

Comment Letters on the Diamond Mountain Draft RMP





U.S. Department of Housing and Urban Development
Denver Regional Office, Region VIII
Executive Tower
1405 Curtis Street
Denver, Colorado 80202-2349

January 3, 1997

Ms. Penelope Smalley
Team Leader, Bureau of Land Management
Vernal District
170 South 500 East
Vernal, UT 84078

Dear Ms. Smalley:

This is in response to you request for comments on the Draft Resource Management Plan/Environmental Impact Statement (RMP/EIS) for the Diamond Mountain Resource Area in Daggett, Duchesne, and Uintah Counties, Utah.

Your Draft RMP/EIS has been reviewed with consideration of the areas of responsibility assigned to the Department of Housing and Urban Development. This review considered the impact of the Preferred Alternative E on housing and community development in this three county area. Within these parameters, we find this Draft RMP/EIS adequate for our purposes.

If we may be of further assistance, please contact me, or Mr. Myron Eckberg, Environmental Protection Specialist, at FTS 564-3102.

Sincerely yours,

Howard S. Kutzer
Regional Environmental Officer
Office of Operational Support

RESPONSE TO COMMENT LETTER 1 (HUD, Kutzer)

1-1

Thank you for your comment.

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1-1



DEPARTMENT OF THE AIR FORCE
 AIR FORCE CENTER FOR ENVIRONMENTAL EXCELLENCE (AFCEE)
 REGIONAL COMPLIANCE OFFICE, CENTRAL REGION
 688 G. BRIFFIN STREET, BOX 110
 DALLAS, TEXAS 75202-0085

07 JAN 1992

Mr. James M. Parker, State Director
 Utah State Office Bureau of Land Management
 P.O. Box 45155
 Salt Lake City, UT 84145-0155

Dear Mr. Parker:

Thank you for providing us the opportunity to review and comment on your Draft Resource Management Plan and Environmental Impact Statement for the Diamond Mountain Resource Area, Utah.

Our review indicates that no Air Force military training routes presently exist directly within the study area mentioned above. Therefore, no potential conflicts are known to exist between the missions of our respective agencies. We have no specific comments to offer except to express concern for the affect your land management decisions might have upon the continued military use of this special use airspace, the established routes, and establishment of future routes.

Training routes and airspace requirements of the military do occasionally change, although it is not anticipated that significant changes to these routes will occur in the immediate future. Mission requirements, fuel costs, and environmental constraints all contribute to decisions made in locating a military training activity. Because of general aviation and population pressures, low altitude, high speed flights are relegated to those areas least accessible and sparsely inhabited. Therefore, we would appreciate your full consideration on how the planning and management decisions of your agency might adversely affect the use of low altitude airspace by the Air Force.

As the Air Force's regional point of contact for such matters, we are available to assist in establishing liaison between your office and the appropriate Air Force activities should a conflict ever arise. We hope this information is useful in your planning process. Thank you for the opportunity to review the document provided. I look forward to the continued communication with your office. If additional information is needed, please contact me at (214) 767-4668 or FTS 729-4668.

Sincerely,

Raymond L. Bruntmyer
 Regional Compliance Officer

Cy to: HQ USAF/CEVP
 Refuge Manager

RESPONSE TO COMMENT LETTER 2 (U.S. AIR FORCE, Bruntmyer)

2-1
 proposed plan.

No restrictions of military overflights are outlined in the proposed plan.

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5.24



January 31, 1992

Jean Nitschke-Sinclair, Team Leader
Bureau of Land Management
170 South 500 East
Vernal, Utah 84078

Dear Ms. Nitschke-Sinclair:

I prefer Alternative D in the Diamond Mountain RA RMP. My comments, by page, follow.

- 3-1 [1.1: Third paragraph says rights will not be challenged. This is too kind a light. The RMP will impact rights. The value of an oil lease is based on its utility. Reducing its utility (e.g., season of use) reduces its value. To what extent will the RMP reduce the value of existing leases?
- 3-2 [1.1: Paragraph 3 says BLM will not dictate split estate land uses unrelated to federal minerals. This implies BLM will dictate land uses related to federal minerals. However, page 2.10 says BLM will impose stipulations only with landowner's approval. How do you reconcile the two statements?
- 3-3 [1.6: Why doesn't the second paragraph discuss the impacts of too little availability.
- 3-4 [1.8: To what extent will valid existing rights be changed but not precluded (4th paragraph)?
- 3-5 [1.11: Who will determine at what point "additional restrictions" (paragraph 8) preclude valid existing rights? What will be the lessees recourse?
- 3-6 [2.4: Who are the members of BLM's "paleontological advisory group" (paragraph 1)? What is their decision making deadline?
- 3-7 [2.10: What happens to the stipulations if the surface owner sells the land (paragraph 2)? What happens if there is more than one owner and they cannot agree?
- 3-8 [2.19 et al: How many acres per month are subject to the seasonal restrictions in Tables 2-4, 6, 8, 10, and 12? (The last table is misnumbered on page vii.)
- 3-9 [2.26: Level 3 says "half-mile or line-of-sight". Who determines which restriction applies? Is it whichever is more, or whichever is less? How does this affect the acreage totals?
- 3-10 [2.27: Why is such a small proportion of the RA in Category 1 in Table 2-9?
- 3-11 [2.37: What makes rafter noise more acceptable to raptors than other noise? What are the population goals for raptors? When are there enough raptors to lift restrictions? Are restrictions perpetual?
- 3-12 [2.38: Why require a mile buffer? It is excessive and unnecessary if there are topographic barriers or intervening disturbances (e.g., road). Will restrictions apply if the peregrine is de-listed?
- 3-13 [2.48: Why aren't surface shots allowed in Level 1 and 2 lands?
- 3-14 [2.54: Who determines what is a practical alternative to disturbance in a riparian zone? What role will economics play in determining practicality?

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RESPONSE TO COMMENT LETTER 3 (PERMITS WEST, INC., Wood)

3-1 The RMP would affect new oil and gas leases through the use of oil and gas lease stipulations and notices attached to the lease, and existing oil and gas leases through the use of conditions of approval on new actions. Such stipulations, notices, or conditions of approval will not reduce the value of the existing oil or gas resource, but may in some instances increase the costs to extract the resource.

3-2 The statement you refer to has been changed to read: "It will usually be necessary to apply the same standards for environmental protection of split estate lands as would be used for federal surface. BLM will consider carefully the views of the surface owner and the effect on the owner's use of the surface from implementation of possible mitigation measures, as well as, the effect such measures would have on attaining other program goals."

3-3 The preceding paragraph states that the value or usability of some resources is diminished if the lands are not accessible either legally or physically.

3-4 Please refer to our response 3-1, above.

3-5 The District or Area Manager establishes the site specific conditions under which exploration, development, and abandonment will be permitted on specific leases, and determines if stipulation waivers, exceptions or modifications are warranted. All site specific determinations must conform with the RMP and are established in the process of approving notices of intent, applications for permit to drill, field development plans, utilization plans and permits, sundry notices, and reclamation plans. Activity planning related to other resource programs addresses the impacts, if any, of the fluid minerals program on that resource or activity and the impacts of any conditions or restrictions on the fluid minerals program.

3-6 The statement you refer to has been removed from the document. However, for clarification, the "paleontological advisory group" referred to is headed by the State of Utah's Paleontologist with members consisting of recognized experts in the area of paleontological resources. Deadlines for recommendation from this group are established on a case-by-case basis.

3-7 The stipulations on an oil and gas lease will remain in effect on the federal mineral estate unless the federal mineral estate is disposed of from federal ownership, the sensitive resource values protected by stipulations no longer exist, or an RMP plan amendment or new RMP is approved.

Chapter 5 - Coordination and Consultation

- 3-15 **2.112:** Why can't similar ecosystems in Dinosaur National Monument serve as a control in lieu of Lears Canyon? Why must BLM have its own?
- 3-16 **2.114:** Why is spring boating allowed in Alternative E, but barred in Alternative D (page 2.108)? Why can't line of sight be used in lieu of the up to 2 mile distances cited for bird protection zones? What method was used to calculate why a sage grouse needs 1,000' but a peregrine needs 1 mile?
- 3-17 **2.118:** Since no surface occupancy (NSO) is the most restrictive management, how can NSO lands fall into Level 2? What type of seismic work will be allowed on Level 1 and 2 land in Browns Park? Why not add a row listing the number of acres and per centages of land in each level for each area?
- 3-18 **2.119:** Why isn't NSO used in lieu of no leasing on Level 1 land in the Red Mountain-Dry Fork?
- 3-19 **3.7:** If there are all these negative impacts to wildlife, why are elk increasing (Page 3.11)?
- 3-20 **3.9:** How many acres are in the "best potential" areas for ferret reintroduction?
- 3-21 **3.11:** Why is only the Kung study footnoted in the first paragraph but multiple studies are cited? What type of controls (time, place, type of disturbance) were used in the study(ies)? Is the Kung study anecdotal or a true scientific experiment? On what basis can it be applied to other raptors?
- 3-22 **3.15:** Why is it implied in the fourth paragraph that steep or vertical banks preclude fish? I suspect the numbers are right, but the text is tortured.
- 3-23 **3.51:** How significant (i.e., what % of county income) are the PILT monies? I suspect counties would prefer BLM land to be privately owned and fully taxable.
- 3-24 **3.52:** Why isn't a table provided showing the % of wages due to each economic sector?
- 3-25 **3.53:** A table shows the economic value of recreation. Why isn't there a table showing the economic value of oil and gas?
- 3-26 **4.3:** Why doesn't the second paragraph acknowledge that cattle too can be herded away from water?
- 3-27 **4.5:** Why is no mention made of secondary recovery for oil wells?
- 3-28 **4.7:** Why limit gilsonite exploration to warm weather?
- 3-29 **4.14:** Will BLM change its preferred alternative, which has a net loss of 152 jobs, in view of the President's State of the Union speech?
- 3-30 **4.47:** Why increase protection for elk when they're increasing anyway (page 3.11)?
- 3-31 **4.47:** How much of the historical impacts to sage grouse are due to BLM chaining sagebrush?
- 3-32 **4.47:** How many acres, jobs, wells, etc. will be impacted by raptor protection zones?
- 3-33 **4.50:** How does BLM know that the ferruginous hawk nest abandonment is due to gas wells?

3-8 Please refer to Table 2-15 for specific seasonal dates and acreages by alternative.

3-9 The restriction you refer to should read "line-of-sight of the river up to one half mile, whichever is less". The acreage totals used in the analysis were calculated this way.

3-10 Of all the alternatives besides Alternative A, Alternative D offers the most lands open to oil and gas leasing under standard terms and conditions. The amount of lands which would fall into Category 1 is a function of the amount of restrictions to oil and gas activities. Alternative D has the least number of restrictions to oil and gas activities and therefore the greatest amount of lands open to oil and gas exploration/development.

3-11 Rafting was analyzed as a short term disturbance (<1/2 hr) that was kept within a raft on the water. This short term disturbance was judged not to cause raptors to be displaced from nesting sites. Only raptors which are federally listed as endangered, threatened, or candidate species are included in the RMP. The population goals for these species are to re-establish self-sustaining populations throughout their ranges. The Bald Eagle Recovery Plan, for example, calls for the initial goal of 1,200 occupied breeding areas distributed over a minimum of 16 states by the year 2000, with an average annual productivity of at least 1.0 young per nest occupied. It is believed when these population goals are achieved, such needed restrictions will be re-evaluated and if appropriate, removed.

3-12 The American Peregrine Falcon Recovery Plan, adopted by USF&WS, BLM, USFS, and other federal and state agencies, recommends restricting human activities and disturbance between February 1 and August 31, which occur within 1 mile of nesting area. We do not anticipate the peregrine to be delisted during the life of this RMP. Please refer to Table 2-15 for the modified restriction for peregrine falcons in the proposed plan.

3-13 In the proposed plan, significant surface disturbance will not be allowed on level 1 and 2 lands. Refer to Chapter 2 for a listing of resource values protected under level 1 and 2 lands in the proposed plan.

3-14 BLM has the responsibility of determining what is or is not a practicable alternative. Economics would be considered, but would not be the sole determining factor.

3-15 The designation of the 1,400-acre Lears Canyon relict vegetation site as an Area of Critical Environmental Concern is consistent with the directive of The

- 3-34 4.50: Why impose the burden of sage grouse protection on minerals when the bulk of the impact has been by BLM? A thousand acres of sagebrush removed by chaining has no where near the economic benefits of a thousand acres removed for mineral development.
- 3-35 4.53 Why does mineral development increases archaeological vandalism, but providing access to 77,800 acres of landlocked public land (page 4.57) decreases the rate?
- 3-36 4.55: How often does BLM seed following firewood gathering?
- 3-37 4.55: How many oil and gas field acres will be impacted by raptor protection zones?
- 3-38 4.56: On what basis did BLM calculate only an additional 25% cost? If a ferret colony is in the middle of a proposed half mile long pipeline, the minimum extra length required to avoid the colony would be 40%. Is surface disturbance allowed within a quarter mile of ferrets if it occurs outside the given time period? How many wells would not be drilled, how many people not employed, and how many royalties and taxes foregone if ferrets are introduced with the proposed restrictions? What are the quantified negative socioeconomic impacts of introducing ferrets on BLM instead of NPS land?
- 3-39 4.58: What is the background rate of soil erosion? Without the background rate, how are we to judge whether saving 20,250 tons is worth the cost of more restrictions?
- 3-40 4.61: Why aren't there totals for the rows and columns in the tables?
- 3-41 4.62: Why are the numbers of increased recreation jobs mentioned, but the number of lost oil and gas jobs not mentioned?
- 3-42 A2.9: Ferrets stand a far better chance of success if restrictions focus on significant impacts, i.e., dogs and prairie dog eradication. If BLM's approach had been used on bald eagles, they'd all be dead from DDT. I see no discussion of feral dog control. Rather than restrict people, allow them to shoot any dogs and prevent dog problems. Turn foes into friends. Why trap ferrets that wander from the reintroduction area? Maybe they know something you don't. Why should industry bear the burden of all surveys? There is no incentive for BLM to be prudent in their decision to require surveys. Why not industry pays if any are found, and BLM pays if none are found? The last known wild colony was found in an oil field. Don't require more than is needed.
- 3-43 A3.2-10: Why not use a map to show restrictions? The list forces you to go through 8 pages.
- 3-44 A8.44: What chemical, besides nepalm, is used that would affect markers?
- 3-45 A8.45: Will gates allow others besides "recreators" to pass?
- 3-46 The RMP favors pristine style recreation at the expense of mineral development. There are already ample recreation opportunities in the Uintah Basin. BLM need not provide a full spectrum of recreation when others have already done so. A less myopic approach is needed.



Federal Land Policy and Management Act of 1976. This act provides that designation of ACECs be given priority in the development of land use plans. The management prescriptions outlined in the proposed plan could be significantly different than prescriptions proposed by the National Park Service, thus providing significantly different and invaluable information to the scientific community.

