute Indian Tribe of Utah on November 1, 2013. At a Tribal Council Meeting, the agencies presented information related to the planning process in general and the Draft LUPA/EIS in particular. At the end of the briefing, several questions were discussed and the BLM and Forest Service offered additional efforts related to consultation on the GRSG planning effort. The Council noted appreciation for the information and the meeting ended. Additional consultation efforts were conducted during development of the Proposed LUPA/Final EIS.

Prior to publishing the Draft LUPA/EIS, the BLM and Forest Service sent another letter to the tribes noted above informing them again of the planning effort and again offering formal consultation. All of these tribes were also provided a newsletter concerning publication of the Draft LUPA/EIS and its availability for public review and comment. The Navajo Nation and the Ute Indian Tribe—Uintah and Ouray Reservation submitted comments during the public comment period.

The Navajo Nation provided a letter to the BLM and Forest Service on December 2, 2013, after having reviewed the consultation documents. The Navajo Nation Historic Preservation

Department-Traditional Cultural Program concluded that the GRSG planning effort would not impact and Navajo traditional cultural resources, and that there were no current concerns.

The Ute Indian Tribe—Uintah and Ouray Reservation provided a letter to the BLM and Forest Service on January 14, 2014, submitting comments on the Draft LUPA/EIS. Their letter acknowledges that the Draft LUPA/EIS notes the agencies do not have jurisdiction over tribal lands, but encourages the agencies to exclude tribal lands from the planning area. It also notes that, while not applicable to tribal lands, the LUPA has the potential to affect the oil and gas industry in and around the Uintah and Ouray Reservation. The letter goes on to address the Tribe's concerns regarding the alternatives, including concerns with the effect the restrictions in Alternatives B, C, and D would have on economic and socioeconomic conditions. The BLM and Forest Service reviewed and responded to the letter in accordance to requirements of NEPA, and follow-up with additional consultation efforts during development of the final LUPA/EIS.

Based on input from the communications described above, portions of the Proposed LUPA/Final EIS were adjusted to address some of the questions and concerns raised through tribal consultation. Beyond these formal communications, no other written comments were received from tribal agencies. Tribal concerns or issues have been typically presented in oral format.

6.3.2 Utah State Historic Preservation Officer Consultation

The National Historic Preservation Act and regulations at 36 CFR Part 800 govern the BLM and Forest Service's cultural resource management programs. The regulations provide specific procedures for consultation between the BLM and the State Historic Preservation Office. The State Historic Preservation Office has been included as a cooperating agency within the signed Memorandum of Understanding with the State of Utah. The State of Utah's comments on the Draft LUPA/EIS did not include any comments from the State Historic Preservation Office.

The Proposed LUPA/Final EIS was sent to the State of Utah State Historic Preservation Office for review and comment, formally initiating consultation regarding the potential affects to cultural resources regarding the Proposed Plans. The BLM and Forest Service will finalize consultation with the State Historic Preservation Office before the RODs are signed.

6.3.3 US Fish and Wildlife Service Consultation

Consultation with USFWS is required under Section 7(c) of the ESA prior to initiation of any project by the BLM or Forest Service that may affect any federally listed or endangered species or its habitat. This LUPA process is considered a major project, and the Proposed LUPA/Final EIS defines potential impacts on threatened and endangered species because of management actions proposed in the alternatives. The USFWS is a cooperating agency in this planning process, and USFWS staff has participated in interdisciplinary team meetings and has been provided drafts of alternative decisions and analyses for discussion and input.

The BLM and Forest Service formally initiated Section 7 consultation with a letter to the USFWS on November 19, 2013, and requested concurrence on which species would require consideration during consultation. Over the ensuing months, regular meetings and coordination efforts were held to identify the species that would be analyzed in the biological assessment, address which actions could affect those species, and determine whether the implementation of the Proposed Plan "may affect" the species for which this consultation occurred.

In May 2015, the biological assessment was formally submitted to the USFWS for review (see **Appendix O**, Biological Assessment for the Utah Greater Sage-Grouse Land Use Plan Amendment and Final Environmental Impact Statement). In the Biological Assessment, the BLM and Forest Service evaluated all threatened, endangered, or proposed species, and designated or proposed critical habitat that may be affected by the Proposed Plans. The determination for most species is no effect. Two species received a determination of not likely to jeopardize the continued existence of the species and 11 species received a determination of may affect, but is not likely to adversely affect. One species, the Utah prairie dog, received a determination of may affect, likely to adversely affect. This means that means that Utah prairie dog or its habitat are likely to be exposed to the action or its environmental consequences and will respond in a negative manner to the exposure.

The USFWS will evaluate the biological assessment and either concur with the determination via memorandum or prepare a biological opinion. The USFWS response to this consultation process (either the memorandum or the biological opinion) will be included in the RODs.

6.3.4 US Department of Defense Consultation

Section 2815 of The National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65, 113 Stat. 512) and Section 383 of The National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163, 119 Stat. 3216) require consultation between the US Department of Defense and the DOI when the BLM proposes changes in land designation or management of certain lands in western Utah.

This planning process is considering amendments to four LUPs within the affected area (Warm Springs RMP, House Range RMP, Pony Express RMP, and Box Elder RMP). These four LUPs include all or portions of the Sheeprocks, Ibapah, and Box Elder GRSG population areas. Collectively, these population areas include approximately 28 percent of the occupied GRSG habitat in the decision area and more than 20 percent of the breeding birds in the State of Utah.

The two laws require the US Department of Defense to “conduct a study to evaluate the impact upon military training, testing, and operational readiness of any proposed changes in land designation or management” and to “prepare...an analysis of the military readiness and operational impacts of the proposed [land use plan] revision...” Until the “study” is completed and provided to Congress, the 2000 legislation directs that the BLM “may not proceed with the amendment of any individual RMP for Utah national defense lands, or any statewide EIS or statewide RMP amendment package for such lands, if the statewide EIS or statewide RMP amendment addresses wilderness characteristics or wilderness management issues affecting such lands.” None of the comments the US Department of Defense has provided on the Proposed LUPA/ Final EIS represent the study or analysis referenced in either law.

The BLM entered into a cooperating agency agreement with the US Department of Defense on April 23, 2014. As part of that relationship, the BLM has provided briefings and sought input from the US Department of Defense during development of the Proposed LUPA/Final EIS. Because of this coordination, language was added to **Chapter I** to note that the proposed plan amendments do not apply to aircraft activities that are under the jurisdiction of the Federal Aviation Administration or the Department of Defense.

The Department of Defense also noted that military over flights, such as those conducted above or near the Utah Test and Training Range, result in short periods of noise, lasting from just a few seconds or a couple of minutes. This information was incorporated into **Chapter 5** when addressing cumulative effects to GRSG.

Dugway Proving Ground shared that it had conducted 2 years of GRSG monitoring within the fenced Military Range Test Facility Base. Through the extensive survey effort, the Dugway Proving Ground has documented an absence of occupied habitat and minimal presence of very sparse areas that could be suitable habitat. This is primarily due to the lack of suitably large and contiguous patches of sagebrush within the facility's fence line. Much of the Dugway Proving Ground facility consists of salt flats and greasewood, which are not consistent with habitat or diet requirements of the GRSG. An inactive lek is present within an area underlying restricted airspace, which is 3.3 miles from the Dugway Proving Ground fence line. An active lek is located 6 miles from the Dugway Proving Ground fence line outside of Dugway Proving Ground restricted airspace. While the active lek is not located on lands administered by the Department of Defense, it is located within the Military Operating Area, which includes both lands administered by the Department of Defense and lands underlying airspace specifically identified to support Utah Test and Training Range flight activities.

