

**United States Department of the Interior
Bureau of Land Management**

Environmental Assessment
DOI-BLM-UT-G010-2010-0093-EA

March 2012

Uintah County, Uintah County Road #060703A (amendment)

Location: Salt Lake Meridian,

T. 10 S., R. 18 E.,
Sec. 21, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 31, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
T. 11 S., R. 18 E.,
Sec. 5, lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 6, SE $\frac{1}{4}$,
Sec. 7, W $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$,
T. 11 S., R. 17 E.,
Sec. 12, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 13, W $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$.

Applicant/Address: *Uintah County*
152 East 100 North
Vernal, Utah 84078

U.S. Department of the Interior
Bureau of Land Management
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DOI-BLM-UT-G010-2010-0093-EA
Uintah County, Uintah County Road #060703A (amendment)

CHAPTER 1
INTRODUCTION AND NEED FOR THE PROPOSED ACTION

INTRODUCTION

This Environmental Assessment (EA) has been prepared to analyze Uintah County's proposal to amend their right-of-way (ROW) UTU-69125-20 (county road #060703A) to include approximately 4.36 miles of road for public commerce, enjoyment, recreation and travel. Uintah County has proposed this project to facilitate management of their County Road system.

The EA is a site-specific analysis of potential impacts that could result with the implementation of a proposed action or alternatives to the proposed action. The EA assists the BLM in project planning and ensuring compliance with the National Environmental Policy Act (NEPA), and in making a determination as to whether any "significant" impacts could result from the analyzed actions. "Significance" is defined by NEPA and is found in regulation 40 CFR 1 508.27. An EA provides evidence for determining whether to prepare an Environmental Impact Statement (EIS) or a statement of "Finding of No Significant Impact" (FONSI). A Decision Record (DR) which includes a FONSI statement, is a document that briefly presents the reasons why implementation of the selected alternative would not result in "significant" environmental impacts (effects) beyond those already addressed in the Vernal Field Office Resource Management plan (October 2008). If the decision maker determines that this project has "significant" impacts following the analysis in the EA, an EIS would be prepared for the project. If not, a Decision Record may be signed for the EA approving the alternative selected.

On February 24, 2009 Uintah County filed an application for a Title V road ROW amendment on class "D" county road #060703A. The ROW amendment was assigned serial number UTU-69125-20.

PURPOSE AND NEED FOR THE PROPOSED ACTION

The BLM's purpose is to avoid or reduce impacts on sensitive resource values associated with the project area and prevent unnecessary or undue degradation of the public lands. The BLM's need is to consider approval of the proposed project consistent with Title V of the Federal Land Policy and Management Act of October 21, 1976, as amended through September 1999, (90 Stat. 2776; 43 U.S.C. 1761), and the BLM's multiple-use mandate.

Uintah County's purpose is to continue to provide access for public purposes, enjoyment and infrastructure, including, but not limited to public travel, recreation and commerce.

CONFORMANCE WITH BLM LAND USE PLAN(S)

The proposal would be in conformance with the Vernal Field Office RMP/ROD (October 31, 2008). The RMP/ROD decision allows for processing applications, permits, operating plans, mineral exchanges, and leases on public lands in accordance with policy and guidance and allows for management of public lands to support goals and objectives of other resources programs, respond to public requests for land use authorizations, and acquire administrative and public access where necessary (RMP/ROD p.86). It has been determined that the proposed action and alternative(s) would not conflict with other decisions throughout the plan.

RELATIONSHIPS TO STATUTES, REGULATIONS AND OTHER PLANS

This EA was prepared by the BLM in accordance with NEPA of 1969 and in compliance with all applicable regulations and laws passed subsequently, including the President's Council on Environmental Quality regulations, and the U.S. Department of the Interior requirements and guidelines listed in the BLM Manual Handbook H-1790-1. This EA assesses the environmental effects of the Proposed Action and the No Action Alternative.

Prior to the enactment of Public Law 94-579, Oct. 21, 1976, as amended and Title V of the Federal Land Policy and Management Act of October 21, 1976, as amended through September 1999, (90 Stat. 2776; 43 U.S.C. 1761), Uintah County historically constructed, operated, and maintained to varying degrees a county rural transportation network road system across federally managed public lands. The transportation system is currently used for commerce, recreation, and overall public enjoyment of the federal lands and associated resources in Uintah County. On the subject county road #060703A, Uintah County is limited to maintenance within the existing disturbed area. Uintah County is seeking a FLPMA Title V Right-of-Way Authorization in order to establish an authorization that recognizes their transportation network, their road maintenance program, and to more effectively provide for public commerce, recreation, health, and safety.