3-16 Alternative D has been changed to allow for spring boating. The 2-mile protection zone around sage grouse strutting grounds is used to protect the 60-80% of all nests which are located within that 2-mile zone. This 2-mile buffer and the 1,000 foot buffer around strutting grounds are adopted as guidelines for sage grouse protection by the Western States Sage Grouse Committee of which BLM is a partner. We also recognize UDWR as the authority on wildlife population management in Utah. Please refer to Table 2-15 for the wording of wildlife imposed restrictions of the proposed plan.

3-17 The most restrictive management to oil and gas exploration/development would be closure of the lands to oil and gas leasing and not NSO (no surface occupancy). Lands which would carry NSO stipulations are classified as Category 3 lands and generally fall into level 2 (careful management). Geophysical surveys which do not involve significant surface disturbing methods would be considered in level 1 and 2 areas.

3-18 In the proposed plan the lands in the Red Mountain-Dry Fork area are classified as category 3 (open to leasing subject to no surface occupancy and similar major constraints) and Category 2 (open to leasing subject to seasonal or other minor constraints).

3-19 The sentence has been changed to read: "...have documented sensitive wildlife, such as mountain lion, ferruginous hawk, and black bear responses to increased human activity."

3-20 33,500 acres are in the "Best Potential" areas for ferret reintroductions. In the proposed plan, Eight Mile Flat, containing 16,600 acres, would be the only site managed for black-footed ferret reintroduction unless one of the other sites proves more acceptable. See Table 2-15 for a more detailed discussion.

3-21 This sentence has been corrected by adding additional references used in the RMP. The Kung study documented the presence of a pair of ferruginous hawks during courtship and nest selection at the beginning of an oil and gas field development process. This study documented the abandonment of the area by this pair with no further use documented since 1989. The Kung study can only be

applied to ferruginous hawks, but the additional studies listed refer to the other raptors of concern.

3-22 The sentence in reference to streams and watercourses that reads "The remainder has steep cliffs or bluffs meeting the stream or course edge, precluding any riparian vegetation", has been deleted.

3-23 PILT monies have provided the counties with additional revenues. Please refer to Chapter 3, socioeconomics section, and Appendix 10 for a clarified discussion of the importance of PILT monies.

3-24 Please refer to the expanded socioeconomics sections in Chapters 3 and 4 and Appendix 10. We believe these new sections provide a much clearer picture and analysis of the socioeconomics affected by the proposed plan and alternatives.

3-25 Please refer to our response 3-24 above.

3-26 Sheep normally have a herder with them continually while out on the range, where as cattle usually do not. However, herding cattle is a management option for protection of riparian areas.

3-27 Enhanced or secondary recovery of oil is discussed in Chapter 4 and Appendix 4.

3-28 The assumptions section does not describe limitations which would be prescribed by the proposed plan. Instead, it describes a scenario we believe would be most likely. In this case we meant that typical exploration activities could be successfully completed in a single season.

3-29 Again please refer to 3-24 above.

3-30 Under Alternative D, habitat protection for deer and elk would be reduced, not increased, in time from present management. Current seasonal restrictions apply from December 1 to June 15 under Alternative A. Under Alternative D, they are reduced to December 1 to April 30. Also restrictions would not apply if animals are not present or impacts could be mitigated through other management actions (refer to Chapter 2).

3-31 The sage grouse habitat (1,300 acres) referred to on the Myton Bench, is in semi-desert habitat which BLM does not plan to chain. BLM historically has probably contributed to loss of habitat for sage grouse, but we have no documented acreage figures on this.

3-32 In the high potential oil and gas lands in DMRA, there are currently only two special status raptor species present which receive protection. No surface occupancy stipulations to protect golden eagle nest sites would impact approximately 2,200 acres of high potential oil and gas lands in the Myton Bench-Nine Mile Canyon Region and would preclude 1 well. NSO stipulations to protect ferruginous hawk nest sites would impact approximately 170 acres of high potential oil and gas lands in the Horseshoe Bench-Ashley Valley Region and would not preclude any wells.

3-33 The statement in Chapter 4 refers to the Duchesne Oil & Gas Field. Peter Kung (Biological Consulting and Survey) completed a ground raptor survey for Coors Energy in 1989 in the Duchesne Oil & Gas field. His survey documented an abandoned nesting attempt by Ferruginous hawks as oil and gas drilling activities were increasing. Ferruginous hawks have not used the area during the past 3 nesting seasons (1990-92). This information indicates that a threshold level of disturbance has been reached wherein the ferruginous hawks will no longer tolerate the encroachment of increased oil and gas development activities within their territory.

3-34 We feel the bulk of the impact to sage grouse has come from sage brush removal on private lands on Diamond Mountain (refer to the discussion of sage grouse in Chapter 3). Sage grouse habitat protection and management will need the cooperation of all public land users, including BLM, to be effective, not just minerals.

3-35 The statement you refer to on mineral development and vandalism has been removed from the document. Providing limited access to landlocked blocks of public land would in all likelihood be an insignificant impact on cultural resources. Our analysis now supports this explanation.

3-36 Commercial firewood sale areas are reseeded in the fall each year following completion of a sale. Areas where personal use firewood is collected are not generally reseeded because there is normally very little surface disturbance and excellent natural recovery of the understory vegetation.

3-37 Please refer to our response to 3-32 above.

3-38 The proposed decision involving BFF has changed from the draft. Please refer to Table 2-15 for the proposed decision. Also please refer to the socioeconomic section of Chapter 4 for further information.

3-39 The current annual sediment yield in the Myton desert and semi-desert area averages approximately 1 ton of soil per acre per year. This figure was used to measure soil erosion impacts and was added to Chapter 3 as an average annual sediment yield loss.

3-40 These tables now reflect total for each row and column. The emphasis of the these tables was to point out the cumulative impact in each defined oil and gas producing region.

3-41 This particular statistic has been dropped. Please refer to the clarified socioeconomics sections in this document.

3-42 We agree with your comment on feral dogs and refer you to Appendix 2, last row, which says no other free roaming dogs would be allowed within established reintroduction areas except livestock herding dogs. Black-footed ferrets that wander from protected reintroduction areas may be left on their own if approved by the USF&WS and other management agencies involved. No protection would be afforded them in these areas though. When our timeframes for surveys are not quick enough to meet user needs, they have the option to privately complete the survey work.

3-43 In the approved RMP and Record of Decision document, a map will be provided that will outline the oil and gas categories in detail. We believe the list provided in the appendix to be sufficient for the draft document. The resource maps in Chapter 3 may be used to provide a generalized location of where restrictions would be imposed.

3-44 Chemical application should not affect legal markers. This statement has been deleted.

3-45 The word "recreators" has been changed to "the public" in the paragraph on Fencing in Appendix 8.

3-46 Lands administered by BLM offer recreational opportunities not available on National Forest Service or National Park Service lands in the tri-county area. There is a wide variation in recreation opportunities between alternatives. A summary of impacts to mineral development for the proposed plan and each alternative can be found in Chapter 4.

February 6, 1992

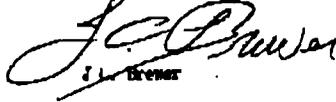
Gentlemen,

after discussions with BLM employees, land owners, public land users, fellow sportsman and others, and after several days of studying the draft proposals, the Book Cliff Sportsman Group would like to make the following recommendations concerning the Diamond Mountain Resource Management plan.

we are generally satisfied with the present management system and therefore recommend adoption of Alternative "A".

Alternatives "B, C, & D" all favor one specific group at the expense of others and are not acceptable to us. Alternative "E" would be beneficial to wildlife but would be more expensive to implement and would also cause an additional burden on natural resources. We feel that most of the benefits of Alternative "E" can still be achieved under the present multiple use management plan.

For Book Cliff Sportsman Group


J. Brewer

RESPONSE TO COMMENT LETTER 4 (Brewer)

4-1 The proposed plan would provide 5,000 more AUMs for wildlife, more seasonal protection for special status species and sage grouse, increase acres available for black-footed ferret reintroductions and allow moose reintroductions. The proposed plan would also allow antelope releases on Diamond Mountain, and increase the areas available for bighorn sheep reintroductions. These are significant changes from Alternative A that would not be realized if current management continued.



United States Department of the Interior

BUREAU OF MINES
INTERMOUNTAIN FIELD OPERATIONS CENTER
P.O. BOX 25086
BUILDING 20, DENVER FEDERAL CENTER
DENVER, COLORADO 80225



February 4, 1992

Memorandum

To: Penelope Smalley, Team Leader, Bureau of Land Management
Vernal District, 170 South 500 East, Vernal, UT 84078

From: Acting Chief, Intermountain Field Operations Center

Subject: Review of Draft Resource Management Plan/Environmental
Impact Statement (RMP/EIS) for the Diamond Mountain
Resource Area, Duchesne and Uintah Counties, Utah

As requested by your agency, personnel of the Bureau of Mines, Intermountain Field Operations Center, reviewed the subject document. With a management plan such as this, this Bureau is primarily concerned that impacts on mineral resources and related production facilities are adequately addressed.

Mineral resources, past production, anticipated development activity, and expected impacts on mineral resources and future development are addressed for each of the alternatives presented. Accordingly, all concerns of the Bureau of Mines have been addressed. The preferred alternative (E) will have significant negative impacts on the availability of mineral resources in both high and moderate potential areas and development of tar sands would be precluded. The impacts of Alternative E on mineral resources appear significantly more severe than the existing situation (Alternative A) in the resource area. We believe these additional restrictions should be reconsidered in light of the economic impacts they would have in the region.

Richard B. Grabowski
Richard B. Grabowski

ekp/rr

RESPONSE TO COMMENT LETTER 5 (BUREAU OF MINES, Grabowski)

5-1 We agree that there are higher levels of impacts to mineral resources under the proposed plan than under the existing management. Some of the proposed decisions have been modified or clarified from the draft, based on public comment, allowing for greater management flexibility. These added modifications should alleviate some of the concerns regarding the restrictions, while maintaining or properly mitigating for the identified important resource values occurring in the area.

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5-1



721 Second Avenue
Salt Lake City
Utah 84103
February 6, 1992

Penelope Smalley, Team Leader
Bureau of Land Management, Vernal District
170 South 500 East
Vernal, Utah 84078

Dear Team Leader:

Concerning the Diamond Mountain Resource Area: Resource Management Plan and Environmental Impact Statement.

I was very impressed with Chapter 4 in which management actions of each concern addressed the affect on other concerns. All too long I have witnessed a hierarchical arrangement of management affects in which wildlife was at the bottom.

The concerns I am addressing revolves mostly around riparian/floodplains and aquatic resources.

Page 1.9: Fish and Wildlife Habitat Management. Please consider the Utah Natural Heritage Program operating out of the Utah Department of Natural Resources. This program is concerned with plants and wildlife other than those administered by the Utah Division of Wildlife Resources.

Page 2.11. Riparian Management: There is some concern here about jurisdictional management or biological management. Likewise there is concern whether floodplains or a political determination of riparian management will occur. These concerns are amplified by the definition of the protective zone elsewhere in the text of 600 feet, 700 feet, or 330 feet. This protective zone definition of not manageable with respect to livestock grazing and the protective zone should include the entire floodplai

Likewise the goal (Figure 3-4, page 3.48) is applicable only to mountain streams and not to desert streams which experience flash flooding, less precipitation and hence more reliance on riparian-generated ground water, and more insolation and evaporation. An example of the difference between the two systems is that by deforesting the desert riparian system (cutting the Fremont cottonwoods either by wood gatherers or beaver means that desert shrub (greasewood or tamarisks) will replace the forest, unlike the mountain riparian system which may be able to evolve to a climax condition.

RESPONSE TO COMMENT LETTER 6 (UTAH NATURE STUDY SOCIETY, Hovingh)

6-1 We appreciate your comment and will consider the Utah Natural Heritage Program as a source of information for fish and wildlife habitat management.

6-2 The 600', 700', and 330' buffer zones analyzed for the alternatives in the draft pertain to biological management. These zones indicate where management would be restricted to maintain or enhance riparian habitat values. Floodplains are protected by Executive Order 11988. We believe the Bureau's current riparian policy of a 300-foot buffer is adequate for the protection of the riparian values. Please refer to Chapter 2, under livestock in Management Guidance Common to the Proposed plan and Alternatives.

6-3 Yes, this figure applies to riparian areas on perennial streams with the potential to produce the vegetation illustrated.

6-4 Page 3.7. Indicator Species and their associated habitats. Although indicator species is an excellent hypothetical idea used to monitor the various habitats, it is largely non-functional in application because there is no baseline data on the species, the species are rare or endangered and thus do not indicate what is occurring in the lower food chain, or the animals are hunted and hence managed artificial. Grant (Great Basin Naturalist 46: 469-507, 1986, Wildlife Distribution and Abundance on the Utah Oil Shale Tracts 1975-1984- a reference that should have been cited and whose first page is enclosed) shows great changes in the rodent fauna over ten years which are not reflected in other animals. The rodents would make a far better indicator species as they reflect cycles and plant productivity and are less mobile than the hunted deer and elk.

6-5 Although amphibians are not that abundant in the aquatic system of the Green River drainages, they are more abundant in these locations than in the entire Great Basin where their numbers are next to non-existence. Two species, the Woodhouse Toad and the Leopard Frog should be monitored in the aquatic systems in order to obtain baseline data while this type of data is still available. The disappearance of amphibians in the Great Basin is indicative of entire riparian habitat destruction (largely by cattle) and other species of mollusks have likewise declined in these same regions.

5:34

6-6 Page 3.47 . Riparian Resources. Although one can "improve" riparian habitats as at Pariette Wash by "20 impoundments" for waterfowl and shorebirds and provide habitat for these groups of birds where no habitat had previous existed, such views of the improvements can be misleading if one examines mollusks, amphibians and other aquatic dependent animals. Such improvements at Fish Springs National Wildlife Refuge in the Great Basin is thought to have lead to the extinction of an endemic snail. Although the Green River drainages are very different from the Great Basin in endemic aquatic fauna, one should be very careful before any manipulation of aquatic resources occurs in arid regions and this care should extend to a thorough biological survey.

6-7 Page 4.2: "Demands for wildlife habitat (consumptive and non-consumptive) will increase on public lands as private lands are developed and associated wildlife habitat altered". Yet some of the best management riparian habitats are found on private lands as indicated by unique species which have been extirpated from public lands (observed commonly in the Great Basin). Likewise public lands, even with their Resource Management Plans seem to have no control over dispersed recreation and woodcutting- events that are not necessarily good for wildlife. And wildlife neither respects the boundaries of private or public lands or county and state lands and goes where the getting is good. An overall perspective of wildlife is needed.

6-8 Page 4.20. How can 3 inches of growth be maintained in riparian habitats by cattle unless cattle are herded?

6-4 We appreciate your comment and agree. When we revise our Management Indicator Species list, we will be adding a few rodents and less species which are hunted and thus artificially managed. Our emphasis with this first list was to identify species we did have data on and thus the use of deer, elk, and pronghorn antelope.

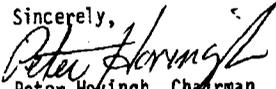
6-5 We concur with your suggestion. The Woodhouse toad and leopard frog have been added to our MIS list for aquatic habitats.