Coordination with the Department of Defense has also identified components of the BLM Proposed Plan that would be complimentary with installation management. For example, invasive species management, particularly cheatgrass control, on BLM lands surrounding the Military Operating Area would benefit Dugway Proving Ground management of natural/cultural resources. Wildland fire management objectives would also directly benefit the protection of Army personnel, facilities, and natural/cultural resources.

Coordination also identified some potential Department of Defense concerns where existing communication and/or radar towers may require replacement. While the Proposed Plans would be an avoidance area for ROWs, the Department of Defense noted that new towers would generally be in the same immediate area as the tower being replaced. While avoidance in the Proposed Plan would be the preferred measure, if avoidance is not possible, minimization measures would be applied (e.g., net conservation gain, disturbance cap, RDFs, and lek buffers).

6.3.5 US Environmental Protection Agency

NEPA regulations require that EISs be filed with the EPA for review and comment (40 CFR 1506.9). The BLM provided the EPA with a copy of the Draft LUPA/EIS and the EPA has submitted comments on this document. The EPA rated the document as Environmental Concerns-Insufficient Information, "EC-2". The EPA noted that the analysis in the Draft LUPA/EIS was not clear if the proposed measures were "sufficiently protective to increase and/or maintain sustainable GRSG populations." Additional modeling and analysis has been used to develop the Proposed Plan and to include in **Chapter 4** of the Proposed LUPA/Final EIS based on EPA comments.

6.4 COOPERATING AGENCIES

Federal regulation directs the BLM to invite eligible federal agencies, state and local governments, and federally recognized Indian tribes to participate as cooperating agencies when amending RMPs (43 CFR 1610.3-1(b)). A cooperating agency is any such agency or tribe that

enters into a formal agreement with the lead federal agency to help develop an environmental analysis. More specifically, cooperating agencies “work with the BLM, sharing knowledge and resources, to achieve desired outcomes for public lands and communities within statutory and regulatory frameworks” (BLM Land Use Planning Handbook H-1601-1). These agencies are invited to participate because they have jurisdiction by law or can offer special expertise. Cooperating agency status provides a formal framework for these government units to engage in active collaboration with a lead federal agency in the planning process.

In December 2011, the BLM sent letters to 15 tribal governments and 36 local, state, and federal agencies inviting them to be cooperating agencies for the Utah Sub-regional LUPA/EIS. Subsequently, the State of Wyoming and four local government agencies in Wyoming requested and were granted cooperating agency status, given the portions of two National Forests that overlap into Wyoming and their proximity to the Utah planning area. To date, 29 agencies agreed to participate as designated cooperating agencies, 28 of which have signed Memoranda of Understanding with the BLM’s Utah State Office (**Table 6.1, Cooperating Agencies**).

The BLM and State of Utah signed a statewide Memorandum of Understanding specifically for this LUPA process. Through the Memorandum of Understanding, the State of Utah (including departments and divisions, such as UDWR, Department of Agriculture and Food, and Division of Oil, Gas, and Mining) are included as cooperating agencies.

Two additional federal agencies, the Forest Service and USFWS, are participating in multiple GRSG EIS efforts throughout the west, and are cooperating agencies with each effort under a signed, national level, memoranda of understanding.

As directed by 43 CFR 1610.4, the BLM has collaborated with the cooperating agencies during data inventory and information collection, formulation of alternatives, analysis of effects of alternatives, and input on selection of the preferred alternative. However, the decision to select a preferred alternative remains the exclusive responsibility of the BLM (43 CFR 1610.4-7) or the Forest Service for their respective administrative jurisdictions. Throughout the planning process, the BLM has invited the cooperating agencies to provide information on various planning topics and other county- or state-level information within the agencies’ area of special expertise. Cooperating agencies were also encouraged to attend the scoping open houses and provide comments during the scoping period (**Section 6.7.1, Scoping Process**). The BLM also held a variety of meetings, briefings, and field trips with some or all of the cooperating agencies regarding various planning issues.

The BLM sought further input from all cooperating agencies by providing them multiple opportunities to review and provide comments on planning documents (i.e., Socioeconomic Baseline Profile, Alternatives, Administrative Draft LUPA/EIS, Draft LUPA/EIS, and Administrative Draft Proposed LUPA/Final EIS). Throughout the planning process, the cooperating agencies have provided input to the BLM via verbal and/or written formats that helped develop this LUPA/EIS. Through these various avenues, the cooperating agencies have been engaged throughout the planning process.

Table 6.1
Cooperating Agencies

Agencies and Tribes Invited to be Cooperators	Agencies that Accepted	Agencies that Signed Memoranda of Understanding
Counties		
Beaver County – Utah	X	X
Box Elder County – Utah	X	X
Cache County – Utah		
Carbon County – Utah	X	X
Daggett County – Utah		
Duchesne County – Utah	X	X
Emery County – Utah	X	X
Garfield County – Utah	X	X
Grand County – Utah	X	X
Iron County – Utah	X	X
Juab County – Utah		
Kane County – Utah	X	X
Lincoln County – Wyoming	X	X
Millard County – Utah	X	X
Morgan County – Utah		
Piute County – Utah	X	
Rich County – Utah	X	X
Sanpete County – Utah	X	X
Sevier County – Utah	X	X
Summit County – Utah		
Sweetwater County – Wyoming	X	X
Sweetwater County Conservation District – Wyoming	X	X
Tooele County – Utah	X	X
Uinta County – Wyoming	X	X
Uintah County – Utah	X	X
Utah County – Utah	X	X
Wasatch County – Utah		
Wayne County – Utah	X	X
Weber County – Utah		
State Agencies		
State of Utah – Governor’s Public Lands Policy Coordination Office ¹	X	X
State of Wyoming	X	X
Federal Agencies		
Forest Service	X	X
US Department of Agriculture, Natural Resources Conservation Service – Utah	X	X
US Department of Defense ²	X	X
US Environmental Protection Agency – NEPA Program		
US Fish and Wildlife Service	X	X
Tribes		
Confederated Tribes of the Goshute Indian Reservation	X	X

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Cooperating Agencies

Agencies and Tribes Invited to be Cooperators	Agencies that Accepted	Agencies that Signed Memoranda of Understanding
Eastern Shoshone Tribe		
Hopi Tribe		
Kaibab Band of Paiute Indians		
Navajo Nation		
Navajo Utah Commission		
Northwest Band of Shoshone Nation		
Paiute Indian Tribe of Utah		
Shoshone-Bannock Tribes		
Skull Valley Band of Goshute Indians		
Southern Ute Indian Tribe		
Te-Moak Tribe of Western Shoshone Indians of Nevada		
Ute Indian Tribe—Uintah and Ouray Reservation, Ute Tribe Business Committee		
Ute Mountain Ute Tribe		
White Mesa Ute Tribe		

¹The State of Utah Governor's Public Lands Policy Coordination Office coordinates the State's interests on public lands issues and acts to ensure that state and local interests are considered in the management of public lands. This includes coordinating with the applicable State-level departments to ensure information is disseminated to or collected from, and coordinates the State's collective input from the State-level departments and their various subdivisions.

²The Department of Defense signed a single MOU to cover all invited departments, branches, and installations under their jurisdiction, including those installations that had accepted the initial invitation (i.e., US Air Force – Hill Air Force Base; US Air Force – Utah Test and Training Range; US Army – Dugway Proving Ground).

6.5 COORDINATION AND CONSISTENCY

The BLM's planning regulations require that RMPs be "consistent with officially approved or adopted resource-related plans, and the policies and procedures contained therein, of other federal agencies, state and local governments, and Indian tribes, so long as the guidance and RMPs also are consistent with the purposes, policies, and programs of federal laws and regulations applicable to public lands" (43 CFR 1610.3-2(a)). As part of preparing the Draft LUPA/EIS, the BLM requested the state, county, and tribal government cooperating agencies review the range of alternatives and identify potential inconsistencies between the alternatives and each agency's applicable plans. This allowed the state, local, and tribal cooperating agencies to apply their special expertise regarding the familiarity with their own plans. In general, the county evaluations identified inconsistencies in Alternatives B, C, and D, with most counties noting that Alternatives A and E were the most consistent with their local plans and policies.