The proposed action is also consistent with the Uintah County General Plan, as amended in 2007. The Uintah County General Plan contains specific policy statements addressing public and multiple-use, resource use, and development, access, and wildlife management. In general, the Plan indicates support for development proposals through its emphasis on multiple-use public land management practices and responsible use and optimum utilization of public land resources. The County, through the Plan, supports the development of natural resources as they become available as new technology allows.

CHAPTER 2 DESCRIPTION OF ALTERNATIVES

INTRODUCTION

This chapter presents the Proposed Action Alternative, as submitted by Uintah County, and the No Action Alternative. The No Action Alternative is considered and analyzed to provide a baseline for comparison of the impacts of the proposed action.

PROPOSED ACTION

Uintah County has proposed to amend their ROW for County road #060703A (UTU-69125-20 granted August 10, 2005) a Class "D" unmaintained road to include lands located within T. 10 S., R. 18 E., Sec. 21, 31; T. 11 S., R. 18 E., Sec. 5, 6, and 7; and T. 11 S., R. 17 E., Sec. 12 and 13 be granted to Uintah County as a Title V ROW.

The BLM considers an "as is where is" road right of way (ROW) to be one where the road will not vary from its original character or footprint and only minor, "as needed" work to maintain access occurs, e.g., repair of a wash-out from storm damage, etc. However, all road maintenance is required to stay within the existing disturbance identified in the ROW grant. Upgrading or widening would not occur.

The total length of the existing road that crosses land managed by the Bureau of Land Management, and that is included in the County's 060703A application, is approximately 23,000 feet in length (4.36 miles) and a width that varies between 6 to 45 feet (representative width is approximately 30 feet). (Attachment B-Map).

The road is currently, and would continue to be used year round, for commerce (including transportation of fluids and maintenance of well site facilities), public travel, moving livestock, and recreational use. Uintah County has an active weed control program which is currently being applied to Uintah County roads.

NO ACTION

The No Action Alternative would be to deny the application as proposed. With this alternative BLM would not approve the application. The roads are currently, and would continue to be used year round, for commerce (including transportation of fluids and maintenance of well site facilities), public travel, moving livestock, and recreational use.

CHAPTER 3 AFFECTED ENVIRONMENT

INTRODUCTION AND GENERAL SETTING

The Interdisciplinary Team Checklist provides a brief description of the affected environment. *For additional information refer to 43 CFR 46.125 and BLM Handbook H-1790-1 sections 6.7.1, 6.7.2, and 8.3.5.* The affected environment and environmental consequences of the alternatives were considered and analyzed by an interdisciplinary team as documented in Appendix A. The Interdisciplinary Team Checklist indicated that no resources would be brought forward for analysis largely based upon the nature of the proposed action.

NO ACTION

With this alternative CR# 060703A would continue to be used year round, for commerce (including transportation of fluids and maintenance of well site facilities), public travel, moving livestock, and recreational use.

CHAPTER 4 ENVIRONMENTAL IMPACTS

DIRECT AND INDIRECT IMPACTS

This chapter would describe the direct and indirect impacts that would be expected to occur upon the implementation of each of the considered alternatives. It would also disclose the expected cumulative impacts, which are those impacts resulting from the incremental impact of an action when added to other past, present, or reasonably foreseeable actions regardless of what agency or person undertakes such other actions; however, since no impacts have been identified, no impact analysis, by resource, will follow.

PROPOSED ACTION

If the proposed action were selected, BLM would approve the application. The roads are currently, and would continue to be used year round, for commerce (including transportation of fluids and maintenance of well site facilities), public travel, moving livestock, and recreational use.

NO ACTION

The No Action Alternative would be to deny the application as proposed. With this alternative BLM would not approve the application. The roads are currently, and would continue to be used year round, for commerce (including transportation of fluids and maintenance of well site facilities), public travel, moving livestock, and recreational use, but no maintenance would be authorized.

CUMULATIVE IMPACTS

Cumulative impacts are those impacts resulting from the incremental impact of an action when added to other past, present, or reasonably foreseeable actions regardless of what agency or person undertakes such other actions. No impacts (direct or indirect) have been identified, therefore, no cumulative impacts would be realized and no analysis is necessary.

CHAPTER 5 PERSONS, GROUPS, AND AGENCIES CONSULTED

The proposed action was posted to the public Environmental Notification Bulletin Board with its assigned NEPA number on December 2, 2009.

Notice of the application was sent to adjacent ROW holders on December 10, 2009. To date, no questions or comments have been received from the adjacent ROW holders.