6-6 One of the management objectives for Pariette Wetlands set out in the 1979 activity plan was to monitor animal community changes in reaction to habitat type conversions made during the course of the plan's implementation. The mammal and bird studies are complete with only amphibians and reptiles left to complete.

6-7 We agree that an overall perspective of wildlife on both public and private lands is needed. We agree that most riparian areas are in private ownership and in all manner of ecological conditions. It is important that public riparian areas be managed as an integral part of the entire riparian system. For example, we have completed cooperative agreements with UDWR, private landowners, and the SCS on sage grouse habitat management which has worked well.

6-8 The 3 inches refers to average height of herbaceous vegetation as shown by monitoring utilization. Herding or removing livestock may be required when this guideline is reached.

- 6-9 Appendix:
A 2.1 #3. Culverts should not be routinely used except in seasonal flow streams. Bridges should be build that provide the continuity of the riparian habitat under the road. Why force riparian dependent animals into the arid lands at dangerous road crossings?
- 6-10 A 4.2. Has any oil and gas fild ever been reclaimed as depicted in the illustration?
- 6-11 Appendix 6. Riparian policy of 1988. Guideline #1. Woody plants must be reproducing. This is applicable to high-elevation riparian habitats, but for reproduction to occur in arid streams, seasonal flooding must occur. If flooding does not occur, only tamarisks will survive at the expense of cottonwoods and willows.
- 6-12 Guideline #5. Reduce heat loss and icing during cold winter months. Could this guideline be explained?
- 6-13 A 8.45. Seeps and springs. "Some water would be left at the original source for wildlife purposes". This is an excellent management guideline providing that wildlife includes the small animals as mollusks. Likewise the original source should be fenced to prevent large animals as wild horses from impacting the spring.
- 6-14 Wildlife escape device is very important and these have to be monitored. Often I have seen drowned wildlife (kestrels, spadefoot toads, rodents, sheep) in watertroughs with escape devices implying unsatisfactory design.
- 6-15 A. 8.44. I would hope that vegetative manipulations as chainings, chemical treatments, and burns, and firewood harvesting would not occur in riparian and floodplains zones. In fact, a buffer zone beyond these areas should be respected as there is some inter-dependence between the riparian and floodplain area and the arid lands adjacent to these areas.
- 6-16 Although I have most of my experience in biological surveys of amphibians, leeches, and mollusks in the Great Basin, I have examined upper Duchesne River and I am well familiar with the White River and somewhat familiar with Desolation, and Yampa Rivers. Waters in arid regions continue to be impacted by humans. Yet riparian management is presently in fashion. Members of Utah Nature Study Society strongly support sound management of aquatic sources such that no further extirpations of aquatic dependent animals occurs. This management must reflect on biological needs and not on jurisdictional or guidelines proclamations.

Sincerely,

 Peter Hovingh, Chairman
 Issues Committee
 Utah Nature Study Society

- 6-9 The intent of the reference in Appendix 2 is to keep impacts to riparian and aquatic habitats to a minimum, as stated. We do not routinely use culverts on stream crossings, preferring to use low water crossings that require less maintenance and do not disrupt the continuity of the riparian habitat. We construct very few bridges. The same minimum disturbance factors to riparian habitat would apply to bridge construction as well as stream crossings.
- 6-10 Yes, there are many successful site rehabilitation projects following completion of oil and gas drilling activities. The example in Appendix 4 is just one illustration of the oil and gas operation process.
- 6-11 These are general guidelines and do not apply to ephemeral streams or washes that do not have the potential or capability to meet riparian objectives.
- 6-12 The more vegetation biomass on a stream, the more heat is retained during the winter months. Heat retention will reduce ice buildup which may cause scouring damage to vegetation and stream banks and insure open water for a longer period of time, benefiting terrestrial and aquatic wildlife.
- 6-13 Original sources of springs where riparian vegetation occurs would be maintained or improved, complying with the Utah State Riparian Policy as shown on in Appendix 6. DMRA has an on-going program of fencing riparian springs where needed and leaving some of the water on-site.
- 6-14 Wildlife escape devices will be installed on all new and existing water tanks or troughs (refer to the management common to the proposed plan and all alternatives in Chapter 2). We agree these escape devices must be observed and maintained periodically to insure design is correct and the devices are in proper working order. The error in the sentence under Water Pipelines has been corrected to read: "A wildlife escape device would be installed in all watering troughs capable of providing small animal escape ramps to prevent accidental drownings."
- 6-15 Vegetation manipulation would not occur within riparian buffer zones unless to maintain or enhance riparian values. A standard operating procedure, outlined in Chapter 2 Management Guidance Common to the Proposed Plan and the Alternatives states: "Management practices are designed to meet vegetation standards which will maintain or improve watersheds."
- 6-16 We agree.

5.35



Eagle Outdoor Sports River Trips

P.O. Box 375
North Salt Lake, Utah 84054-0375
(801) 451-7238

February 3, 1992

Bureau of Land Management
Vernal District Office
170 South 500 East
Vernal, Utah 84078
Attn: Jean Nitschke-Sinclear (Team Leader)

Dear Jean,

It was my pleasure to meet you the other night at the open house in Salt Lake City in connection with the Diamond Mountain RMP. I appreciate the time you and the other team members spent with me in reference to my questions as well as making me more aware of the vast amount of work that has gone into this study.

Let me first state that I support the preferred alternate "E" management plan. From my study of the Draft plan and from the discussions at the open house, I believe that alternate "E" is the best overall plan. There are a couple of areas on the alternate "E" plan that I question pertaining to their level of management. I believe that these areas in question may have been small analysis errors or simply overlooked.

Area # 1 (as noted on the map and circled in blue ink)

This area seems to have be a small acreage of land that perhaps was overlooked but has been listed as level 4 - open management status. This small tract of land is located directly adjacent to a larger area that has been given level 2 - careful management status. All around this tract of land is level 3 - active management status with the exception of the more closely monitored level 2 - careful management status.

Opinion: It is inconsistent with surrounding area to have a small tract of land, such as this, to be listed as open management. I believe that it should have been at least given the level 3 - active management status.

Area #2 (as noted on the map and circled in blue ink)

This area also seems to have been another small acreage of land that perhaps was overlooked and given the level 4 - open management status. This small tract of land is located directly adjacent to National Forest Land and is surrounded by lands with a level 3 - active management status. From looking at the maps, this area may be partly on a hill but is still very close to critical deer wintering range. From talking to Tom Dabbs, he could not recall any reason why, from a wildlife viewpoint, the land would not have been given the same management status as those surrounding lands.

RESPONSE TO COMMENT LETTER 7 (EAGLE OUTDOOR SPORTS, Mumford)

7-1 The RMP team independently delineated the resource values and management levels they felt necessary and this data was then merged. In some instances, this exercise created management "slivers" as you describe. The small tracts of open management you refer to bordering careful and active management levels are the result of that independent analysis. Specifically, the area identified as Area 1 in your letter (for the general reader, this area is located on the northeast slope of Home Mountain in Clay Basin, Daggett County) has been assigned a management level of 4, or open. The area lies between the semi-primitive nonmotorized area on top of Home Mountain, designated level 2, and crucial deer and elk winter range in Clay Basin, designated level 3. We feel current management prescriptions adequately protect the resources present. Increased protection can be placed on these area if conflicts arise. Currently data does not present a justification for more restrictive management .

7-2 The small tract of land identified as Area 2 in your letter (located between Red Creek and Ashley National Forest in Browns Park) has been reclassified level 3.

5.36

7-1

7-2

(2)

Opinion: Again, it is inconsistent with surrounding area to have a small tract of land, such as this, to be listed as open management. Due to the critical wintering grounds for mule deer, I believe that it should have been at least given the level 3 - active management status.

Area #3 (as noted on the map)

This area of land is the largest of those in question amounting to several hundred acres. It borders Dinosaur National Monument and is the only land bordering DNM that has level 4 - open management. The management classification on this tract of land appears to be inconsistent with the rest of the alternative "g" findings. I would like to point out specifically why this is, in my opinion, misclassified.

- 1.- This is the only land adjacent to the Dinosaur National Monument that has level 4 - open management status.
- 2.- The current and present existing management plan have this specific area of land classified at the highest level within the existing plan, that of a level 2 - careful management. There are other lands near this land that have level 4 - open management under the current management plan. Why in the alternate "g" plan have all the surrounding lands been proposed to have at least the same management or more restrictive management except this one tract of land which goes from a level 2 - careful management to a level 4 open management?
- 3.- The map 3-3 within the draft plan shows that this area of land is a high sensitivity zone for paleontological findings. All other areas within the study that have a paleontological high sensitivity zone are classified with at least a level 3 - active management rating.
- 4.- The map 3-5 within the draft plan shows that this area of land is a high priority area of land pertaining to elk habitat.
- 5.- The map 3-6 within the draft plan shows that this area of land is a high priority area of land pertaining to mule deer habitat.
- 6.- The map 3-7 within the draft plan shows that this area of land is a high priority area of land pertaining to pronghorn antelope habitat.
- 7.- This area is next to the critical sagegrouse strutting areas and habitat areas as noted on map 3-8.
- 8.- The map 3-12 within the draft plan shows that this area of land has a moderate potential for oil and gas. Open management could allow in the future, oil or gas exploration to take place within this tract of land.

7-3 The area you question adjacent to Dinosaur National Monument has been classified as level 3 in the proposed plan, identifying it for active management because of sensitive paleontological values. Proposed activities adjoining the monument would be closely coordinated with the National Park Service to avoid unduly compromising the resource values or management objectives within the monument.

7-4 Please refer to our response 7-1, above. During the planning process the idea of buffer zones were discussed, but dropped in the belief that the management proposed for the levels is sufficient in themselves to protect the critical resource values, while allowing for resource use in surrounding areas.

(3)

Opinion: The fact is, this tract of land, as I titled it area #3, is critical to several species of wildlife, and was identified as a high sensitivity zone for paleontological findings. This coupled with the fact that this land is located next to the National Monument should also require at least a more restrictive management plan than open management. The study also revealed that this area has a moderate potential for oil or gas development. This should be further cause for alarm to at least establish this land at a level 3 - active management and perhaps more appropriately a level 2 - careful management. Where this tract of land is presently under a management plan of a level 2 - careful management, I believe that it should continue with a level 2 classification especially in light of the additional needs and values the study has revealed pertaining to this tract of land.

Alternate "E" Buffers: Finally, I would like to question something that exist in the alternative "E" plan. There are a few areas of level 1 - restricted management that are bordered by level 4 - open management. If there are sufficient reasons to classify an area of land as level 1 - restricted management, why would lands right next to this highest level of restrictive management be classified a level 4 - open management. Does it seem logical to have one area of land that has the highest restriction and then right adjacent to it have open management?

Opinion: I believe that there should be a buffer zone of a reasonable distance between level 1 - restricted management area and level 4 - open management areas. There are not very many areas where this occurs, but where it does, I believe a buffer zone would be justified. If a buffer zone is appropriate in cases of level 1 to a level 4, would it also be logical to have a buffer between level 2 - careful management areas of land and level 4 - open management areas of land as well. These buffer zones could be simply going down to the next level of management, in terms of control, and having a protective distance similar to the sagegrouse strutting areas and habitat areas.

I appreciate the opportunity to voice my support, questions, and opinions, in regards to the draft Diamond Mountain RMP. Although I am involved in river running on the Green River, the areas of concern that I have in regards to this management plan and my opinions have nothing to do with the Green River or its' corridor. I do, however, enjoy this area very much and believe that the new management plan will help to further protect these lands for future generations.

Thank you for you interest.

Sincerely,

Rex Mumford

Rex Mumford

7-3
Cont.

5.38

7-4



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WILDLIFE RESOURCES

Norman H. Burgeister
Governor
Dore C. Johnson
Executive Director
Timothy H. Provan
Division Director

Southeastern Region
455 West Parkside Avenue
P.O. Box 84501 2828
Salt Lake City, Utah 84141

February 12, 1992

Jen Sinclair
Bureau of Land Management
Vernal District
170 South 500 East
Vernal, Utah 84078

Dear Penelope:

The Division of Wildlife Resources Southeast Regional office has reviewed the draft Resource Management Plan/Environmental Impact Statement (RMP/EIS) for the Diamond Mountain Resource Area. We have the following comments, concerns, and recommendations. These comments are regional in perspective and should be considered in conjunction with comments from the Northeast Regional Office which will address issues specific to that region.

Within our regional boundary, only the southern most portion of the Diamond Mountain Resource Area (DMRA) is included. Although the area is small, it contains what we feel to be critical management areas within the DMRA. These areas include Argyle Ridge, Argyle Creek, Nine Mile Canyon, Nine Mile Creek, lower portions of the Green River and portions of Myton Bench. These areas are inhabited by a wide variety of wildlife species and are areas of critical wildlife habitat. The utilization of these areas for recreation, livestock, and mineral exploration present challenges in wildlife management.

The following are comments on each alternative:

Alternative A

This alternative places seasonal restrictions on activities occurring in sage grouse nesting areas and peregrine falcon nesting habitat, but the restrictions are not adequate. Restrictions on sage grouse nesting habitat should be from mid March through June and peregrine restrictions should be from February through August.

Page 2.18 (paragraph 4) states that surface-disturbing activities would be allowed within the 600-foot riparian buffer zone if there was no practical alternative. However, there is no mention of mitigation measures if such activities were to take place. Riparian habitats are critical to most wildlife species. Loss of

RESPONSE TO COMMENT LETTER 8 (UTAH DIVISION OF WILDLIFE RESOURCES, Moretti)

8-1 Thank you for your comment, we agree.

8-2 We recognize the existing seasonal restrictions adopted in 1979-81 are not adequate for sage grouse protection. We have made changes in the proposed plan (refer to Table 2-15) which expand the protective restrictions on sage grouse nesting habitat and peregrine falcons.

8-3 Mitigation requirements were added (refer to Table 2-15). Management common to the proposed plan and all alternatives, in Chapter 2, outline the various laws relating to soil and water management, including the Federal Pollution Control Act of 1972, as amended. We have further defined this mandated authority to include Section 404 of the Clean Water Act and the Federal Manual for Identifying and Delineating Jurisdictional Wetlands of 1989. We would coordinate with the Corps of Engineers if loss of wetlands is unavoidable. We would not manage to lose wetlands at Pariette.

5.39

8-1

8-2

8-3

8-3
Cont.

such habitat is a severe negative impact caused by surface-Ms. Penelope Smalley disturbing activities. The BLM's Riparian Area Management Policy states that long-term losses of riparian habitat must be mitigated. If this alternative is chosen, mitigation measures must be included in Environmental Assessments tiered to this RMP. We believe a statement referring to coordination between your resource area and the Army Corps of Engineers would be necessary before any decision document is signed concerning potential loss of jurisdictional wetlands.

Alternative B

8-4

This alternative would be the alternative of choice by the Division of Wildlife Resources (DWR). It provides for active management of wildlife populations and wildlife habitat. It provides for restriction of activities which would adversely affect wildlife species. This alternative also provides the greatest protection to critical wildlife habitats and wildlife species which are threatened, endangered, or in need of special attention. From a wildlife perspective, this would be the preferred alternative.