The BLM's planning regulations also note that the BLM "shall identify any known inconsistencies with State or local plans, policies or programs" (43 CFR 1610.3-2(e)) when submitting a proposed plan amendment for the Governor's consistency review. Because the regulations require the identification of inconsistencies to the proposed plan, the consistency evaluations for the specific alternatives have been removed from this Final EIS. In their place, this section identifies known inconsistencies between federal, state, local and tribal plans and policies, using

the previous county evaluations, comments provide during the public review period for the Draft EIS, and agency evaluation of “officially approved or adopted resource related plans” (43 CFR 1610.3-2 (a) and (b)). In instances where state and local plans, policies, or programs may differ, the BLM has disclosed both instances of inconsistency, but would defer to those of the state, per 43 CFR 1610.302(d).

The BLM is aware that there are specific state laws and local plans relevant to aspects of public land management that are discrete from, and independent of, federal law. However, the BLM is bound by federal law. Consequently, there may be inconsistencies that cannot be reconciled. The FLPMA and its implementing regulations require that BLM LUPs be consistent with officially approved state and local plans only if those plans are consistent with the purposes, policies, and programs of federal laws and regulations applicable to public lands. Where officially approved state and local plans or policies or programs conflict with the purposes, policies, and programs of federal law applicable to public lands, there will be an inconsistency that cannot be resolved. With respect to officially approved state and local policies and programs (as opposed to plans), this consistency provision only applies to the maximum extent practical. While county and federal planning processes, under the FLPMA, are required to be as integrated and consistent as practical, the federal agency planning process is not bound by or subject to state or county plans, planning processes, policies, or planning stipulations.

The following subheadings group the identification of known inconsistencies with the Proposed Plan by the type of agency (i.e., federal, state, local, and tribal). It is important to note that the identification of inconsistencies at this point in the planning process notifies state, local, and tribal governments of known inconsistencies. The absence of some inconsistencies could reflect either consistent management or an inconsistency that the agency has not specifically identified, per regulatory requirements. The formal consistency review period will allow agencies the legal opportunity to identify additional information, as applicable.

Consistency requirements are only applicable on BLM-administered lands. Consistency with state and local plans where there are no BLM-administered lands in the planning area are not addressed. In these instances consistency, as described above, is not required. However, cooperation regarding the agencies’ applicable special expertise or jurisdiction by law has occurred.

6.5.1 Inconsistencies with State Plans, Policies, and Procedures

The State of Utah finalized the *Conservation Plan for Greater Sage-Grouse in Utah* in February 2013. They designed their plan to “eliminate the threats facing [GRSG] while balancing the economic and social needs of the residents of Utah through a coordinated program which provides for and incentive-based programs for private, local government and School and Institutional Trust Lands Administration (SITLA) lands, and a reasonable and cooperative regulatory programs on other state and federally managed lands” (Utah Greater Sage-Grouse Working Group 2013). Several aspects of the State’s plan and the BLM’s Proposed Plan are conceptually consistent, though each plan uses different wording. Alternative E1 in **Chapter 2** is based on the State’s plan.

There are aspects of the State’s plan that are out of the BLM’s jurisdiction, such as recommendation for management of SITLA and private lands and language dealing with predator control and hunting. Though these concepts are absent from the BLM’s Proposed Plan, they are

not identified as inconsistencies because the BLM cannot prescribe management on private and SITLA lands, and does not permit hunting or predator control. Inconsistencies will be limited to areas where the State's plan provides management direction for uses/areas the BLM has jurisdiction.

Known inconsistencies between the BLM's Proposed Plan and the *Conservation Plan for Greater Sage-Grouse in Utah* include the following:

- When comparing areas in the two-tier alignments of habitat prioritization (SGMA and non-SGMA for the State, PHMA and GHMA for the BLM), the State's plan and BLM's Proposed Plan align similar prioritization levels, high or low, on over 96 percent of acres. However, there are a few areas of inconsistency:
 - The BLM's Proposed Plan includes portions of the following areas as PHMA where the State's plan does not include them in SGMAs: West Tavaputs, SITLA lands in the Three-Corners and Parker Mountain areas, and private and tribal lands in the Halfway Hollow area.
 - There are also areas where the BLM's Proposed Plan includes areas as GHMA or no designation that the State's plan includes within SGMAs: western corner of Bald Hills, eastern side of Parker Mountain in and around Loa and the hills to the east.
- While the two-tier prioritization of GRSG habitat is over 96 percent consistent, management of lower priority areas (non-SGMAs for the State, GHMA for the BLM) differs. The BLM's Proposed Plan places fewer conservation measures on GHMA than PHMA (e.g., fluid mineral lease and development prioritization, retaining from disposal, implementation-level buffers, fluid mineral RDFs, and net conservation gain objective). However, the State's plan only applies management from existing LUPs and other site-level conservation measures. The state has noted that the identification, mapping, and application of management specific to the BLM's GHMA is not consistent with the state's Conservation Plan.
- The BLM's Proposed Plan includes the identification of SFA, with management to recommend for withdrawal from mineral location and remove the two exceptions for fluid mineral leasing NSO stipulation, compared with PHMA. There is nothing similar to this action in the State's plan.
- The State's plan provides little management for opportunity areas within SGMAs, but provides for these areas to be managed as habitat if treated. In addition, as more accurate data becomes available the State is remapping areas that are currently non-habitat but could become habitat as opportunity areas, with correlated changes in management. In the BLM's Proposed Plan, areas that could ecologically become habitat that are currently within PHMA would be managed as the same as habitat, before and after they are treated. However, BLM's Proposed Plan manages opportunity areas outside PHMA to minimize GRSG impacts; if such areas were treated and became habitat, additional planning action would be required to make them PHMA with all the commensurate conservation measures.

- The State’s principle conservation measure for habitat in SGMAs is to avoid the action. This is conceptually consistent with the BLM’s Proposed Plan allocations (e.g., lands and realty actions are avoided; fluid minerals are managed as NSO, with two exceptions; mineral materials are managed as closed unless expansion of existing sites or new free-use site). The State’s plan notes that if avoidance is not possible, minimization and mitigation would occur. However, in many such instances, if avoidance was not possible the BLM’s Proposed Plan would likely preclude such actions (e.g., only two exceptions for fluid minerals and none in SFA; no new mineral material sites that are not free-use; no non-energy leasable mineral developments if it can’t meeting the disturbance and density caps).
- While both the BLM and State plans institute a disturbance cap, they would be inconsistently applied. For example, the BLM’s cap is 3 percent of total disturbance, with disturbance defined generally as minerals and lands actions, and roads (see **Appendix E**, Greater Sage-Grouse Disturbance Cap Guidance, for more detail). If disturbance is exceeded, no new activities would be permitted, subject to valid existing rights. The State’s cap is 5 percent of new disturbance and applies to permanent disturbance (expected to last more than five years), but is identified as a “general limit on new permanent disturbance.” In addition, the State’s plan does not include “temporary” disturbances that are expected to last less than five years, whereas the BLM’s Proposed Plan applies the cap to all disturbances.
- The BLM’s Proposed Plan includes specific habitat quality objectives. There is nothing similar in the State’s plan.
- The BLM’s Proposed Plan includes a density of energy/mining facilities cap. There is nothing similar in the State’s plan.
- The BLM’s Proposed Plan limits OHV use in PHMA and GHMA to designated or existing routes. The State’s plan does so as well, but only in SGMA nesting and winter habitat. The BLM’s Proposed Plan also provides direction to consider during the route designation process. There is nothing similar in the State’s plan.
- The BLM’s Proposed Plan includes strategies to be implemented to minimize the risk of improper livestock grazing. While the State’s plan identifies Grazing Practices for Greater Sage-Grouse Conservation (see State’s plan Appendix 2), it is unclear if those are requirements, or suggestions.
- The State’s plan excludes proposals that have nearly completed environmental reviews from applying its conservation measures (e.g., Alton coal lease, TransWest Express Transmission Line, Sufco Mine Green’s Hollow coal lease, Kinney Mine proposal). The BLM’s Proposed Plan only excludes the TransWest Express Transmission Line project from adhering to its measures.