The project was originally going to be analyzed under an Administrative Categorical Exclusion; however, comments from David Garbett of the Southern Utah Wilderness Alliance were received on December 22, 2009 requesting that this project be analyzed in an EA. The basis for the request is the proximity of the project to the Citizen's Proposed Red Rocks Wilderness Area. Mr. Garbett also requested that a comment period be offered to the public for this project. A 30 day public comment period was conducted October 26, 2010 to November 26, 2010. Public comments are discussed in Appendix C.

The ENBB was updated on January 25, 2010 to update that the project would be analyzed in an EA.

List of Preparers

See Interdisciplinary Team Analysis Record Checklist

List of Acronyms Used in this EA:

AO	Authorized Officer
BLM	Bureau of Land Management
DR	Decision Record
EA	Environmental Assessment
EIS	Environmental Impact Statement
ENBB	Environmental Notification Bulletin Board
FLPMA	Federal Land Policy and Management Act of 1976
FONSI	Finding of No Significant Impact
ID	Interdisciplinary
NEPA	National Environmental Policy Act
RFA	Reasonably Foreseeable Action
RMP	Resource Management Plan
ROD	Record of Decision
ROW	Right-of-Way

Appendices

- APPENDIX A: Interdisciplinary Team Analysis Record Checklist
- APPENDIX B: Map of Project Area
- APPENDIX C: Public Comments

APPENDIX A
INTERDISCIPLINARY TEAM ANALYSIS RECORD CHECKLIST

INTERDISCIPLINARY TEAM CHECKLIST

Project Title: *Uintah County Road #060703A (amendment)*

NEPA Log

Number: *DOI-BLM-UT-G010-2010-0093-EA*

File/Serial Number: *UTU-69125-20*

Project Leader: *Katie Nash*

Determination	Resource	Rationale for Determination*	Signature	Date
RESOURCES AND ISSUES CONSIDERED (INCLUDES SUPPLEMENTAL AUTHORITIES APPENDIX 1 H-1790-1)				
NI	Air Quality	Dust emissions currently occur from vehicles utilizing the subject roads. Those air quality impacts are encompassed within the Uinta Basin Air Quality Study (UBAQS) that was conducted in 2009. Overall, air quality in the Basin was modeled as being within attainment of the NAAQS. The 2012 horizon showed isolated modeled exceedances of the ozone NAAQS, which are thought to be residual effects from utilizing Wasatch Front monitors (which are 120 miles away in a non-attainment area) to calibrate the model. An additional model was run for the Greater Natural Buttes project. The results of that model correspond with the results of the UBAQS model. There are no regulatory monitoring data for the project area to verify and calibrate the results of either model, although monitoring is ongoing beginning in July 2009. Preliminary monitoring results are showing exceedances of the ozone NAAQS in the Uinta Basin during the winter when snow cover is present. However, ozone formation from its component parts (NOx and VOCs) is a non-linear, photo-reactive process, and no models exist to predict the formulation of winter-time ozone. It is anticipated that the incremental change from this project's alternatives would be so small as to be undetectable by both models and monitors.	Katie Nash	01/25/10
NP	Areas of Critical Environmental Concern	The project area does not fall within the boundaries of an ACEC as shown in the Vernal Field Office RMP/ROD and GIS database.	Jason West	2/05/2010
NP	BLM natural areas	The project area does not fall within the boundaries of a BLM Natural Area as shown in the Vernal Field Office RMP/ROD and GIS database.	Jason West	2/05/2010
NI	County Transportation Plan	This road is currently listed within Uintah County's Transportation Plan.	Katie Nash	01/25/10
NP	Cultural Resources	The area of potential effect (APE) for the project is the green portions of the roadway in the document map. The project consists of merely changing the status of an existing roadway to better define county road maintenance. There are two segments of roadway both of which have been previously surveyed. The northern portion was surveyed in report U-82-BC-0302 and again in report U-04-AY-0640. Neither the roadway nor its buffer area had any associated cultural material.	Kathie Davies	10-12-2010