5.40

Alternative C

8-5

While this alternative provides restrictions on sage grouse strutting grounds, no protection zone is described. This alternative also lacks adequate seasonal restriction of activities for sage grouse nesting areas and peregrine falcon nesting areas. Sage grouse restrictions should be from mid March through June and peregrine restrictions should be from February through August.

8-6

This alternative does not provide for protection of potential bighorn sheep and black-footed ferret reintroduction sites. This should be included in the DMRMP as these are animal species requiring special consideration. Existing BLM Habitat Management Plans for this area outline actions for the reintroduction of bighorn sheep and black-footed ferrets (Page 2.7) and should be considered in this RMP.

8-7

Any additional AUMs realized through range improvements would be assigned to livestock. We realize that this is the objective of this alternative, but not allocating any of the additional AUMs for wildlife makes this alternative unsatisfactory.

8-8

The riparian buffer zone is only 330-feet in this alternative. While this provides for some protection of these sensitive areas, a 600-foot or greater buffer zone would be preferred. There is no mention of mitigation for riparian habitat loss when such loss is unavoidable. Mitigation must be considered for riparian losses.

8-4

Thank you for your comment.

8-5 - 7

The following response covers comments 8-5 through 8-7. Alternative C was developed to manage ecological systems for forage production for livestock. The proposed plan would provide protection for sage grouse and the peregrine falcon. Bighorn sheep and black-footed ferrets were viewed as restricting livestock opportunities in this alternative, thus reintroductions and transplants were accordingly not proposed. The proposed plan would provide for the reintroduction of both bighorn sheep and black-footed ferrets.

8-8

Please refer to the BLM Utah State Riparian Policy in Appendix 2, guideline 2. BLM believes restricting surface disturbance within the 330-foot buffer from riparian vegetation will adequately protect this resource.

Alternative D

8-9 Concerns regarding this alternative are similar to those expressed under Alternative C. There is no protection zone outlined for sage grouse strutting grounds. Seasonal restrictions are not adequate for sage grouse and peregrine falcons. Additional AUMs acquired through range improvements are assigned to livestock with none assigned to wildlife. The intent of this alternative is to minimize wildlife restrictions to mineral exploration and development. Impacts from these activities often have a negative effect on most wildlife species. These impacts must be considered in the RMP. Page 2.5 (paragraph 8) states that it is the BLM's responsibility to recognize opportunities to maintain, improve and expand wildlife habitat. Activities related to mineral exploration and development often conflict with this objective. Alternatives which minimize negative impacts on wildlife should be considered.

Alternative E

5.41
8-10 This alternative provides for the best implementation of multiple use of the resource area. The DWR supports the effort to protect wildlife and the environment while providing for the development of other resources. We would suggest that wildlife be considered initially for additional AUMs developed from range improvements. Page 2.30 (paragraph 7) states that these AUMs would initially go to livestock. Experience has shown that it is difficult to assign AUMs to wildlife that were previously assigned to livestock. We would also suggest that the riparian buffer zone be expanded from 330-feet to 600-feet as in Alternative A. This would allow for greater protection of critical riparian areas.

The following comments may apply to several of the alternatives:

8-11 -- While this area is potential peregrine falcon habitat, no known eyries occur within the DMRA. Monitoring should occur to identify areas of future use by peregrines. DWR is concerned that prairie falcons and goshawks were omitted from the list of raptors occurring in the area. There are known locations of these species in the Nine Mile Canyon area. The Northern goshawk is a USFWS category 2 species requiring special management. The prairie falcon is a raptor of special concern. Ferruginous hawks, also a USFWS category 2 species, are located within the DMRA. A 0.5 mile buffer zone around active nests and seasonal restrictions from April through July would be required for these species. DWR would also like to emphasize the presence of golden eagles in the area. DWR would like raptor surveys conducted prior to implementation of management activities.

8-9 Under Alternative D, mineral exploration and development are emphasized and those activities restricting or impeding the development of minerals are not minimized. Special status species would receive the same considerations in all alternatives, but opportunities to maintain, improve, and expand other wildlife habitat would only be allowed if it did not negatively impact the minerals programs.

8-10 If there is not a need by wildlife to use additional available forage over livestock preference in crucial wildlife habitat, these AUMs could be given to livestock, if needed, on a temporary, nonrenewable basis. This non-renewable use may be issued on an annual basis (refer to Table 2-15). We believe the Bureau's current policy of restricting surface disturbing activities within the 330-foot zones, as stated in the proposed plan, would adequately protect the riparian areas within the resource area.

8-11 We continue to monitor many raptor species including the peregrine falcon in cooperation with UDWR annually. The goshawk, golden eagle, and prairie falcon, as well as all special status animal species, are listed in Chapter 3, as management indicator species for specific habitats. Habitat objectives have been established to monitor these species and assess the affects of the current management decisions. Raptor protection zones are outlined in Table 2-15 of this document. We have adopted these zones from UDWR recommendations and have added them to Appendix 4 of this document for clarification.

8-12 -- Seasonal restrictions on critical elk and deer winter ranges would not be required if animals were not present on the site (Page 2.35). For short term activities this would be acceptable, however, for long term activities we are concerned with this statement. Although animals may not be present one year, if an area is designated as critical winter habitat, then use has occurred in the past and is likely to occur in the future. Allowing activities with long term impacts could cause elk and deer to be displaced into poor quality habitats.

8-13 -- While surface disturbing activities and OHV use are not allowed within sage grouse buffer zones, grazing is allowed (Page 2.36). Seasonal restriction of grazing within the outlined buffer zones from March 1 to June 30 should be considered. Guidelines adopted by DWR, BLM, and USFS state that a two mile buffer zone be established around sage grouse leks and protected from vegetative treatments. Sage grouse populations and habitat are declining. This species provides unique hunting and viewing opportunities and critical habitats such as leks and nesting areas need to be protected.

8-14 -- In order for adequate habitat to be maintained for possible bighorn sheep reintroduction, domestic sheep must be excluded from these areas. Disease is a major contributor to bighorn sheep population declines. BLM must make a serious effort to eliminate domestic sheep in bighorn habitat (Page 2.40). DWR should be involved in negotiations and kept informed of possible conflicts and alternatives.

8-15 -- Increased vehicular access as outlined on Page 2.41 presents some potential negative impacts on wildlife. Many studies have shown that increased use by improving access causes many wildlife species to abandon the area. Species particularly sensitive to such disturbance include black bears, cougars, raptors, and bighorn sheep. We would suggest that access improvements concentrate on horse, foot, and bicycle trails. This could reduce impacts to wildlife.

8-16 -- In addition to the road restrictions placed on OHV on Page 2.50, seasonal restrictions outlined for wildlife should be applied to OHVs in areas critical to wildlife such as leks, nesting areas, wintering areas, and fawning and calving areas.

8-17 -- DWR should be consulted during analysis of cases involving the harvest of ponderosa pine, aspen, cottonwood, and other large conifers as outlined on Page 2.62.

8-12 We would not be allowing activities that would displace big game into poor quality habitat. The sentence describes the use of mitigation, such as acquisition of private land for wildlife or vegetative treatment, to reduce impacts to big game.

8-13 We have not seen any justification for seasonal restrictions of grazing around sage grouse leks nor has UDWR presented any evidence of that need. We have adopted the 2 mile buffer within sagebrush vegetation types, as stated in the Western States Sage Grouse guidelines, to protect sage grouse nesting habitat.

8-14 As stated in Table 2-15, we would continue to convert domestic sheep permits to cattle use, as the opportunity arises, and prevent the change back to domestic sheep.

8-15 Please notice that on Table 2-15 different types of access are proposed. It is our intent to acquire access through private lands to presently inaccessible public lands as opportunities arise.

8-16 OHV use will be limited either seasonally or yearlong to protect sage grouse leks, nesting areas and wintering deer and elk areas in the proposed plan. Please refer to Table 2-15 and Map Packet #10.

8-17 The resource area wildlife biologist will be consulted during preparation of any wood sale for ponderosa pine, aspen, cottonwood, or other large conifers. Should it be necessary for the UDWR to be consulted, coordination will be made at that time.

-- Regardless of which alternative is chosen, guidelines for seasonal restrictions and buffer zones for the protection of important wildlife species should be followed. These restrictions would apply if the species is present in the area. Clarification of these guidelines follows:

Seasonal Restrictions -

Mule Deer-	12/1 - 4/15 and 5/15 - 7/5
Elk-	12/1 - 4/15 and 5/15 - 7/5
Antelope-	5/1 - 6/30
Goshawks-	4/1 - 7/20
Ferruginous Hawks-	4/10 - 6/15
Golden Eagles-	2/1 - 7/15
Peregrines-	2/1 - 8/31
Prairie Falcons-	4/1 - 7/15
Sage Grouse-	3/15 - 6/30

Buffer Zones -

Peregrines-	1 mile
Bald Eagles-	1 mile
Other Raptors-	0.5 mile
Bighorn Sheep-	0.5 mile from canyon rims and talus slopes

-- There are several statements to the effect that restrictions can be waived following site specific analysis which receive a "no effect" or "no practical alternative" result. DWR would like to be involved with and informed of such analyses in order to determine the effects on wildlife before restrictions are waived.

-- The following species are listed as sensitive by the state of Utah and potentially occur in the DMRA. Actions which could potentially have negative effects on these species must either be reconsidered, steps taken to minimize impacts, or mitigated for losses. These species include:

- Dwarf Shrew
- Red Bat
- Spotted Bat
- Purple Martin
- Utah Milk Snake

8-18 UDWR was consulted prior to and during the formulation of this document. The guidelines chosen in the proposed plan are the same or more restrictive for all but three of the important wildlife species UDWR mentioned. Mule deer and elk are seasonally protected in the winter from December 1 through April 30. Crucial summer elk and deer habitat have not been identified as we believe it is not necessary to impose a summer seasonal protection restriction at this time. The proposed buffer zone for bald eagle is 1/2 mile. We currently do not have any nests identified within DMRA and we believe the buffer is sufficient to protect any potential nesting habitat at this time.

8-19 We will continue to inform and consult with UDWR in such instances.

8-20 Thanks you. These species have been added to the discussion of special status animal species under Fish and Wildlife Habitat Management in Chapter 3.

8-18

5.43

8-19

8-20

Jen Sinclair
February 12, 1992
Page 6

We appreciate the opportunity to comment on this document. We would like to review and comment on the final Resource Management Plan and Environmental Impact Statement. If there are any questions regarding our comments, please contact Ken Phippen, Regional Habitat Manager (637-3310).

Sincerely,


for

Miles Moretti
Regional Supervisor

SR/ksr
Copy: Catherine Quinn, DWR
Clay Perschon, DWR
Steve Madsen, BLM

Bureau of Land Management
170 South 500 East
Vernal, Utah
Dear Sir

I do not understand what your plan is but I am against any cut in number of livestock number on the Federal Range or any increase in number of wild life on the Public Lands as Elk and Antelope are too hard on the range lands in winter as they graze the ground and kill it. As the Elk and Antelope are not having any young they must have bunge ~~to~~ which would get into the livestock and put the livestock people out business.

Frank W. Myers.

RESPONSE TO COMMENT LETTER 9 (MYERS)

9-1 There are no proposed reductions in livestock preference in the Clay Basin grazing allotment under the proposed plan. Current and objective AUM levels noted in Appendix A2-1 were derived from UDWR herd unit estimates and broken out by grazing allotment by BLM. Objective levels would be achieved only if monitoring indicated adequate forage was available and the vegetation was not being harmed. The proposed plan and 3 of the 4 alternatives would maintain the current preference level at 50,299 AUMs. The proposed plan would allow a 14 percent increase in forage allocation to wildlife (from 35,000 to 40,000 AUMs). Alternative B would allow a 31 percent increase and Alternatives C and D would allow a 7 percent decrease in wildlife forage allocations. The proposed plan takes into account the AUMs required to meet wildlife herd objectives that were not addressed in the current management. We are not aware of BANGS in the big game herds within the resource area. Such a concern would be more properly addressed to UDWR who has the responsibility for managing wildlife populations.

Subject: LAND CLOSURE BILL

To: David Little

From: Paul Shaffer District Sales Mgr. American Honda Motor Co.

10-1

5.46

This letter is concerning the Diamond Mountain Resource plan. We are deeply concerned that you have included restrictions on the Red Mountain area in your management plan. We hope you can reconsider the restrictions on the Red Mt. resource area.

Sincerely,
Paul Shaffer
Paul Shaffer - DSM
(801) 442-1783

RESPONSE TO COMMENT LETTER 10 (SHAFFER)

10-1 Based on the large number of public comments received dealing with management of the Red Mountain area, the decisions affecting this area have been reconsidered. Please refer to Chapter 2 summary of the proposed plan and Table 2-15 for the proposed plans for the Red Mountain-Dry Fork ACEC Complex. In a change from the draft RMP's preferred alternative, OHV use in the Red Mountain potential recreation area (approximately 1,240 acres on the east side of Red Mountain) would be limited to designated roads and trails yearlong. However, an area near the Taylor Mountain-Spring Creek roads (on the west side of Red Mountain) would be open to OHV use on designated roads and trails one month earlier than the surrounding area (opening March 1 instead of April 1). Also refer to Map Packet #10 for a graphic depiction of these areas and Table 2-5 for a breakdown of OHV use designation by acreage. We recognize the popularity of this area to OHV users, mountain bike users, horseback riders and hikers. As stated in the proposed plan, both a coordinated activity plan and a recreation plan would be prepared to identify in detail how the area will be managed. Some give and take will be required by all parties involved to accommodate the needs of others. Any plan must include the cooperation of, and be sensitive to, the desires of private landowners in the area.

295 Crossbow
Green River, WY 82935
February 18, 1992

Mr. David Little
District Manager
Bureau of Land Management
170 South 500 East
Vernal, Utah 84078

Dear Mr. Little:

I would like to make some comments about the Diamond Mountain Resource Area Resource Management Plan. The Browns Park area is very rich with history that needs to be preserved. John Jarvie Historical Site is a good start but much more is needed. The Indian story needs to be told. General William Ashley's 1825 visit, Fort Davy Crockett, the Rock Saloon, John Jarvie's ferry, Jenny Jayne's school, Dr. Parson's Smelters, William Manley's boat, all need to be replicated.

All of these things are important to the history of the west and should be preserved. If each site is restored at it's exact location, vandalism would soon destroy everything. (4.2) I propose we build replicas of all of this between John Jarvie Historical site and Indian Crossing Campground. This has been done at many sites in the west especially old mining towns. It would include the Jarvie ferry where it used to be, west of Jarvie the Rock Saloon, Jenny Jayne's School, Fort Davy Crockett, Fremont Indian Village, and possibly a prehistoric Indian Village. Someone is always at the BLM residence at John Jarvie and could watch over the whole area. We could have a Historical Lane-Where the Past meets the Present. The exact locations of the above sites could be shown on a map and also from a high point in Brown Park railroad ties with pipes for sighting through could point out the real sites.