The portions of the Utah Sub-region planning area within the State of Wyoming are National Forest System lands. As such, there is no legal or regulatory requirement for consistency.

6.5.2 Inconsistencies with County Plans, Policies, and Procedures

In their consistency evaluation of the range of alternatives for the Draft LUPA/EIS, as well as in subsequent comments on the public review Draft LUPA/EIS, the vast majority of the responding

counties noted that county plans were most consistent with Alternative E1. Comments usually also noted that Alternatives B, C, and D are primarily inconsistent with county plans, primarily because they would restrict resource extraction, infrastructure development, and potential for road or grazing closures. Some counties also noted that Alternative A was consistent with county plans, especially given the relatively recent completion dates (2008). Inconsistencies between the BLM's Proposed Plan and the State's plan, presented as Alternative E1 in the alternatives, is available above and will not be repeated here.

A common note of inconsistency between Alternatives B, C and D and their newly adopted county plans was the differences between the PHMA/GHMA breakdown versus the State's identification of habitat, opportunity areas, and nonhabitat. This is addressed in the first four inconsistencies identified in the State's plan above. For many counties, because the BLM uses different boundaries than the state's SGMAs, and especially because the BLM mapped GHMA, contrary to the state's mapping, there are inconsistencies. Two counties have created their own GRSG map, which differs from both the state's SGMAs and the BLM's PHMA/GHMA maps. In these instances, there are inconsistencies between the proposed LUPA and local plans.

Another common inconsistency noted by the counties related to the land tenure and disturbance cap elements of the alternatives. Concerns related to inconsistency was mostly from counties dominated by public lands, where counties noted that such management was inconsistent with county plans that established a no net loss objective for private lands and increases in development to support economic development. There were also concerns that applying PHMA and the disturbance cap to private lands could lead to de facto regulation of private property or private action, and potentially a net loss of private land base, all of which would be inconsistent with their county plans.

Most of the counties that supported the State's plan have passed county resolutions adopting the plan, and some were working on developing their own county plan, using the State's plan as a starting point. One concern many counties had with the State's plan was the inclusion of wildfire in the disturbance cap. Given the management of the disturbance cap in the Proposed Plan, this is not an inconsistency for the BLM's Proposed Plan in the Proposed LUPA/Final EIS.

Three counties identified the State's plan as an interim management measure while they worked on county-specific plans. Those county plans would be based generally on the State's plan, but would be adjusted to address perceived inaccuracies in mapping, drawing boundaries just around existing sagebrush and excluding areas with disturbance, juniper trees, or other non-sagebrush land-cover. Those county plans would also apply a management approach focusing on a no-net loss objective, using an NRCS habitat evaluation tool combined with aggressive vegetation treatment targets to increase habitat. This would be applied instead of what they felt was a heavy-handed focus on restriction in Alternatives B, C and D, rather than a focus on habitat expansion. These items would also be inconsistent with the BLM's Proposed Plan. While these items were considered in development of the alternatives and the Proposed Plan, most were dismissed from detailed analysis for reasons discussed in **Section 2.11**, Alternatives Eliminated from Detailed Analysis. Finally, these and other counties encouraged exclusion of private lands from PHMA given the percentage of federal land ownership in their counties and similar concerns for private lands discussed above.

Some of the counties working on their own county plans identified additional inconsistencies with the BLM's alternatives that were more procedural in nature. At least one county had passed ordinances that require county approval of all data, methods, findings, and maps used in federal planning and federal actions regarding GRSG protection. They also have management that requires site-specific analysis of all habitat designations. Finally, they have management that requires all federal actions comply with local law. Another example of this is a county ordinance in northeastern Utah that notes that access to public lands for mineral development must be increased. The Proposed Plan is inconsistent with these types of local county policies, as described above.

It is important to note that only one county has provided the BLM an officially approved and adopted plan. The remainder of the counties are in various stages of developing their plans.

6.5.3 Inconsistencies with Tribal Plans, Policies, and Procedures

The Ute Indian Tribe—Uintah and Ouray Reservation is the only tribe that has specifically identified a plan related to GRSG management. Adopted by ordinance in May 2013, the GRSG Conservation Ordinance was developed to preclude listing of GRSG while protecting the economic well-being of the Tribe. The rules specify requirements that oil and gas operators must follow to minimize direct impacts to suitable habitat and eliminate direct impacts to individual birds during the nesting and mating season.

Known inconsistencies between the BLM's Proposed Plan and the Ute Indian Tribe GRSG Conservation Ordinance include the following:

- The BLM Proposed Plan includes management that addresses GRSG threats beyond fluid mineral leasing and development (e.g., non-energy leasable minerals, mineral materials, wildfire, transmission lines and pipelines, juniper encroachment, invasive species, and improper livestock grazing).
- The BLM Proposed Plan's management for fluid mineral includes more restrictions (e.g., NSO in all PHMA, disturbance caps, density caps, and noise requirements).

6.6 RESOURCE ADVISORY COUNCILS

Resource advisory councils are citizen-based groups that provide an opportunity for individuals from multiple backgrounds and interests to have a voice in the management of public lands, and to help improve their health and productivity. Resource advisory councils provide advice and recommendations to the BLM on land use planning and management of public lands and resources. Resource advisory council recommendations address all public land issues, including land use planning, recreation, noxious weeds, and wild horse and burro HMAs. Throughout the GRSG LUPA process, the BLM has provided regular briefings to the Utah Resource Advisory Council to facilitate the Council's ability to provide informed advice on the Draft LUPA/EIS. This culminated in the Resource Advisory Council providing a formal letter with advice to the BLM on the Draft LUPA/EIS in early 2014. The recommendations from the Resource Advisory Council encouraged the BLM to work with the State of Utah to find common ground related to many of the differences between the Draft LUPA/EIS preferred alternative and Alternative E1.

6.7 PUBLIC INVOLVEMENT

Public involvement is a vital and legal component of both the land use planning and NEPA processes. Public involvement provides the public opportunities to raise issues to be addressed in the planning process, disclosure of the alternatives being analyzed and the effects anticipated, and, in general, invests the public in the decision-making process. Guidance for implementing public involvement under NEPA is codified in 40 CFR 1506.6, thereby ensuring that federal agencies make a diligent effort to involve the public in the NEPA process. Section 202 of the FLPMA directs the Secretary of the Interior to establish procedures for public involvement during land use planning actions on public lands. These procedures can be found in the BLM's Land Use Planning Handbook (H-1601-1). Public involvement for this LUPA/EIS includes the following four phases:

- Public scoping before NEPA analysis begins to determine the scope of issues and identify potential alternatives to be addressed in the LUPA/EIS
- Public outreach via news releases
- Collaboration with federal, state, local, and tribal governments and cooperating agencies
- Public review of and comment on the draft LUPA/EIS, which analyzes likely environmental effects and identifies the preferred alternative

The public scoping phase of the process has been completed and is described in **Section 6.7.1**. The public outreach and collaboration phases are ongoing throughout the LUPA/EIS process. Information about the process can be obtained by the public at any time on the LUPA website (http://www.blm.gov/ut/st/en/prog/planning/SG_RMP_rev.html). This website contains background information about the project, a public involvement timeline, and copies of public information documents released throughout the LUPA/EIS process.