Indians have lived in Browns Park for 12,500 years. The native peoples have occupied this region continuously since that time. (3.5) From page 3.3 These areas have large, complex sites which are in good condition. They contain considerable information concerning how prehistoric peoples lived and interacted with other populations in the region. In order to build a pipeline across federal land any indication of these prehistoric people along the pipeline had to be excavated at a great cost to the companies building the pipeline. This cost is eventually paid when taxpayers purchase what is in the pipeline. Usually the artifacts found are deposited in some university basement. If the government is going to make companies do this digging and taxpayers are going to pay for it in the end, let the public see the results. The recent pipeline across Browns Park found nearly forty sites and cost Questar \$222,669. The artifacts should be brought back to Browns Park for everyone to see and divided into the proper ages. Eventually all eras would be represented as shown on page 3.3. (Paleo-Indian (10,850-5050 BC), Archaic (6050 BC-AD 600), Formative or Fremont (300 BC-AD 1550), and Historic (1750 AD-present)). Later I will give my thoughts as to where they should be exhibited. There are excellent Fremont dioramas at the Green River, Wyoming Museum and at Fort Caspar Museum that could be replicated. The Fremont State Park on I-70 has excellent exhibits.

General William Ashley, after completing the first rendezvous a few miles north west of Browns Park, floated down the Green River in a Bull

RESPONSE TO COMMENT LETTER 11 (CRANE)

11-1 We agree Browns Park's history needs to be preserved and interpreted. It is in the proposed plan to continue development and interpretation of the Jarvie Historic Site, excavate and interpret the Old Rock Saloon and develop a self-guided tour of the important historic features and properties in the Browns Park area. In addition other properties on public lands having important historical significance will be preserved and protected.

Boat and met Etienne Provot in Browns Park near Bridgeport on May 6, 1825. Ashley spent two days camped there. Provot had a large number of horses and a lot of provisions. Provot and six of his men had been trapping beaver in Browns Park. (Did he build the Stone Saloon?) During the fur trapping era Browns Park was the biggest city in the mountains, filled with 5,000 wild men, trappers, traders, packers and Indians. At the center of this city was Fort Davy Crockett. Fort Crockett was on the Safe Southern Route to Oregon. The Indians on this route were considered much friendlier than through Fort Laramie. One group of travellers reported meeting 10 different parties on their way to Fort Crockett. We have some very good descriptions as to what Fort Davy Crockett looked like. Three buildings were in a U shape with no fence around them. We do not know it's exact location. One author gives six possible locations with one at Bridgeport and one west of Jarvie. On one of the official maps of Utah historical sites it appears to be located near Jarvie. No one else wants Fort Crockett. It is so important to the history of the area it needs to be placed somewhere and the six possible locations shown. It slept 300 people. Most forts of this era were made with logs and 24' X 48' divided in the middle with a partition and fireplaces in each end. One of these buildings could be set up the way it was in 1836 for fur trading, one building for a museum with the Indian artifacts dug up by the pipelines and a place to show videos, and the last building a modern store run by a nonprofit group with the proceeds going to the upkeep and the construction of Brown's Park Historic Lane.

Next in history was the Texas trail herds that wintered in Browns Park on their way to the California gold fields. Texans found Brown's Park had a mild winter and deep grass to break their two year cattle drive to the '49 Gold Rush in California. By this time there were already settlers in Brown's Park. 20 to 30,000 head of Texas cattle wintered in Browns Park for about five years.

William Manley and his party floated down the Green in 1849, and had to build a new raft near Jarvie. They had been driving wagons to California, but when they got to the Green River they found an abandoned ferry. They got on the ferry and headed for California.

Powell floated down the Green in 1869 and 71. When Powell floated down the Green River there were at least 10 settlers in Browns Park at the time. On his second trip on June 8, 1871, he had his mail forwarded to Browns Park. (Possibly the Rock Saloon.)

The 'Rock House' could be the oldest or second oldest building in Utah. Minnie Rasmussen went there once on a picnic when she was a little girl. She said it had no windows, only slits under the low roof. This feature would seem to suggest a fort, perhaps of Spanish origin. Stanley Crouse reported that the unhewn logs forming its upper part had been marked as if they'd been taken from some earlier building and put up again on a cobblestone foundation. It has been described as, 'stood two or three log cabins and an old rock house. There were no windows in the rock building. It had slits in the rocks about six inches wide and three feet in length, just the right size for a couple of rifle barrels to fit through. Though the folks around called it the old saloon, it had apparently once served as a military outpost. The A. D. Farron Survey of 1878 clearly shows the location of the ruins of the 'Rock House' just below (east) of Red Creek, on the left bank of the Green River. Jesse Ewing killed Charlie Roberts at the Rock Saloon and he is buried there. Pablo Herrera is reported to have spent a lot of time at the Rock Saloon.

Jenny Jaynes taught her children and the Parson kids in the first school (dugout) in Browns Park.

Dr. Parson's smelters were located near Bridgeport. He had two smelters. He must have been smelting Jessie Ewing's ore for him. He must have had quite a business. A person would not build two smelters if he did not have a need for the second one.

The thing that made Jarvie popular was his ferry. After the Union Pacific Railroad was completed in 1869, north-south trade routes were established to bring raw products to the railroad and supplies and mail delivered to the settlers. Vernal's mail, supplies, and stage coaches came over this route for many years. Jarvie's Ferry supplied a very necessary service. Getting the supplies across a wide Green River that was often running to deep to ford. The ferry caused Jarvie's to be the Hub of Brown's Park. Regular stage and freight lines ran through Brown's Park by 1880. All north south traffic had to cross his ferry for over 25 years. The ferry needs to be restored.

BROWN PARK'S HISTORY LANE-WHERE THE PAST MEETS THE PRESENT

Brown's Park History lane would be located between the John Jarvie Historical site and the Indian Crossing Campground to the west of Jarvie. It would include (east to west) John Jarvie Historical site with Jarvie ferry replica, Rock Saloon, Fort Davy Crockett, a replica of Jenny Jaynes' dugout school, a replica of Dr. Parson's smelters, and a replica of a Fremont Indian village. In the museum at Fort Davy Crockett, could be such things as a replicas of Ashley's bull boat, William Manley's raft he made when his ferry wrecked at Red Creek, and all the prehistoric artifacts found by the pipeline.

The Taylor Flat Bridge is still laying in the field at Dr. Parsons. If we took the big timbers (8" X 24") from this bridge that are about thirty feet long, we could make a nice ferry. With four or five of these timbers we could make the boat part. Have a timber on each side of the ferry and cut a bevel on front and back and use sections of a timber for the ends and one in the center of the ferry. To this boat nail a 2' floor. The railings could be either 2 X 4 or lodgepole. The ferry should be about 12 feet wide and forty feet long. A wagon is about 18 feet long and two sets of horses would be another twenty feet.

Many old photographs could be shown in the museum that have never been on display in the area. There is a fantastic collection available at the University of Utah Library, UP & L Special Collection, Photographic Section, under the supervision of Roy Webb.

There is a great interest by a group of people to restore the above features. About all that is needed from the BLM is approval to build the things, for them to OK the construction plans, and to get approval from the state of Utah.

We do not even need to dig anything first as none of it would be on the exact location. The cost would be minimum but labor intensive. The floors of Fort Davy Crockett would be rammed earth, the logs could be cut locally. By 1995 all of the above could be completed. The profit from the store at Fort Davy Crockett could pay for the upkeep.

Since there is a growing interest in Mountain Bike riding, bike trails could be established to each of the real sites and other important geological and historical features.

Thank you for this opportunity to comment about the plan.

Sincerely,

 Allen Crane

RESPONSE TO COMMENT LETTER 12 (BEESLEY)

February 21, 1992

Jean Sinclair
Bureau of Land Management
Vernal District Office
170 South 500 East
Vernal, Utah 84078

Dear Jean,

12-1

As a member of the Grant L. Hacking Family Partnership who have ownership of Bear Hollow and Mame Hole in Jackson Draw, Diamond Mountain, I would like to comment on the Diamond Mountain Resource Area and Environmental Impact Statement which is being considered at this time. I have great interest in your plans because I have had a lifetime of experience in this beautiful area. After studying your plans for the Bear Hollow and Mame Hole area it appears to me that you are using a great deal of our property in order to gain access to your BLM land. If you follow through with this construction you will be destroying some of the best pasture land on Diamond Mt. Our cattle business will suffer because of this.

12-2

Our land is suffering from the overgrazing of wildlife. If you build the purposed road you will be eliminating much needed pasture land. Add to that unscrupulous hunters who do not care for private ownership of land and livestock who would have access to our property as well as BLM, then we are in trouble. I am extremely opposed to the changes you are considering. I feel they are not in our best interest. Don't spend the tax payers money on something that is not needed and not wanted.

I hope you will reconsider your plans for the Mame Hole-Bear Hollow property and realize that no change is the best plan.

Sincerely,

Marilyn Beesley
Marilyn Beesley

12-1 Thank you for expressing your concerns. However for clarification, the draft RMP outlined and analyzed general areas where access to public lands is needed. In several alternatives, the specific type of access was identified. Any rights-of-way obtained by BLM would be on a willing giver or seller basis. BLM has no intention of acquiring access through condemnation proceedings, nor build any access through sensitive areas. If public lands are open to the public, we believe these lands should be available to all on an equal basis.

12-2 As stated in Chapter 2 Management Guidance Common to the Proposed Plan and the Alternatives, under Fish and Wildlife Habitat Management, the management of wildlife habitat on public lands is the responsibility of BLM. Management of fish and wildlife populations are the responsibility of UDWR. We believe your concerns regarding increasing big game numbers should be addressed to UDWR. We will continue to coordinate closely with the adjoining landowners to minimize the adverse effects of big game on their lands.

Penelope Smalley, Team Leader
Bureau of Land Management
Vernal District
170 South 500 East
Vernal, UT 84078

Dear Ms. Smalley:

I am concerned that the Draft Diamond Mountain Resource Area Resource Management Plan and Environmental Impact Statement does not adequately address the needs of motorized recreation and access.

The restrictions placed on OHV use in Alternatives B and E are unfounded and unreasonable and are unresponsive to the needs of a great many of your constituents.

I am especially concerned about the virtual closure of the very popular Red Mountain area as is proposed by both of these alternatives.

I would thus ask that Alternative A be adopted together with a heightened awareness of the legitimate needs of the very large number of motorized recreationists who visit this resource area.

Thank you,

Larry Holm 2-24-92

RESPONSE TO COMMENT LETTER 13 (HOLM)

13-1 Thank you for your comment. We have no intention of closing the Red Mountain area to OHV use in the proposed plan. Much of the area will be available to OHV users; however, some limitation are proposed that would affect OHV users (refer to our response 10-1). The relict vegetation area, crucial deer and elk wintering areas; as well as conflicts between various recreation user groups, and interests of adjoining landowners are all important issues that will need to be addressed in detail. A coordinated activity plan for the ACEC and, as needed, resource-specific plans will be developed to identify these details in managing the Red Mountain-Dry Fork area. It is reasonable to expect most uses would be affected to some extent by the specific management goals and objectives set out in these plans. All these plans must include the cooperation of and be sensitive to the desires of all affected groups.

13-1

5:51

Wild & Scenic Rivers

After reading through your study of the Elmond Mountain Resource Area I don't feel that any of your alternatives A B C D or E are satisfactory with me . First of all if this or any of your alternatives are passed this will have a impact on my Home on Taylor Flats . First there will be Know Road improvements on any road that are in site of the River witch would take in the aproach road to the Taylor Flat bridge the road exiting Jessy Bwing canyon paraleling the river. Your study says that 1/4 mi. or line of site , Now depending on where you are standing this could take in my Home on Taylor Flates and the Allen Ranch also Willow Creek Ranch the State fish & Wildlife. Therefore I am aginst any of your alternatives and would like to protest aginst them. Another reason i don't like any of your alternatives is because ifeel that this is just a foot in the door, ifeel the government has enough control over every thing we do .After seeing what happens to proptery that the state or government takes over I am aginst any more incroachment on private land

The only place you can find gace now is on private Ranches, In our meeting in Manila you people said that there would be know land take over but that is not what it says in the study that you put out . I am formally protesting this Wild & Scenic Rivers Act. or any of your altermittives The Daggatt Co. Court. & my congressmen will be hearing from me.

RESPONSE TO COMMENT LETTER 30 (EGGETT)

30-1 Management of the river corridor through Browns Park to protect potential wild and scenic river values would not affect private land. Landowners would still be able to use their property as they choose. Improvements could still be made to existing county roads.

30-2 We are not proposing to acquire private lands to protect wild and scenic river values. However, the proposed plan would allow for the acquisition of available private lands in level 1, 2 and 3 areas, including the opportunity to acquire private land along the Green River. As with acquiring public access, any private land obtained by BLM would be on a willing giver or seller basis.

30-3 Please refer to our response 30-2 above.

30-1

552

30-2

30-3

February 28, 1992

Penelope Smalley, Team Leader
Bureau of Land Management
Vernal District
170 South 500 East
Vernal, Utah 84078

Dear Ms. Smalley:

I have completed a review of the draft Diamond Mountain RMP and would like to offer congratulations on an excellent document. I fully support preferred alternative E. This alternative offers a good mix of present public land administration as well as a realistic look at the direction the BLM is headed in the future. As a long time user of the public lands on Diamond Mountain, I especially support the initiative to acquire legal access to public lands in the Lambson Draw, Jackson Draw, Warren Draw, and other areas where public access is not present. These public lands have been denied to the public for too long by a few private land owners that happen to own the bottom land crossed by county roads. Both the Congress and the general public are demanding more access to our public lands and the access initiatives in this plan are right on target. I sincerely hope that if this alternative is adopted, that an aggressive easement acquisition/exchange program be implemented as soon as possible.



RESPONSE TO COMMENT LETTER 31 (PAUGH)

31-1

Thank you for your comments.

553

31-1

DAGGETT COUNTY COMMISSION

Manila, Utah 84046

Phone: 801-784-3154

February 28, 1992

U. S. Department of the Interior
Bureau of Land Management
James M. Parker, Utah State Director
P.O. Box 45155
Salt Lake City, Utah 84145-0155

Re: Diamond Mountain Resource Area RMP/EIS Draft,
Especially the Plans to Manage for or Seek
Designation of Green River as a Wild and/or
Scenic River

Dear Mr. Parker:

36-1 The Daggett County Commission has been approached by local residents concerning the designation of the Green River in Daggett County to "wild and/or scenic". We feel at this time there are too many "unknowns" as to the long term effect the designations may have, therefore, until further study and more answers are available, we oppose either or both designations.

36-2 There have also been concerns from residents of Daggett County supported by the County Commission which have grave reservations that the Diamond Mountain Resource Area RMP/EIS Draft does not reflect input from public meetings and/or written memorandum presented to you. We believe all agencies creating tourism and points of interest have an obligation to also address the transportation needs to accommodate these facilities, therefore, the Daggett County Commission opposes the draft as written.

36-3 The commission believes there should be a common goal for the betterment of Daggett County between all agencies. We also believe we cannot continue to attract growth and visitors to the area without considering adequate transportation needs.

RESPONSE TO COMMENT LETTER 36 (DAGGETT COUNTY COMMISSION, Steinaker)

36-1 Appendix 7 in the document has been changed to document Daggett county's opposition to designating the Green River as a wild and scenic river.