6.7.1 Scoping Process

The formal public scoping process for the LUPA/EIS began on December 9, 2011, with the publication of the NOI in the Federal Register (76 *Federal Register* 2011-31652, December 9, 2011). The NOI notified the public of the BLM's intent to develop LUPAs for the management of GRSG and initiated the public scoping period, which closed on March 23, 2012.

News Releases

Multiple news releases were provided to local news organizations in the weeks preceding the public meetings in their areas. These news releases announced the scoping period for the LUPA/EIS process and provided information about the upcoming open house scoping meetings.

Scoping Open Houses

The BLM hosted eight open houses throughout Utah to provide the public with opportunities to become involved, learn about the project and the planning process, meet the LUPA team leaders, and offer written comments. The public was notified of the open houses by news release and on the BLM's national and regional websites. Information on the open houses is provided in **Table 6.2**, Scoping Open House Information.

Table 6.2
Scoping Open House Information

Location (Utah)	Venue	Date	Attendees
Price	Carbon County Events Center	January 17, 2012	39
Vernal	Western Park Convention Center	January 18, 2012	44
Salt Lake City	Hampton Inn and Suites	January 19, 2012	67
Randolph	Randolph Senior Center	January 23, 2012	33
Snowville	Snowville Town Hall	January 24, 2012	60
Richfield	Sevier County Offices	January 30, 2012	58
Kanab	Kanab City Library	January 31, 2012	56
Cedar City	Heritage Center-Festival Hall	February 1, 2012	39
Total			396

Note: All meetings were held from 5:30 to 7:30 pm.

Scoping meetings were held in an open house format to encourage participants to discuss concerns and questions with the BLM staff representatives. The BLM gave a short presentation to provide an overview of the LUPA process and present information about public involvement opportunities. GRSG occupied habitat maps were shown to give an idea of the lands that might be affected by the planning decisions. Copies of the NTT report (NTT 2011) and scoping comment forms were available. A total of 396 people signed in at the open houses.

Scoping Comments Received

Many comments provided during the scoping process addressed general GRSG issues and did not apply to one state or EIS process. Other comments provided during scoping were specific to certain sub-regions, or in some cases, specific to certain counties. Nearly 650 unique comment letters were provided for the entire GRSG planning process during scoping, though this number does not include individuals who submitted comments via one of the several form letters received. From all the comments provided, approximately 7,470 comments were identified, associated with a variety of issues. As sub-set of these letters and comments, 31 unique comment letters were provided specific to the Utah Sub-region, nearly half of which were from state and local governments. Within these letters, approximately 150 Utah-specific comments were identified for consideration in the Utah LUPA process, along with the other comments identified at the regional and national levels. Approximately 54 percent of the comments dealt with issues associated with livestock grazing, GRSG habitat management, or social, economic, and environmental justice concerns.

Detailed information about the comments received and about the public outreach process can be found in the National Greater Sage-Grouse Planning Strategy Scoping Summary Report, finalized in May 2012. The issues identified during public scoping and outreach helped refine the list of planning issues, included in **Section 1.6**, Scoping and Identification of Issues for Development of the Proposed Plan and Draft Alternatives, which guided the development of alternative management strategies for the LUPA.

6.7.2 Project Website

The BLM maintains several interactive websites to provide the public with the latest information about the LUPA/EIS process. During scoping, before the Utah Sub-regional website was available, there were websites for each of the regions in the GRSG planning process (West/Great Basin Region and East/Rocky Mountain Region), as well as a website that contained information on the national planning process (http://www.blm.gov/wo/st/en/prog/more/sage_grouse_home2.html). As each sub-region set-up their own websites, the regional websites were discontinued, though the national website continues to provide extensive background information on the series of separate west-wide planning processes that together comprise the national GRSG planning strategy. The Utah Sub-regional website (http://www.blm.gov/ut/st/en/prog/planning/SG_RMP_rev.html) provides background information about the project, a project timeline, maps of the planning area, information used during the scoping meetings, and copies of public information documents such as the NOI and press releases.

Both the national and Utah Sub-regional project websites continue to be updated with information pertinent to the planning processes.

6.7.3 Mailing List

The Utah BLM compiled a mailing list from each BLM Field Office or National Forest participating in the LUPA. The resulting list included nearly 2,300 individuals, agencies, and organizations that had participated in past BLM projects within Utah. Attendees at the scoping open houses were added to the mailing list if they chose to receive or continue to receive project information. In addition, all individuals or organizations who submitted scoping comments were added to the mailing list. Requests to be added to or to remain on the official LUPA distribution list will continue to be accepted throughout the planning process.

6.7.4 Public Comments on the Draft LUPA/EIS

Public Meetings

A notice of availability for the Draft LUPA/EIS was published in the Federal Register on November 1, 2013 (78 *Federal Register* 65700-65701). The NOA initiated a 90-day public comment period, which ended on January 29, 2014. The BLM issued a news release on October 31, 2013, announcing the release of the Draft LUPA/EIS, which provided the dates, locations, and times of eight public open houses. The BLM also distributed a postcard via US mail and e-mail to individuals on the BLM mailing list, which provided the date and city locations of the public open houses. The BLM and Forest Service also notified the public of open house meetings via the project website and a news release to media sites including newspapers, radio, and television.

The BLM and Forest Service held eight public comment open houses for the Draft LUPA/EIS from November 19 – December 12, 2013 (**Table 6.3**, Draft LUPA/EIS Open House Information). All meetings were held from 5:30 to 7:30 PM. The goal of the open houses was to inform the public about the Draft LUPA/EIS and to obtain further public input on the alternatives that were developed and analyzed. In addition, the BLM and Forest Service sought comments on potential impacts resulting from the five alternatives. At the open houses, displays introduced the various resource topics and presented the five alternatives for the resource

topics. Other displays explained the NEPA process and the methods for submitting comments. A slide show looped throughout the open house describing the Utah Greater Sage-Grouse Draft LUPA/EIS preparation process. Public comments were solicited at the open houses, where comment sheets were provided.

Table 6.3
Draft LUPA/EIS Open House Information

Location (Utah)	Venue	Date	Attendees
Richfield	Snow College, Richfield Campus	November 19, 2013	9
Cedar City	Heritage Center	November 20, 2013	7
Panguitch	Panguitch City Library	November 21, 2013	11
Vernal	Vernal City Office	December 4, 2013	15
Price	Carbon County Events Center	December 5, 2013	10
Salt Lake City	Downtown Library	December 10, 2013	36
Randolph	Randolph Senior Center	December 11, 2013	20
Snowville	Snowville Town Hall	December 12, 2013	32
Total			140

Comment Analysis Methodology

After publishing the Draft LUPA/EIS, the BLM and Forest Service held a 90-day public comment period to receive comments on the Draft LUPA/EIS. The BLM and Forest Service received written comments by mail, email, and submissions at the public meetings. Comments covered a wide spectrum of thoughts, opinions, ideas, and concerns. The BLM and Forest Service recognize that commenters invested considerable time and effort to submit comments on the Draft LUPA/EIS and developed a comment analysis methodology to ensure that all comments were considered as directed by NEPA regulations.

According to the NEPA, the BLM and Forest Service are required to identify and formally respond to all substantive public comments. The BLM and Forest Service developed a systematic process for responding to comments to ensure all substantive comments were tracked and considered. Upon receipt, each comment letter was assigned an identification number and logged into CommentWorks, a web-based database that allowed the BLM and Forest Service to organize, categorize, and respond to comments. Substantive comments from each letter were coded to appropriate categories based on content of the comment, retaining the link to the commenter. The categories generally follow the sections presented in the Draft LUPA/EIS, though some relate to the planning process or editorial concerns.