36-2 We believe every reasonable effort has been made to involve residents of Daggett County in the preparation of this plan. Concerns, suggestions, etc., received by the residents have been incorporated into the draft RMP for review and analysis. At the onset of the RMP process, several public scoping meetings were held to identify issues and discuss the then-upcoming plan. A scoping meeting was held on November 1, 1988, in Manila. Six (6) people from Daggett County were in attendance, including 3 members of the county commission. It was stressed at this meeting (and at every opportunity) that at any time the public was encouraged to contact the BLM to express their concerns and/or offer suggestions. In September, 1989, planning issues and criteria, developed after input from the public scoping meetings, were mailed. Comments on these planning issues and criteria were accepted through November 30. In September 1990, members of the Daggett County Commission were invited to attend a two-day briefing and tour for the Governor's Resource Development Conservation Committee to familiarize them with the issues and scope of the RMP. An update report was mailed to all interested individuals and organizations in January 1991. This report briefly outlined the alternatives under consideration. Again residents and county commissioners of Daggett County were provided information and the opportunity to respond. The draft document was released for public review and comment in January 1992. An open house on the draft RMP was held on January 30, 1992, in Manila to assist Daggett resident in their review of the draft document. Thirteen (13) residents signed the visitor's roster. We believe the residents of Daggett County were afforded ample opportunity to participate in the development of the draft RMP document. Their written comments to the draft are published in this document along with our responses. Concerns expressed in their comment letters were seriously considered by the team and suggestions and/or clarifications incorporated into the final document.

36-3 We are aware of the county's concern for adequate transportation as summarized in your letter to BLM State Director Parker, dated February 28. We believe your concern was adequately addressed in Mr. Parker's reply of March 23; we quote from Mr. Parker's letter:

...Our planning criteria for the RMP therefore states that 'transportation corridors will not be addressed in this Plan' (see page 1.11 of the draft RMP. These planning

554

36-4

Inasmuch as there appears to have been a lack of serious coordination or information exchange between BLM and the policy and decision makers of Daggett County, as reflected in the EIS draft, we hereby request an extension of time for comment on the draft EIS. Heretofore, we have not been given adequate input to the NEPA process.

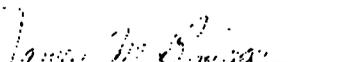
We appreciate your interest and input in the growth and development of Daggett County. Therefore, Daggett County formally requests that your office closely coordinate with us any information, intended actions, etc. affecting our county.

Sincerely,

DAGGETT COUNTY COMMISSION


Elbert J. Steinaker Jr.
Chairman


Dick Bennett


James M. Briggs

cc:
Senator E. J. Jake Garn
Senator Orrin Hatch
Congressman William Orton
David E. Little
Ron Trogstad
Penelope Smalley
Daggett County Engineers/Uintah County Engr. Inc.
File

5.55

criteria were distributed in draft form for public review (including review by the three involved County Commissions) and were formally published in the Federal Register. They now provide the guidance to the planning team as they put together the RMP. To revise the criteria now would mean we would have to go back and redo much of the process which has already been completed.

Even though the Browns Park highway or transportation corridors were not addressed in the RMP, there is nothing in the draft RMP that precludes future consideration of the Browns Park highway or any other highway.

Because of the nature of the RMP, we could not address all of the site-specific issues that would need to be analyzed before we could approve any needed rights-of-way for a highway. This means there would still have to be a site-specific environmental assessment (EA) or environmental impact statement (EIS) before such approval could be granted. Therefore, I believe it would be in your best interest, as well as the Bureau's, to proceed with the RMP process now in progress. When the county is ready to proceed with the Browns Park highway by filing an application with the Bureau, we could then do one EA or EIS document tiered to the RMP that addresses all of the site-specific issues and impacts of the highway. This approach would be much less complicated and I believe that would allow us to respond to the county's needs in a quieter and more cost-effective manner....

36-4 states:

We again quote State Director Parker's March 23 letter, which

...I believe that the Vernal District has made a good-faith attempt to include you in the development of the document, including several meetings held in Manila over the past several years, as well as telephone contacts. A 90-day period for review has been provided, which is the standard time allowed for review of the draft RMPs. I see no need at this time, therefore, to extend the public comment period unless there are other major concerns not associated with the highway....

Chapter 5 - Coordination and Consultation



United States
Department of
Agriculture

Forest
Service

Intermountain
Region

324 25th Street
Ogden, UT 84401

RESPONSE TO COMMENT LETTER 45 (US Forest Service, Reynolds)

45-1

Thank you for your comment.

Reply to: 1950

Date: MAR 10 1992

Ms. Penelope Smalley
Bureau of Land Management
Vernal District
170 South 500 East
Vernal, UT 84078

Dear Ms. Smalley:

Ashley National Forest Supervisor Duane Tucker, along with his Staff and Resource Specialists have reviewed your Draft Environmental Impact Statement for the Diamond Mountain Resource Management Plan.

Several of the Ashley National Forest's Resource Specialists have met or will be meeting with the Vernal District Staff to informally discuss some minor concerns regarding the need to coordinate management strategies for certain resources which overlap BLM and National Forest boundaries.

The Draft EIS appears to be thorough and well-prepared; we have no specific comments regarding the preferred alternative as it relates to the management of the Ashley National Forest.

Sincerely,

John F. Reynolds
GRAY F. REYNOLDS
Regional Forester

5.56

45-1

March 5, 1992

Bureau of Land Management
170 South 500 East
Vernal, Utah 84078

Dear BLM:

I have had the opportunity to review your Diamond Mountain Resource Study. I was impressed with the amount of work and information provided. It is an impressive work.

I have a few observations:

46-1 In your comments on the phosphate deposit - you wrote that the ore was high grade. Actually the ore is considered low grade and it requires expensive concentration by flotation to make an acceptable grade for users. As far as I know, this is the lowest grade phosphate mining operation in the west. I have worked in the Idaho phosphate field and the mined grade there averages 26%. At Vernal the grade is more around 20%. However, the thing that is unique about the Vernal deposit is its size and uniformity. There are probably 2 billion tons of phosphate rock stretching across the slope from Ashley Creek to Diamond Mountain. Vernal should be a center for phosphate mining for the next 100 years or more.

46-2 After considering the alternative proposals presented, I favor leaving the management plan like it is. I believe the multiple use concept has served the west and its people well.

46-3 Being a hunter and fisherman, I favor being able to have access to hunting and fishing areas without being restricted. I make my living by working in a mine. It's provided me the opportunity to work in a profession that's given me a good living. I'd like public lands kept

RESPONSE TO COMMENT LETTER 46 (ABPLANALP)

46-1 We qualified our assessment of phosphate grade by the use of the term "relatively", indicating that the grades in the Vernal Field were high enough to make them potentially attractive. However, you are correct in your assertion that the attractiveness of the deposit is governed more by its physical setting than by its grade alone.

46-2 The alternatives in the RMP respond to the public issues and management concerns developed during the scoping period conducted early in the planning process for this plan. All alternatives provide for multiple use of the public lands; however, different management combinations and emphasis are outlined consistent with the overall objective for that alternative. The alternatives provide an analysis of management opportunities and their different combinations in response to these issues and concerns. We believe the proposed plan is the best mix of management opportunities presented. The proposed plan provides for the public's use and development of resources while protecting or enhancing critical/important environmental values.

46-3 Mineral development can provide significant positive contributions to both individuals and the community. To the extent possible BLM will keep lands open for continued exploration and development.

46-3
Cont. available for the location and extraction of minerals. Mining has always provided some of the highest paying jobs.

46-4 I would like to see the Green River, between the Dam and Browns Park, utilized for the heavy recreational uses it provides. I would oppose the building of a road from Little Hole to Brown's Park, that has been talked about from time to time.

46-5 Your suggestion to keep Red Mountain as a primitive timber area appeals to me, but I would not want anyone who is using the area now to run cattle to loose their grazing permit.

46-6 I feel that we need to build consensus among the people living in the area before anything is done that will have a negative impact on their ability to make a living. I also have strong feelings that we, as land users, should respect the land. In the mining of the phosphate deposit we're careful to save the topsoil, re-contour the land and seed it with a variety of grasses and forbs beneficial to wildlife and cattle. I feel that with a genuine effort the land can be restored and left in better condition than it was before it was originally. Reclamation of land used needs to be a part of any land use plan.

5.58

Sincerely,
G.Howard Abplanalp
2587 N 1575 W
Vernal, Utah 84078

46-4 We intend to manage the Green River Corridor to maximize recreation use. It is expected that recreation use of the Green River will continue to increase over the life of the RMP. The proposed plan outlines recreation objectives for decisions to accommodate this increased use. Please refer to Table 2-15 under recreation, and Table 2-16 for recreation within the proposed Browns Park ACEC Complex. Regarding your concern about a Little Hole to Browns Park road, please refer to our response 36-3.

46-5 None of the grazing permittees in the Red Mountain Allotment under the proposed plan would lose their grazing permits. Adjustments in grazing can be made in the future based on rangeland monitoring conducted over time.

46-6 BLM is committed to proper management, including protection, use and restoration of public land. The RMP process allows for the public to provide input and review through the RMP development. True consensus may not be realistic; however, serious consideration of the various publics' issues and concerns is a "prime directive."

122 South Vernal Avenue
Vernal, UT 84078
March 10, 1992

David E. Little, District Manager
Bureau of Land Management
170 South 500 East
Vernal, UT 84078

Dear Mr. Little;

We appreciated receiving the draft of the Diamond Mountain Area Resource Management Plan and we were glad to be able to discuss some aspects of the plan during the open house.

47-1 We can support alternative "E" with two reservations. The first, and most urgent, is that areas with a high potential for recreational use such as Red Mountain-Dry Fork, parts of Brown's Park, and Nine Mile Canyon, to name a few with which we are acquainted, should be given an official designation recognizing them as such. This might be an "area of critical concern", a "recreation district", a "recreation easement", or even a "recreation withdrawal". The reason we feel this way is that over time personnel and policy change, and this would make a stronger statement to future managers. The second is that we would like to think that all public land was being carefully managed. We realize that the designations represent levels of administration, but the term "aggressive management" sounds like you are looking for someone to occupy the land.

Our decision is based almost entirely on the recommendations for recreational development since that is the use of public lands that most impacts us. Recreation on the public lands has not always been accorded a very high priority, the assumption being that it is not an economically beneficial use. As one of your alternative plans so plainly states, "recreation will be allowed if it does not interfere with other uses". We feel that the so called economic uses of the public lands do not concern as large a segment of the population as was the case formerly, even though we realize that those few who use the land are dependent on that use. Therefore, we feel that the users will have to make adjustments to accommodate this new reality.

47-2 This would include higher fees and costs which reflect the general increase of all costs, but also the increased value placed on the lands by the public which is, supposedly, the owners of these lands. We are concerned with the tendency of permittees to think they have a right to close roads and fence property as if they owned it. We think all users should understand that the public has the right of entry and that they, the operators, have the responsibility to protect their equipment and guard against any dangerous situations they have created.

We also believe that there are many kinds of recreational use and that some kinds are not necessarily superior to all others. We would expect that the managers make decisions as to appropriate use of different areas. Certainly not all marshes need a road, but not all motorized travel is bad - except, perhaps, to wilderness hikers. Rock climbing is fine, but must they climb every cliff? With more people, developed camp and picnic areas with sanitation facilities are needed just to protect the land from the people.

We do not believe that other uses are always detrimental to recreation either, but we would hope that in evaluating other uses the impact on recreational values would have equal consideration rather than being an afterthought.

RESPONSE TO COMMENT LETTER 47 (DEVED)

47-1 Browns Park, Nine Mile Canyon, and Red Mountain-Dry Fork have been recommended for designation as Areas of Critical Environmental Concern (ACECs) and Special Recreation Management Areas (SRMAs). These two designations would direct management attention to these areas, thus maintaining and enhancing the resource values of these areas.

47-2 It is BLM's policy to require public land users, including recreation users, to pay for the use of the land. We are continually working to improve access to public lands.

Finally, we are impressed with the size of the document and all the work that goes into preparing such a plan. How ironic, then, if all this time and money used to define and justify your actions should actually be to no avail. For, you see, no matter what you put on paper, the lands cannot be managed from the office. Everyone, miners, loggers, ranchers, hikers, campers, climbers, all with the most noble of motives, will take advantage of any situation that they perceive benefits them. Nothing will keep people on their best behavior like the knowledge that someone is checking up on them! The perception that nobody cares because no personnel are visible in the field leaves people free to waste and destroy without feeling any guilt. The only way to keep ranchers from over-grazing, loggers from over-cutting, miners from leaving a mess, jeeps and motor bikers from driving off trails, campers from dirtying the countryside is through the belief that official personnel might be there to see them do it.

All of the above is a matter of money - which no one has. "We could do it if we only had the funds". Maybe the best that can be hoped for would be a reassessment of the use of funds - more field work and less paper work?

Managed recreation is costly; the facilities must be built, then maintained, and the people managed. If this is not done the land suffers. As long as it is perceived that recreation does not generate any revenue it will probably not be taken too seriously when decisions are made. Remember, though, that congress has decided that uses of the public lands should be subsidized, no user pays the full costs. So why should recreation be regarded differently? Spokesmen for some groups suggest high user fees as a solution to over use; only the "truly dedicated", like themselves, would afford them. We feel this would be a disservice to the large majority of the people who are deserving of help to enjoy our public lands.

We thank you for this opportunity to express our thoughts on the subject.

Sincerely,

C. Lawrence DeVed
Rhoda T. DeVed

C. Lawrence DeVed
Rhoda T. DeVed

cc: Fenelope Smalley

P.O. Box 100
Trinity Center, CA 96091
March 13, 1992

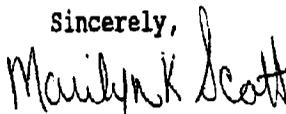
Jean Nitschke-Sinclear
Team Leader Diamond Mountain Resource Management Plan
Bureau of Land Management
Vernal District Office
170 South 500 East
Vernal, Utah 84078

Dear Jean:

As a member of the Grant L. Hacking Partnership Family which owns 1380 acres of land in Jackson Draw that includes Mames Hole and Bear Hollow, I am concerned after reading the BLM Diamond Mountain Resource Management Plan. The Hacking's have owned this property for almost a century using it for sheep and livestock production. Improvements such as increasing the number of water reservoirs have made more water not only available to cattle but also to the increasing numbers of elk, deer, and moose as well as birds in the area. This area provides the means for this family to earn a living but has kept intact big beautiful Quaking Aspen Groves and Pristine Timber which seems to be rapidly disappearing due to disease, increasing wildlife, and most of all increased public access which always brings increased trash, pollution, damage due to motorized off road vehicle tracks, exhaust fumes, paths, plant crush injury, and possible fecal contamination to the limited water supply even if facilities are provided.

I am opposed to any invasion of my family's private property by the Bureau of Land Management. Existing livestock preference and private ownership should be maintained without new or increased numbers of wild and human life added.

Sincerely,



Marilyn Kim Scott

RESPONSE TO COMMENT LETTER 49 (SCOTT)

49-1

We appreciate your concerns. Please refer to our response 12-1.

49-1

561



Soil
Conservation
Service

P.O. Box 11350
Salt Lake City, Utah 84147

March 12, 1992

Penelope Smalley
Team Leader
Bureau of Land Management
Vernal District
170 South 500 East
Vernal, Utah 84078

Dear Ms. Smalley:

Thank you for the opportunity to review the draft Resource Management Plan/Environmental Impact Statement (DEIS) for the Diamond Mountain Resource Area (DMRA). It is a very well done document. The informative maps and charts make it especially useful.

There are a few areas of the document that need clarification:

1. Page 1.2 "Description of the Resource Area," mentions land ownership patterns and management by other agencies within the resource area boundary. It mentions lands owned and managed by Ashley National Forest and Uintah and Ouray Indian Reservation, but the DEIS (except in Figure 1-1) makes no mention at all about the private and state lands that constitute a major percentage (34 percent) of the land within the DMRA boundary. Much of this land is intermingled (some in the same pastures) with BLM-administered lands and cannot be managed independently. What is done, or not done, on public lands will impact what can be done on private and state lands. Unless the opportunities for Coordinated Resource Management (CRM) are addressed in this EIS, it could hinder the potential for cooperative range/watershed management for these intermingled lands.

2. Under "Cumulative Impacts of Implementing Alternative E" (page 4.60) the DEIS states, "Cumulative increased wildlife use from 27,600 AUMs to 40,000 AUMs could result in livestock reduction (9,000 AUMs)" However, in Table 4-18, "Summary of Impacts," and elsewhere in the DEIS it states, "Livestock forage assignments would be held at current levels (50,200 AUMs)." It then states, "Preliminary monitoring data indicates a 1,300-AUM reduction in current livestock preference would be necessary under this alternative." The figures for AUMs seem to be inconsistent.

RESPONSE TO COMMENT LETTER 52 (SOIL CONSERVATION SERVICE, Holt)

52-1 Land ownership and surface administration responsibilities are displayed on Figure 1-1. Figure 1-1 illustrates private and state acres within the Diamond Mountain Resource Area. The State of Utah and private lands have been added to Chapter 1 as major components of the ownership pattern within the resource area.

52-2 As stated in Chapter 4 for the proposed plan, under Impacts to Livestock Management from Vegetation Resources, it is expected that range improvements and improved management will provide sufficient AUMs to maintain livestock preference. Also any reductions in livestock preference would have to be supported by monitoring over time.

562

52-1

52-2

Chapter 5 - Coordination and Consultation

Penelope Smalley

2

52-3 3. Appendix 8, Title Page. Remove "for livestock" from the first heading under CONTENTS. This will make the heading read "Vegetation Inventory History and Ecological Condition." By definition, ecological condition is an ecological rating not a livestock forage rating.

52-4 4. Overlaying the Critical Watersheds Map on Page 3.58, the Sediment Yield Map on Page 3.61 and the Vegetation Zones Map on page 3.67 shows a significant extent of Pinyon-Juniper Woodland and Sagebrush Zones in critical watersheds yielding significant amounts of sediment. For these critical areas, a treatment method that alters surface hydrology by disrupting concentrated flow paths and leaving litter on the ground surface might be considered as a primary treatment method rather than burning. Such treatment methods would include cross-slope plowing with an off-set tandem disc or cross-slope chaining and leaving litter in place.

We hope that our range conservationists will have the opportunity of working with BLM personnel on Coordinated Resource Management Planning in this area.

Sincerely,



FRANCIS T. HOLT
State Conservationist

cc:
Karl Klar, Acting, District Conservationist, SCS, Roosevelt, UT
Patrick L. Shaver, Range Conservationist, SCS, SLC, UT
Mark M. Petersen, Project Planning Specialist, SCS, SLC, UT
Marilyn O'Dell, Project Planning Coordinator, SCS, SLC, UT

52-3 The statement "For livestock" was printed in error and has been omitted from the heading in Appendix 8 in this document.

52-4 Both burning and chaining in closed stands of pinyon-juniper and old age stands of sagebrush can provide long-term benefits for watershed. Burning has been chosen as the primary treatment method primarily due to project costs, and longer lasting effects. In areas where site specific environmental analysis shows an advantage, other forms of treatment will be considered.

P.O. Box 100
Trinity Center, Calif. 96091
March 10, 1992

Jean Vitschke-Sinclear
Team Leader Diamond Mt. Resource Management Plan
Bureau of Land Management
Vernal District Office
170 South 500 East
Vernal, Utah 84078

Dear Jean:

Thank you very much for the copy of the Diamond Mountain Resource Area Resource Management Plan and Environmental Impact Statement sent to me by the BLM at the request of my parents Grant and Mildred Hacking.

Our Family owns 1,380 acres of land in Jackson Draw that includes Mames Hole and Bear Hollow. This area was first owned in 1907 by my Grandfather Joseph P. Hacking and then by my Father and Mother, Grant and Mildred Hacking and now by the Grant L. Hacking Partnership. Since 1907 this land has been carefully managed so it would be in top grazing quality condition to feed many sheep and cattle. The raising of sheep and cattle has been and still is the livelihood and financial support of my parents and many members of both Joseph and Grant Hacking's large families. Children have been raised and educated from the financial profit of raising cattle on our private property. I am a member of the Grant L. Hacking Family Partnership and have a keen interest in our family maintaining our family livestock business and the effect the BLM Resource Management Plan will have on this business.

My Father has been aware of the delicate eco-system of Jackson Draw and has made many improvements over the years that have benefitted not only his cattle but the wild mammal and bird life and the natural plant and tree life. Reservoirs have been built that have watered not only his cattle but the increasing wild life population. The beautiful pristine timber and quality quaking aspen in the top of the draws, namely Mames Hole and Bear Hollow that borders the BLM, have been well cared for and are essentially the same today as they were in 1907. Very few areas such as this exists today. This area can be viewed by the general public from the county road that already exists in the bottom of Jackson Draw. To disturb this present well balanced sensitive plant and animal eco-system would be disastrous.

The Hacking family has worked hard to care for Jackson Draw! Please do NOT develop a Bear Hollow Campsite as indicated on p. 3.45. This would NOT only take away some of our family's pastureland livelihood but would disturb the present pristine fragile eco-system due to public road access. DO NOT develop a road through Mames Hole to reach the BLM Property at the top of the ridge as a big portion of our pastureland there would also be ruined and the eco-system invaded. Public access to the BLM ground through our property would ruin groves of unblemished quaking aspen and beautiful pine trees. Trees cut for wood, initials carved in their bark, off road motorized vehicle tracks, exhaust fume pollution, trampled plants, unwanted trash, decreased remote nesting and newborn wildlife areas, and possible fecal contamination to the fragile spring water sources as people do not

RESPONSE TO COMMENT LETTER 53 (SCOTT)

53-1 The Bear Hollow potential recreation site has been dropped from further planning consideration.

53-2 Thank you for expressing your concerns. Please refer to our response 12-1.

53-2 always use the toilets provided, are only a few of the problems
Cont. that would be created by the public.

53-3 Allow the Hacking Family and the future generations of that family to continue their excellent management of their own private property along with the other private property owners in the area such as The McCoys and The Siddoways, without interference from the Bureau of Land Management. It seems the private property owner who provides the tax base by which the BLM operates is almost an endangered species. HELP PROTECT THEM! We have done a great job over the years! Existing livestock preference and private ownership should be maintained without new or increasing numbers of wildlife or human life added to this beautiful sensitive area that has been well cared for through private ownership but yet visually accessible to the public.

I agree with the management theme general statement on p. 2.23 that reads....."This alternative will maximize forage production for livestock while maintaining/enhancing critical renewable resource systems and values within the resource area. Under this alternative the intent is to ensure existing livestock preference is maintained and wildlife numbers remain at current levels."

Sincerely,

Eleanore Hacking Scott

Eleanore Hacking Scott

53-3. We share your concerns for proper habitat management. During the analysis process, data showed that wildlife forage allocation could increase, while maintaining livestock preference. Monitoring use levels and vegetation trend, over time, would be the key factor ensuring over use does not occur.



FOREST INDUSTRIES

1445 South 500 East
Vernal, Utah 84078

(801) 789-7001

March 9, 1992

Penelope Smalley, Team Leader
Bureau of Land Management
Vernal District
170 South 500 East
Vernal, Utah 84078

Dear Ms. Smalley:

I attended your "open house" workshop on January 24, 1992. Thank you for your time to visit regarding the various proposed alternatives and the effects/results of each alternative. Also, I want to express my thanks to allow me to voice my concerns and opinions.

After review of the Diamond Mountain Resource Area RMP/EIS Draft Document, I feel you have adequately analyzed the major resource uses/users of the region.

I feel all people should be included in the participation and utilization of activities on public lands. We should strive for a controlled "balance" to protect our lands, and at the same time, be able to conservatively mine our energy resources, graze our forage producing lands, and harvest our woodlands.

Based on my analysis and past experiences with the Bureau of Land Management, I concur with your preferred alternative--- Alternative E.

Regards,

John E. Kornfeld
Owner/Manager

RESPONSE TO COMMENT LETTER 54 (Forest Industries, Kornfeld)

54-1

Thank you for your comment.

5.66

54-1

Dear Ms. Smalley:

I oppose the selected alternative for the Draft Diamond Mountain Resource Area Plan and its proposed closure of Red Mountain to off-road vehicles.

Red Mountain has had continuous use by horses, R.V., bikes and snowmobiles, and the area still shows no adverse affects from recreational use. Such use should continue, and the management plan should be written to reflect this.

Alternative A should be adopted. The BLM must plan for the needs of off-road recreation.

Sincerely,

Wendy May
PO Box 75
Vernal, UT 84078

RESPONSE TO COMMENT LETTER 55 (MAY)

55-1

Please refer to our response 10-1.

55-1

5.67

March 13, 1997

Dear Ms. Smalley,

My family and I moved to Vernal one year ago. We are very impressed with the beautiful area but are appalled at the ongoing destruction of the land and the possibility of future destruction.

61-1 I would like to let you know that I support Alternative E of the Diamond Mountain Resource Management Plan and the proposed improvements by the Uintah Mountain Club. I would also like to see more lands in Level I and II. If there is a possibility of any phosphate mining in the Red Mountain-Ashley Creek area, please put a stop to it. This is a magnificent area and it should be left alone. I also hope that the slickrock north of Steiner will be protected. It is a unique area and I feel lucky to live so close to it. I also want to mention my support for the protecting of Endangered Species in this area and for the re-introduction of once-common indigenous species seeing a mountain side full of bighorn sheep in the Deep Creek Canyon area is something I will never forget. Finally, I want you to know that I support Wild and Scenic Status for the Upper and Lower Green River.

61-2

61-3

61-4

61-5

Perhaps since I came from a not so scenic State I really appreciate this area. The fact that the land and wildlife are threatened sickens me.

Sincerely,

Wincy Jochems

RESPONSE TO COMMENT LETTER 61 (JOCHEMS)

61-1 Please refer to the Summary section at the beginning of this document for an explanation of the management priority area concept and how resource values were assigned to a particular management level. The RMP team, using data gleaned from the public scoping meeting held at the onset of this project, determined the management priority area levels and the resource values applicable to each level for each alternative discussed in the document. We believe the assignment of resource values within DMRA to these levels provides for the public's use and development of resources while protecting or enhancing critical/important environmental values.

61-2 In the proposed plan, the Bureau-administered mineral estate area between Ashley Creek Gorge and Dry Fork Creek in the Red Mountain-Dry Fork ACEC would be closed to phosphate mining.

61-3 It is unclear what type of protection you seek. If you're referring to OHV use, please refer to our response 10-1.

61-4 Thank you for your support.

61-5 Thank you for your support.

Mr. Alvin C. Kay
P.O. Box 23
Vernal, Utah 84078

March 02, 1992

Bureau of Land Management
Vernal District
170 South 500 East
Vernal, Utah 84078

ATTN: PENELOPE SMALLEY - TEAM LEADER

RE: DIAMOND MOUNTAIN RESOURCE MANAGEMENT PLAN

Dear Ms. Smalley;

After reviewing the Diamond Mountain Environment Draft Statement, I have come to the conclusion that it is the most stupid and asinine proposal that any Government Agency has ever made.

In 1970, I sold to the Utah Wildlife Resources about 2700 acres of land in the Warren Draw and retained 1200 acres for my children and grandchildren's use and enjoyment. I have built a number of ponds, and have fish planted in four of them for our own personal use.

Udell Gardner and myself have a small herd of cattle running on our fee ground and on the B.L.M. ground on each side of the draw. We pay an annual fee to the B.L.M. for the grazing rights.

The Utah Wildlife Resources have the South part of the draw (2700 acres) and encourage the public to use the area for hunting, camping, and picnicking. Now this seems to be enough ground for their use in this draw.

There are a number of reasons why I am opposed to your intentions to trespass across my ground:

1. There are three (3) summer cabins on the property, one of which is worth \$100,000.00. Now my question is - what if these cabins are vandalized, who is responsible?

RESPONSE TO COMMENT LETTER 62 (KAY)

62-1 Please refer to our response 12-1. If BLM did acquire public access across private lands and vandalism damage or trespass occurred, the violators would be responsible for their own actions in accordance with state laws and local ordinances. Cattle guards and signs could be installed or a cooperative agreement could be obtained between BLM and the private landowners which outlined agreed upon responsibilities for all parties. If public lands are open to the public, these lands should be made available to all on an equal basis.

5.69

62-1

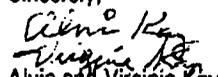
Penelope Smalley - Team Leader
B.L.M. - Vernal District
March 02, 1992
Page 2

62-1
Cont.

2. We run cattle in this draw, and the cattle like to lay in the road, for the dust keeps the flies away. What if one of the public hot rodders hits one of these cows or calves, who is responsible?
3. If any of the public gets off the designated Right-of-Way, and trespasses on my private property, who is responsible?
4. You will undoubtedly have to install a cattle guard, and if a cow or calf gets in the cattle guard and has to be destroyed, who is responsible?
5. If the public fishes in my ponds, or uses my private picnic or restroom facilities, who is responsible?
6. I have six (6) children and twenty two (22) grandchildren and most of them hunt deer. Last year there were twenty one (21) of our family hunting deer and two (2) others that my grandchildren brought in, plus five (5) hunters camped at Rex Gardner's cabin for a total of twenty eight (28) people or about one behind every bush. This is probably the most hunters in any one area on the mountain, yet you want to open it to the general public. Does this make sense?

5.70

I am completely opposed to the B.L.M. wanting to open my property in the Warren Draw to the public and attendant problems.

Sincerely,

Alvin and Virginia Ray

AK-VK/tk
cc: Senator Jake Garn
Senator Orrin Hatch
Congressman Bill Orton

Lawrence C. Kay
1940 East 2500 South
Vernal, Utah 84078

March 19, 1992

Bureau of Land Management
Vernal District
170 South 500 East
Vernal, Utah 84078

Attn: Penelope Smalley
Team Leader

Re: Diamond Mountain Resource
Area - Resource Management
Plan and Environmental
Impact Statement.

Dear Ms. Smalley;

After spending a huge amount of time reviewing this Diamond Mountain Resource Area Draft Statement, it appears to be very complex and not understandable.