Comments similar to each other were grouped under a topic heading, and the BLM and Forest Service drafted a statement summarizing the ideas contained in the comments. The responses were crafted to respond to the comments; a response indicates whether the commenters' points resulted in a change in the document. Because of public comments, changes were made to the Draft LUPA/EIS and reflect consideration given to public comments. A summary of major changes between the Draft LUPA/EIS and the Proposed LUPA/Final EIS can be found in **Section I.11**, Changes between the Draft LUPA/EIS and Proposed LUPA/Final EIS.

Although each comment letter was diligently considered, the comment analysis process involved determining whether a comment was substantive or nonsubstantive in nature. In performing this analysis, the BLM and Forest Service relied on the CEQ's regulations to determine what constituted a substantive comment.

A substantive comment does one or more of the following:

- Questions, with a reasonable basis, the accuracy of the information and/or analysis in the EIS
- Questions, with a reasonable basis, the adequacy of the information and/or analysis in the EIS
- Presents reasonable alternatives other than those presented in the draft EIS that meet the purpose and need of the proposed action and addresses significant issues
- Questions, with a reasonable basis, the merits of an alternative or alternatives
- Causes changes in or revisions to the proposed action
- Questions, with a reasonable basis, the adequacy of the planning process itself

Additionally, BLM's NEPA handbook identifies the following types of substantive comments:

- Comments on the Adequacy of the Analysis: Comments that express a professional disagreement with the conclusions of the analysis or assert that the analysis is inadequate are substantive in nature but may or may not lead to changes in the Final EIS. Interpretations of analyses should be based on professional expertise. Where there is disagreement within a professional discipline, a careful review of the various interpretations is warranted. In some cases, public comments may necessitate a reevaluation of analytical conclusions. If, after reevaluation, the manager responsible for preparing the EIS (the Authorized Officer) does not think that a change is warranted, the response should provide the rationale for that conclusion.
- Comments That Identify New Impacts, Alternatives, or Mitigation Measures: Public comments on a draft EIS that identify impacts, alternatives, or mitigation measures that were not addressed in the draft are substantive. This type of comment requires the Authorized Officer to determine whether it warrants further consideration. If it does, the Authorized Officer must determine whether the new impacts, new alternatives, or new mitigation measures should be analyzed in the Final EIS, a supplement to the Draft EIS, or a completely revised and recirculated Draft EIS.
- Disagreements with Significance Determinations: Comments that directly or indirectly question, with a reasonable basis, determinations regarding the significance or severity of impacts are substantive. A reevaluation of these determinations may be warranted and may lead to changes in the Final EIS. If, after reevaluation, the Authorized Officer does not think that a change is warranted, the response should provide the rationale for that conclusion.

Some submissions received contained substantive comments, but were out of the scope of this project. These included comments on subjects not related to this effort, other GRSG efforts, or

BLM or Forest Service laws, rules, regulations, or policy. These comments were reviewed and sent along to the appropriate party as needed, but are not included in the comment response for this effort.

Comments that failed to meet the above description were considered nonsubstantive. Many comments received throughout the process expressed personal opinions or preferences, had little relevance to the adequacy or accuracy of the Draft LUPA/EIS, or represented commentary regarding resource management without any real connection to the document being reviewed. These comments did not provide specific information to assist the planning team in making a change to the Preferred Alternative, did not suggest other alternatives, and did not take issue with methods used in the Draft LUPA/EIS, and are not addressed further in this document. Examples of some of these comments include the following:

- The best of the alternatives is Alternative D (or A, B, C, or E).
- Your plan does not reflect balanced land management.
- Stop giving away land to the mineral companies.
- More land should be protected as wilderness.
- I want the EIS to reflect the following for this area: no grazing, no recreation, no drilling, and no mining.
- You need to protect all ACECs/Wild and Scenic Rivers/areas with wilderness characteristics.
- Do not add any more road closures to what is now in existence.
- People need access and the roads provide revenue for local communities.
- More areas should be made available for multiple uses (e.g., drilling, OHVs, and ROWs) without severe restrictions.

Opinions, feelings, and preferences for one element or one alternative over another, and comments of a personal and/or philosophical nature were all read, analyzed, and considered, but because such comments are not substantive in nature, the BLM and Forest Service did not respond to them. It is also important to note that, while all comments were reviewed and considered; comments were not counted as “votes.” The NEPA public comment period is neither considered an election nor does it result in a representative sampling of the population. Therefore, public comments are not appropriate to be used as a democratic decision-making tool or as a scientific sampling mechanism.

Comments citing editorial changes to the document were reviewed and incorporated. The Proposed LUPA/Final EIS has been edited and revised to fix typos, missing references, definitions, and acronyms, and other clarifications as needed.

Public Comments

A total of 176 unique comment letters, forms, and emails were received during the 90-day public comment period. These documents resulted in 1,138 substantive comments. Out of the 176 comment letters, 88 were submitted by private individuals (50 percent); 37 by

organizations, including businesses and environmental and wildlife protection groups (21 percent); 24 by associations, including user groups, recreational clubs, realty associations, industry groups, and partnerships (14 percent); 4 by federal agencies (2 percent); 2 by state governments (1 percent); and 21 by local governments (12 percent). The BLM and Forest Service parsed 1,109 substantive comments from the 176 submissions. Private individuals submitted 68 of these comments (6 percent), 383 were submitted by organizations (35 percent), 224 were submitted by associations (20 percent), 41 were submitted by federal agencies (4 percent), 53 were submitted by state agencies (5 percent), 340 were submitted by local governments (31 percent). See **Table 6.4**, Number of Unique Submissions and Comments by Affiliation.

Table 6.4
Number of Unique Submissions and Comments by Affiliation

Group	Number of Submissions	Number of Comments
Private individuals	88	67
Organizations (including businesses and environmental and wildlife protection groups)	37	384
Associations (user groups, recreational clubs, realty associations, industry groups, partnerships, etc.)	24	234
Federal agencies (EPA, USFWS, Forest Service, National Park Service)	4	42
State government (state agencies, Governor's Office)	2	54
Local government (county commissions and departments)	21	357
Total	176	1,138

In addition to the unique submissions discussed above, 16,566 form letters were submitted during the public comment period. Form letters are exact or very close copies of a letter that are submitted multiple times by different individuals; individuals may add additional language to the letter, but this usually does not substantially change the content of the letter. Often, form letters are created by an organization and sent to their members, who in turn submit this letter to the planning effort. For the Utah Draft LUPA/EIS, 5 different form letter masters were submitted: 2,926 letters from WildEarth Guardians; 7,810 letters from the American Wild Horses Preservation Campaign; 2,517 letters from the American Bird Conservancy; 2,102 letters from Defenders of Wildlife; and 1,211 letters from the Sierra Club. One copy of each of these letters was included in the comment analysis process as a master form letter. All of the form letters were reviewed for additional substantive content; this was included in the comment analysis process when present. All form letters were entered into the project decision file and all commenters entered into the project decision file as having submitted a comment during the Draft LUPA/EIS comment period.