There should be a solution to make the statement easy to read and understandable. It appears that the statement is made cumbersome and awkward by the sheer volume of material and is arranged in such a matter that it is extremely hard to understand.

My concern deals with the property that I and my family own in the Warren Draw on Diamond Mountain. As I studied the plan it became really hard to comprehend what the B.L.M. is proposing.

A short history of Warren Draw. It was patented late in the 1800's and used for cattle, sheep, and horse grazing. Approximately in 1970, Rex Gardner, Glenn Cooper, and Alvin Kay purchased the property which included all of the fee owned property in Warren Draw. They also acquired the Federal Grazing Permits, allowing for private animals to graze on the B.L.M. property that lies on the tops and sides of the North - South ridges on each side of the Draw and also on the North side of the Draw, and surrounds the fee owned areas. These permits require yearly payments to the B.L.M. for these uses.

RESPONSE TO COMMENT LETTER 63 (KAY)

63-1 We are sorry you found the draft document cumbersome and its format difficult to understand. The summary section immediately preceding the Table of Contents was intended to help the reader understand the document's format and assist in its review. Please be aware that the proposed plan/final EIS format closely follows the draft document. A summary section is provided in the beginning of volume I of the proposed plan/final EIS.

Some time after the purchase the owners (Kay, Gardner, and Cooper), sold the South 2/3rd's (2700 Acres) of the Draw to the State of Utah, Department of Wildlife Resources. The State was primarily interested in retainage of Wildlife Habitat and Winter Range for Elk and Deer. The State has kept the area open to all hunters and the public for whatever they would like to do. The public still has the right for foot traffic and hiking around the Fee property.

The North portion was retained by Gardner (240 Acres) and Kay (1210 Acres) and developed as a grazing property for horses and cattle. They have constructed nine (9) ponds that retain water for dispersement to the cows and horses during the grazing season. Also the bottom of the Draw was treated to kill some of the sage brush. Corrals were built, springs repaired and upgraded, and roads were upgraded, etc. There has been a large investment of time and money to bring these facilities on line.

Alvin Kay and his wife Virginia have shared their ownership with five (5) of their children and the Kay families take great delight in using the Draw during the Summer and Winter.

1. The Kay's have planted fish in four (4) of the ponds and continue to stock them for use of the grandchildren.
2. The Kay's have built a small park including a picnic table and grass area, outhouse and fireplace by the North pond for the families use.
3. The Kay's and their spouses and family members spend large amounts of time on their property hunting, fishing, relaxing, and enjoying the out of doors.
4. The Kay's have two (2) cabins on their property and Rex Gardner has an extremely nice cabin (\$100,000 cabin) on his parcel for their families enjoyment.

The Warren Draw has become an excellent grazing area for the cows and horses because of the diligence and investment in land, water, brush removal, corrals, fences, gates and other livestock appurtenances completed.

Also involved in this area is a large herd of elk who use the same facilities with the cows and horses and a small number of deer. The elk and deer also use this area as a wintering ground.

We object to the B.L.M. Diamond Mountain Resource Area RMP & EIS Report on a number of important points such as:

1. This property is fee owned and should never have an access road or roads through it because of the disruptive noise, movement, and harassment of livestock and game animals and all related problems with vehicular traffic.
2. Access into private property only causes other problems such as vandalism of cabins, grader, fences, corrals, livestock, vehicles and other items. (NOTE: Trucks, 4 Wheelers, Tractor, and Road Grader are left in the Warren Draw during most of the year).
3. Who will restock the fish ponds, cleanup debris left by the public, outhouse cleanup, and other problems caused by the public?
4. De-valuation of property due to a public access through the property which then requires additional fences to protect the livestock from vehicle traffic, and other related problems.
5. Big Game Management requires some safe areas away from the hunters. Public access always allows more people into a given area which in turn pushes the game animals into smaller and smaller areas.
6. Cattle guards should not be installed because of the extreme problems of horses and cows getting into the guards and breaking legs, etc.

63-2
response 12-1.

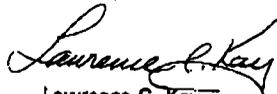
Thank you for expressing your concerns. Please refer to our

Bureau of Land Management
March 19, 1992
Page 4

63-2
Cont.

All of our family members are completely against public access into any areas on Diamond Mountain not already available to public traffic and especially in the Warren Draw.

Sincerely,



Lawrence C. Kay

5.74

LCK/jk

cc: Senator Orrin Hatch
Senator Jake Garn
Representative Bill Orton

March 12, 1992

Ms. Penelope Smalley, Team Leader
Bureau of Land Management
Vernal District
175 South 500 East
Vernal, Utah 84078

Dear Ms. Smalley:

I'm writing concerning the Diamond Mountain Resource Area, and the five management plan alternatives presently being considered by the BLM. I STRONGLY SUPPORT ALTERNATIVE E.

As a member of the Lintah Mountain Club, I wholeheartedly support their proposed improvements for Alternative E.

Specifically, I would

- 67-1 - Urge the BLM to include more lands in Level 1 and Level 2 management prescriptions.
- 67-2 - Oppose phosphate mining in the Red Mountain-Ashley Creek area. I don't see how this would give a significant boost to the economy of the Uintah Basin, but I do believe it would significantly alter the scenic value of the area.
- 67-3 - Urge greater protection for the slickrock area north of Stinaker Reservoir. This unique area deserves it.

We have recently moved to this area from Kansas, largely because of the wondrous scenery and the recreational pursuits the Lintah basin has to offer. We've already had many memorable experiences, and look forward to many more. Please continue your good work in preserving the priceless beauty that surrounds us.

Thank you for your consideration in this matter.

Most sincerely,

Gregory E. Jochems
4095 W. 500 North
Vernal, Utah 84078

RESPONSE TO COMMENT LETTER 67 (JOCHEMS)

- 67-1 Please refer to our response 61-1.
- 67-2 Please refer to our response 61-2.
- 67-3 Please refer to our response 61-3

5.75

March 13, 1992

Dear Jean,

I am the son of Joseph P. Hacking who owned Mame's Hole and Bear Hollow from about 1907 until he died in 1944. The ownership then passed to me in 1947.

He never overgrazed it but left some feed in the Fall to prevent overgrazing and misuse of the land. At that time there were deer but no elk. In 1935 they wanted to put 79 head of elk on all of Diamond Mountain. The number has now multiplied to thousands. In Mame's Hole and Bear Hollow in 1991 more than 500 head of elk have been seen. Now in 1992 the plan calls to triple the number of wildlife there.

68-1 Our concern is how the elk and deer can be fed and still leave enough forage for my cattle on my patented ground. This plan to increase the wildlife is drawn out in the management plan you have sent to us.

68-2 As far as the burning plans go I want to tell you of my Dad's experience with burning in Bear Hollow. He waited 2 years for the wind to be just right to burn sagebrush. The wind changed after the fire was started and it swept uncontrolled up the hillside. There is still evidence of this today. You have not said whether the 200 acre burn would be on BLM or my ground. If it is to burn on BLM ground you would destroy alot of beautiful forested hunting. I don't want my land to be burned off without my permission and advisement.

68-3 If you continue your plan to build a road into Mame's Hole, you will create many problems with my cattle which is my livelihood. It will cut down on my acreage, open up my land to foolish hunters(sportsmen) who can't always recognize a cow from an elk or deer. The livestock will mix up with our neighbors cattle.

It is about one mile from the main road to the BLM ground in Mame's Hole. That will cut out approximately 40 acres of my patented grazing land. We love the beauty and privacy of Mame's Hole and we would be distressed to find it full of uncaring people who make deep ruts across the grasslands.

We have leased the hunting rights to about 15 families who care and protect it. We want it to remain as it is. They have taken very good care of the land and have had very few problems since we leased these rights out.

68-4 Plans for a campground in Bear Hollow are no good for anyone. More roads into BLM ground will have to be built and then fenced which will take more of my acreage and open the area up to more people capable of doing damage to the environment. I fear for my cattle being killed or driven off, the fences cut down and the gates left open.

Although there were some improvements made before I owned the land, I have been involved with making a series of valuable ponds. Livestock and wildlife have benefitted from these. I built two reservoirs below the cabin and corral at the southend of my property, increased the size of the pond in Mame's Hole, built a good one near McCoy's fence, enlarged the one in Bear Hollow and plan to improve the one in Hadlock Cove this summer.

In the last 45 years, I have run cattle in Mame's Hole and

RESPONSE TO COMMENT LETTER 68 (HACKING)

68-1 During our analysis for the RMP, both livestock and wildlife forage needs were reviewed and compared to existing forage on an allotment basis for each alternative. Our analysis showed that livestock preference could be maintained while allowing wildlife forage allocations to increase. We will monitor this increased use with vegetation studies to insure overuse by wildlife does not occur. Analysis also showed range improvement work on public land could supply an additional 28 AUMs of forage in the Mame's Hole-Bear Hollow allotment, benefiting both livestock and wildlife. Also please refer to our response 12-2.

68-2 If burned, the 200 acres on BLM would be conducted under safe fire prescriptions as outlined in a site specific burn plan and environmental assessment prepared prior to any burning. Please refer to Chapter 2, Management Guidance Common to the Proposed Plan and Alternatives for details.

68-3 Thank you for expressing your concerns. Please refer to our response 12-1.

68-4 Again thank you for expressing your concerns. Please refer to our response 12-1.

Bear Hollow and have been very careful to not overgraze this excellent pasture land. Increasing the number of wildlife will take feed away from my cattle. It is a problem which no one seems to know how to control. I do not want you to blame any reduction in feed growth on my cattle when the wildlife will soon outnumber the cattle if your plans continue.

The money I receive from cattle is banked in Vernal banks, supplies are purchased from local merchants, taxes are paid in Uintah County. Money spent by local ranchers in this area far exceeds the revenue paid by sportsmen.

In all of the years that the Hacking Family have owned Jackson Draw in which Mame's Hole and Bear Hollow are a part of, we have tried and succeeded in not overgrazing and in improving all water resources to make it some of the finest pastureland on Diamond Mountain. BLM has not made any improvements on their portion.

Please DO NOT make any changes! Let us continue to take care of it and manage it as it is now.

Sincerely,

Grant L. Hacking
Grant L. Hacking

1745 N. 3500 W.
Vernal, Utah 84078
March 19, 1992

Jean Sinclear
Bureau of Land Management
Vernal District Office
170 South 500 East
Vernal, Utah 84078

Dear Jean,

Recently we interviewed a member of your staff regarding the plans for development of the Mame's Hole-Bear Hollow area which are included in your book entitled "Diamond Mountain Resource Area, Resource Management Plan and Environmental Impact Statement.

Some of these plans are causing us great concern, particularly the one which would open up the Mame's Hole area by building a road across our Jackson Draw grazing land up into Mame's Hole and continuing on into Lambson Draw.

Joseph P. Hacking, Grant's father, purchased all of the land in Jackson Draw so he could provide pasture for his sheep. He negotiated with the BLM for use of their property.

Since Mame's Hole and Bear Hollow became Grant's, he has faithfully paid for the lease from the BLM.

Fences have been built, reservoirs constructed, crickets poisoned, and a careful consideration of non-grazing of his land and BLM land.

There was a time when hunters traveled any place they wanted to on this land. Deep ruts from vehicles driving off the designated roads resulted. Our cattle were always endangered. In fact, we brought our livestock off the mountain before the hunting season began to avoid the cattle from being shot by hunters. We have had trouble in the past with wire fences being cut, gate posts broken off, and cattle being killed.

For the past few years we have leased our private land which gives access to Mame's Hole and Bear Hollow and BLM ground to a group of families who care for it as if it were their own. They post it to keep the roads, water, and cattle safe. Through cooperation with these people, other people have hunted on both our ground and BLM ground without causing any damage.

Opening a road into Mame's Hole would be a tremendous undertaking considering the rocky, steep area it is in. Pressure from environmental groups to pursue this should be discouraged.

In the Deseret News recently there was an article about the problems facing a rancher in Tooele County. His cattle are being killed, fences cut, gate posts shot off, even cement blocks ruined by gunfire. BLM has posted many signs in Tooele County but these last only one day because of being shot at. We fear a similar situation will occur in Jackson Draw leading to Mame's Hole and Bear Hollow.

We should like to protest anymore consideration of such a road building plan.

We have been determined during our years in the farming and livestock business to sell locally and in turn to buy locally.

RESPONSE TO COMMENT LETTER 69 (HACKING)

69-1 We appreciate your concerns. Please refer to our response 12-1.

69-2 We recognize the importance of the agriculture industry to the local economy of the basin. Please refer to Chapter 3 and 4 for a discussion of the socioeconomics factors involved with this proposed plan.

69-1

5.78

69-2

Along with others involved in the same business, we know that we have helped the local economy every year.

69-3

Please refer to our response 12-2.

69-2
Cont.

Some people may think that catering to hunters will increase county profits. These sportsmen do not pay land taxes. They may buy a few days of groceries and housing but the stability of the economy rests with the stockmen and land owners. It seems too bad that we have to fight for our rights to own land and care for our livestock when we contribute so much.

69-3

We are concerned with the increasing number of wild life we are feeding. The elk herd is enormous now and the prospects of more on our land is staggering and will soon consume all of our grazing land leaving nothing for our cattle.

We appreciate your help and hope this will influence your decision to leave our area without any changes.

Sincerely,

Mildred B. Hacking
Mildred B. Hacking

Clint McLaughlin
150 E. 4000 S.
Vernal, UT 84078

3/20/92

Penelope Smalley
Bureau of Land Management
170 S. 500 E.
Vernal, UT 84078

Dear Ms. Smalley,

I want to congratulate the BLM for what I understand are its intentions to better protect the Diamond Mountain Resource Area. From what I have seen of the management alternatives being proposed, I want to express my support for Alternative E.

It is inevitable that greater responsibility for the protection of our public lands will become policy and I'm pleased to see your agency responding to that public sentiment. My only complaint is that Alternative E doesn't go far enough. The damage being done in the Diamond Mtn. area by OHV operators is almost criminal. Are you aware of the extent of the vandalism and landscape destruction that is going on? It is far better to err on the side of protection in this fragile environment.

I am also greatly pleased by your efforts at restoring the original wildlife species in the DMRA. As part of this new respect for wildlife, please do all you can to abolish the cruel practice of bear-baiting. I am astonished that this kind of thing is allowed to go on.

Sincerely,
Clint McLaughlin

RESPONSE TO COMMENT LETTER 70 (MCKNIGHT)

70-1 Thank you for expressing your concerns. Please refer to the narrative summary of decisions for the proposed plan affecting OHVs and Table 2-5, all in Chapter 2. We believe these proposed decisions adequately protect the important resource values while offering public lands for responsible OHV use.

70-2 Thank you for your support.

70-3 The rationale for not allowing bear baiting on public land is based on the potential public health hazard and conflicts between recreation users and bear-baiting sites which have not been cleaned up. Our responsibility is to manage and improve wildlife habitat not determine methods of hunting. The methods of hunting for each wildlife species is the responsibility of the Utah Division of Wildlife Resources.

580

70-1

70-2

70-3