A review of the 1,138 substantive comments received revealed a high level of interest about the management of GRSG (293 comments, 19.9 percent), compliance with NEPA, FLPMA, and other laws (NEPA: 190 comments, 12.9 percent; other laws: 21 comments, 1.4 percent; and FLPMA: 74 comments, 5.0 percent), mineral development (leasable minerals: 132 comments, 9.0

percent; and locatable minerals: 3 comments, 0.2 percent), socioeconomics (83 comments, 5.6 percent), livestock grazing (82 comments, 5.6 percent), and wild horse and burros (51 comments, 3.5 percent). Other topics with high levels of interest were lands and realty (39 comments, 2.6 percent), sagebrush vegetation (37 comments, 2.5 percent), predation of GRSG (32 comments, 2.2 percent), and travel management (24 comments, 1.6 percent). Topics that received moderate interest were recreation (11 comments, 0.7 percent), noise (11 comments, 0.7 percent), riparian vegetation and water resources (17 comments, 1.2 percent). The topics with the least amount of interest were wilderness areas and WSAs (5 comments, 0.3 percent); air (4 comments, 0.3 percent); cultural resources (4 comments, 0.3 percent); climate change (3 comments, 0.2 percent); noxious and invasive weeds (3 comments, 0.2 percent); ACECs (2 comments, 0.1 percent); fish and wildlife (2 comments, 0.1 percent); soil resources (2 comments, 0.1 percent); tribal interests (2 comments, 0.1 percent), national trails (1 comment, 0.1 percent); and visual resources (1 comment, 0.1 percent). In addition to these topics, comments were collected that suggested editorial changes (36 comments, 2.4 percent), were substantive comments but considered out of scope of this document (298 comments, 20.2 percent), and those that requested an extension of the comment period (5 comments, 0.3 percent). These comments were reviewed and considered, but not included in the formal comment responses effort. See **Table 6.5**, Number of Comments on the Draft LUPA/EIS by Category.

The comments received on the Draft LUPA/EIS were similar to the issues raised during public scoping. In many cases, comments expressed a desire for very specific implementation level (project level) details to be included in the LUPA. As described in **Chapters 1** and **2**, the LUPA/EIS provides general guidance and identifies allowable uses and allocations but is not meant to address all details about individual projects. A separate environmental review will be conducted for specific projects at the implementation level to address these details. Some comments spanned several topical areas and included a discussion about a resource use or activity and listed concerns about the resources that would be impacted by the use, or conversely, the impact that restrictions would have on resource uses or activities.

Detailed summaries of public comments and responses, organized by resource, resource use, or EIS planning regulation, can be found in **Appendix X**, Response to Comments on the Draft Land Use Plan Amendment/Environmental Impact Statement. An overview of these summaries and responses can be found below in **Table 6.6**, Overview of Comments by Category. Comments related to editorial changes, out of scope topics, extension requests, and non-substantive comments were not included in the comment response effort.

**Table 6.5
Number of Comments on the Draft LUPA/EIS by Category**

Topic	Number of Comments
GRSG	293
NEPA	190
Leasable Minerals	132
Socioeconomics and Environmental Justice	83
Livestock Grazing	82
FLPMA	74
Wild Horse and Burros	51
Lands and Realty	39
Vegetation-Sagebrush	37
Predation	32
Travel Management	24
Other Laws	21
Recreation	11
Noise	11
Fire and Fuels	9
Water	9
Vegetation-Riparian	8
Wilderness Areas/WSAs	5
Air	4
Cultural Resources	4
Climate Change	3
Locatable Minerals	3
Weeds	3
ACECs	2
Fish and Wildlife	2
Soil Resources	2
Tribal Interest	2
National Trails	1
Visual Resources	1
Edits*	36
Out of scope*	298
Extension requests*	5
Total	1,477

*Comments in these categories were reviewed for their content, but not included in the comment response effort.

Table 6.6
Overview of Comments by Category

Topic	Overview
ACECs	Commenters noted that GRSG could be protected by administrative designations other than ACECs.
Climate change	Commenters claimed that the Draft LUPA/EIS did not adequately address the impacts of climate change in the southern part of the Panguitch Population area and the impacts of livestock grazing in conjunction with climate change on vegetation communities.
Fire and fuels	Commenters requested clarification on the potential impacts of the plan on fire conditions, suggested potential changes to alternatives or management actions, and provided additional references.
Fish and wildlife	Commenters requested that the USFWS Utah prairie dog focus area (under consideration) is excluded from GRSG population areas and GRSG management. They also noted that the Western banded gecko is not likely to occur in the Rich and Uintah population areas because its habitat is in the southwest part of Utah.
FLPMA	Commenters claimed that the Draft LUPA/EIS failed to comply with the multiple use mandate required under FLPMA and the Multiple Use Sustained Yield Act required under the Forest Service. They also noted that the plan is not consistent with state, local, and tribal plans and policies, and that there needs to be a consistency review with local plans in the document.
Greater Sage-Grouse	Commenters claimed the NTT report was inadequate to use as a primary source in the plan, claimed the COT report was flawed, the plan did not consider other existing guidance, requested clarification on the range of alternatives and habitat mapping, suggested additional literature to be used for best available information on GRSG, made recommendations on how to improve the impact analysis of various resources on GRSG, found the cumulative impacts to be deficient, and requested clarification or revisions to mitigation measures.
Lands and realty	Commenters requested clarification on or recommended specific changes to the alternatives, recommended additional references related to infrastructure and changes in land use, found the analysis of impacts between lands and realty management and renewable energy infrastructure to be lacking, recommended additional projects for consideration under cumulative impacts, and considered Appendix A to be inadequate.
Lands with wilderness characteristics	Commenters claimed that the Draft LUPA/EIS failed to meet the obligations in Manual 6320, undertaking the process required for the planning and management of lands with wilderness characteristics.
Leasable minerals	Commenters wanted certain aspects of the alternatives clarified, such as impacts on valid existing rights, the restrictions on leasable mineral development, and how the restrictions would protect the GRSG. Commenters also recommended additional literature, wanted a more complete analysis impacts and cumulative impacts, and voiced concerns over off-site mitigation.

Table 6.6
Overview of Comments by Category

Topic	Overview
Livestock grazing	Commenters argued that retiring grazing permits requires Congressional action, requested clarification on certain grazing terms and management actions, and requested that analysis include impacts of fencing specifically on checkerboard lands.
Locatable minerals	Commenters suggested that site specific conditions should be taken into account when prohibiting or allowing locatable mineral activities and argue that the Draft LUPA/EIS fails to analyze the cumulative impacts of locatable mineral withdrawals across the GRSG range.
NEPA	Commenters asserted that the plan does not comply with the requirements of NEPA, did not adequately notify the public about the Draft LUPA/EIS, did not coordinate with local agencies, did not provide a wide enough range of alternatives, did not use the best available data, and have not provided adequate cumulative impacts analysis or mitigation measures.
Noise	Commenters requested clarification on the methodology for measuring and determining the impacts of ambient noise levels.
Other Laws	Commenters argued that the plan does not comply with other federal laws.
Predation	Commenters questioned why the BLM and Forest Service did not include the threat of predation in the Draft LUPA/EIS.
Recreation	Commenters argued that various alternatives are inadequate to protect GRSG from the impacts of recreation, impacts of GRSG management on recreation were not adequately analyzed, and the Draft LUPA/EIS did not consider appropriate baseline recreation opportunities.
Socioeconomics	Commenters wanted the baseline data revised to include more current and relevant data, claimed the analysis used was at the wrong scale to make the information meaningful, and noted that the impacts analysis was inadequate in many ways.
Soil resources	Commenters stated that the impact analysis of livestock on soils is inadequate and request specific verification of the information and identification of any cropland within county boundaries.
Travel management	Commenters recommended that existing travel management plans and route networks are considered, restricted, or kept open, requested clarification about how this plan would apply to the pending Cedar City Field Office RMP revision, and suggest that the Draft LUPA/EIS fails to adequately identify specific or cumulative impacts from OHV uses.
Tribal interests	Commenters requested that populations of GRSG on tribal lands throughout the west be considered because they could impact anticipated USFWS action under the ESA.

Table 6.6
Overview of Comments by Category

Topic	Overview
Vegetation – riparian	Commenters claimed that the Draft LUPA/EIS failed to adequately address riparian conditions, analyze the impacts of water developments on riparian areas, and requested that the Final LUPA/EIS note that current proper functioning condition assessment methods would be modified to incorporate GRSG needs.
Vegetation – sagebrush	Commenters voiced concern about pinyon-juniper expansion and the spread of invasive species into sagebrush ecosystems; requested additional baseline information and more accurate mapping of habitat, and requested clarification for mitigation measures and monitoring programs.
Water resources	Commenters stated that BLM cannot violate Utah laws, requested more stringent and expanded assessment of rangeland health and proper functioning condition, requested that the impacts on water from eroding soil and manure be analyzed for each alternative. They also requested additional literature supporting that fluid mineral development can have adverse impacts on water quality, and a description of how pinyon-juniper encroachment affects water resources.
Wild horses and burros	Commenters noted that wild horses and burros were not adequately protected, that forage for livestock and wild horses and burros should not be combined, the impacts analysis was insufficient, and request additional analysis of the impacts GRSG management will have on wild horses and burros.

6.7.5 Future Public Involvement

Public participation efforts will be ongoing throughout the remainder of the LUPA process. One substantial part of this effort is the opportunity for members of the public to comment on the Draft LUPA/EIS during the comment period. This Proposed LUPA/Final EIS responds to all substantive comments received during the 90-day comment period. A Proposed LUPA and Final EIS will be provided for a 30-day period providing the public opportunity to protest proposals. A Governor’s Consistency Review will occur concurrent with this protest period. Such protests will be addressed in the RODs and necessary adjustments may be made to the LUPA. RODs will then be issued by the BLM and the Forest Service after the release of the Proposed LUPA/Final EIS, the Governor’s Consistency Review, and any resolution of protests received on the Proposed LUPA/Final EIS.

6.8 LIST OF PREPARERS

This LUPA/EIS was prepared by an interdisciplinary team of staff from the BLM, Forest Service, Environmental Management and Planning Solutions, Inc., and ICF International (see **Table 6.7**, Preparers). In addition, staff from numerous federal, state, and local agencies, and nonprofit organizations contributed to developing the LUPA/EIS.

Table 6.7
Preparers

Name	Role/Responsibility
BLM	
Tyler Ashcroft	Interdisciplinary Team Lead, Visual Resources, Special Designations, Climate
Quincy Bahr	Sage-Grouse LUPA/EIS Lead, NEPA, Special Designations, Wilderness Characteristics, Vegetation Modeling
Harry Barber	Color Country District Representative, Fish and Wildlife, Special Status Species, GRSG
Alan Bass	Range Management, Vegetation
Ron Bolander	Special Status Species
Renee Chi	GRSG
Mace Crane	Fillmore Field Office Representative, Fish and Wildlife, Special Status Species, GRSG
Shauna Derbyshire	Lands and Realty
Seth Flanigan	Planning/NEPA Support
Jim Gazewood	Renewable Energy
John Hatch	GIS
Leonard Herr	Air
Jeremy Jarnecke	Soil Resources, Water Resources
Dave Jeppesen	Recreation and Visitor Services, Comprehensive Trails and Travel Management
Justin Jimenez	Riparian/Wetlands, Fisheries
Larry Lichthardt	Range Management
Matt Martin	Planning Support, GIS, Disturbance
Marcel Martinez	GIS
Jeff McKenzie	Minerals (Coal, Mineral Materials, Nonenergy Leasable Minerals)
Mike McKinley	Minerals (Fluid)
Robin Naeve	Fish and Wildlife, Special Status Species, GRSG
Adrienne Pilmanis	Vegetation
Stan Perkes	Minerals (Nonenergy Leasable, Mineral Materials)
Christine Pontarolo	Color County District Representative, Fish and Wildlife, Special Status Species, GRSG
Jared Reese	Special Status Species, GRSG
Lynn Roth	GIS
Dixie Sadlier	Green River District Representative, Fish and Wildlife, Special Status Species, GRSG
Jerry Sempek	GIS
Shawn Servoss	GIS
Skye Sieber	Interdisciplinary Team Lead, NEPA
Jeremy Sisneros	Wildland Fire Ecology, Vegetation Modeling
Terry Snyder	Minerals (Locatable)
Julie Sur Pierce	Socioeconomics and Environmental Justice
Nate Thomas	Cultural Resources, Native American Tribal Interests
Gus Warr	Wild Horses and Burros
Masako Wright	Salt Lake Field Office Representative, Fish and Wildlife, Special Status Species, GRSG

Table 6.7
Preparers

Name	Role/Responsibility
Forest Service	
Dustin Bambrough	Vegetation, Range Management, Soil Resources
Pam Bode	Planning Oversight, Climate Change
Chris Colt	Special Status Species, Fish and Wildlife, Water Resources
Madelyn Dillon	Lands and Realty, Renewable Energy
Dale Harber	Minerals (Coal, Fluid Minerals, Locatable Minerals, Mineral Materials, Nonenergy Leasable Minerals)
Kolleen Kralick	Cultural Resources, Native American Tribal Interests
Tim Love	GIS
Tim Metzger	Wildland Fire Ecology
Chris Miller	Social and Economic Conditions
Craig Morris	Vegetation Modeling
Ron Rodriguez	Forest Service Utah Sub-region Liaison
Glen Stein	Management Oversight, Special Designations
Environmental Management and Planning Solutions (EMPSi)	
Angie Adams	Special Designations, Wilderness Characteristics
David Batts	Project Advisor
Amy Cordle	Air Quality, Climate Change
Annie Daly	Climate Change, Cultural Resources, Forestry, Native American Tribal Interests, Paleontological Resources, Wildland Fire Management
Carol-Anne Garrison	Cultural Resources, Native American Tribal Interests, Paleontological Resources, Comment Analysis Lead
Andrew Gentile	Renewable Energy, Soil Resources, Water Resources
Zoe Ghali	Forestry, Range Management, Socioeconomics and Environmental Justice, Wild Horses and Burros, Wildland Fire Management, Comment Analysis
Peter Gower	Comprehensive Trails and Travel Management, Lands and Realty, Recreation and Visitor Services, Visual Resources
Derek Holmgren	Visual Resources
Brandon Jensen	Fish and Wildlife, Special Status Species
Matt Kluvo	Renewable Energy
Kate Krebs	Project Assistance, Special Designations, Wilderness Characteristics, Comment Analysis
Katie Patterson	Minerals (Coal, Fluid Minerals, Locatable Minerals, Mineral Materials, Nonenergy Leasable Minerals), Comment Analysis
Holly Prohaska	Range Management, Wild Horses and Burros
Marcia Rickey	GIS
Chad Ricklefs	Project Manager
Cindy Schad	Word Processing
Samantha Sherwood	Comment Analysis
Jennifer Thies	Lands and Realty
Drew Vankat	Comprehensive Trails and Travel Management, Recreation and Visitor Services, GRSG Cumulative Effects Analysis
Jennifer Whitaker	Minerals (Coal, Fluid Minerals, Locatable Minerals, Mineral Materials, Nonenergy Leasable Minerals)
Liza Wozniak	Fish and Wildlife, Special Status Species, GRSG Cumulative Effects Analysis

Table 6.7
Preparers

Name	Role/Responsibility
Meredith Zaccherio	Fish and Wildlife, Special Status Species, Vegetation
Lauren Zielinski	Comment Analysis
ICF International Team Members	
Roy Allen	Project Assistance – Socioeconomics
Rob Fetter	Project Manager – Socioeconomics
Alex Uriarte	Project Assistance – Socioeconomics

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