Determination	Resource	Rationale for Determination*	Signature	Date
		The southern portion of the roadway was surveyed for cultural material in report U-04-MQ-1472. Two "not-eligible" historic trash scatters were identified with the project. No avoidance measures are necessary; recommended "no adverse effect" to historic properties for this endeavor.		
NI	Environmental Justice	No minority or economically disadvantaged communities or populations would be disproportionately adversely affected by the proposed action or alternatives.	Katie Nash	01/25/10
NP	Farmlands (Prime or Unique)	All prime farmlands in Uintah County are irrigated. All unique farmlands in Uintah County are orchards. No irrigated lands or orchards are located in the project area; therefore this resource will not be carried forward for analysis.	Katie Nash	01/25/10
NP	Fish and Wildlife Excluding USFWS designated species	GIS layers and field data was reviewed and found no federally listed species and / or habitat within the proposed project area. In addition, water depletion is not anticipated to occur.	Daniel Emmett	03/17/10
NP	Floodplains	The project area does not fall within the boundaries of a 100-year floodplain on BLM land as shown in the Vernal Field Office RMP/ROD and GIS database. Small non-HUD inventoried flood plains are present but would not be impacted by the proposed action.	Stan Olmstead	5/7/2010
NP	Fuels / Fire Management	No conflicts with BLM fuels or fire management activities would occur. No fuels treatments are present, as per the Vernal GIS data base.	Katie Nash	01/25/10
NI	Geology / Mineral Resources / Energy Production	No geology, mineral resources, or energy production would be negatively impacted due to the nature of the proposed action.	Betty Gamber	2/9/2010
NI	Greenhouse Gas Emissions	No standards have been set by EPA or other regulatory agencies for greenhouse gases. In addition, the assessment of greenhouse gas emissions and climate change is still in its earliest stages of formulation. Global scientific models are inconsistent, and regional or local scientific models are lacking so that it is not technically feasible to determine the net impacts to climate due to greenhouse gas emissions. It is anticipated that greenhouse gas emissions associated with this action and its alternative(s) would be negligible.	Katie Nash	01/25/10
NI	Hydrologic Conditions	The existing travel route is utilized as a service road to an existing natural gas well and as a two-track road utilized for recreation and managing livestock operations. The proposal is an As-Is, Where-Is and would not be expected to alter the existing water flow patterns.	Stan Olmstead	5/7/2010
NI	Invasive Plants / Noxious Weeds	As the proposed project will not result in the creation of any new surface disturbance and any future maintenance would remain within the existing disturbance area and as the No Action Alternative would continue to allow for the continued use of the road, the impacts to the vegetation community would not be appreciably different between the Proposed Action and No Action Alternatives. Therefore, the proposed action will not lead to an increase in the risk for the establishment or spread of noxious weeds and invasive plant species beyond those already existing on the ground.	Aaron Roe	10/12/10

Determination	Resource	Rationale for Determination*	Signature	Date
NI	Lands / Access	<p>The proposed area is located within the Vernal Field Office Resource Management Plan area, which allows for oil and gas development with associated road, pipeline and power line right-of-ways. Current land uses, within the area identified in the proposed action and adjacent lands, consist of existing oil and gas development, overhead power and telephone lines, wildlife habitat, recreational use, and sheep and cattle ranching. No existing land uses would be changed or modified by the implementation of the proposed action; therefore, there would be no adverse effect. The other right-of-way holders in the area have been notified of Uintah County's application for an as-is, where-is road. No concerns have been raised by those potentially affected parties.</p>	Katie Nash	01/25/10
NI	Livestock Grazing	<p>The existing road is completely within the Little Desert Allotment. No expectation of an increase of forage loss would occur. Experience is that traffic conditions may increase slightly as more county maintained roads occur on public land.</p>	Stan Olmstead	5/7/2010
NI	Migratory Birds	<p>Migratory birds may be present adjacent to the project area; however, no new surface disturbance is proposed. Therefore, no adverse impacts are anticipated.</p>	Daniel Emmett	03/17/10
NI	Native American Religious Concerns	<p>The location for this roadway is within the GASCO EIS footprint. Tribal consultations for the GASCO project were sent to the Tribes on February 9, 2011. The Navajo Nation letter was returned and was resent on February 25, 2011.</p> <p>On March 2, 2011 we received a "will not have a significant impact" letter from the Pueblo of Laguna Tribe. On April 11, 2011 we received a response from the Hopi Tribe. They suggested alternative D as the appropriate plan. They further suggested that we enter into a programmatic agreement with the Advisory Council as signatures. Outside of the 30 day consultation period we received a letter from the Navajo Nation stating that it is unclear whether or not the larger project would have an adverse impact on cultural material and that it "may impact" Navajo tradition cultural properties. They want to be kept informed on finds and any adverse effects that the project may have.</p> <p>The road area was completely inventoried and no cultural material was identified within project area so there will be no adverse effects for this undertaking.</p>	Kathie Davies	10/12/2010
NI	Non-WSA Lands w/Wilderness Characteristics	<p>This area was reviewed in 2007 by a BLM interdisciplinary team, as part of the Vernal RMP revision effort, and was found to contain wilderness characteristics. However, 5 miles of the road (on BLM lands) were excluded from this finding. The southernmost 0.6 mile of road was not excluded at the time. Because the Vernal RMP/ROD did not designate this area as a BLM natural area, the BLM is not managing for wilderness characteristics in this area. Further, the proposed ROW would not cause any new disturbance based on the VFO's "as is where is" description (via staff email 2010) and would therefore not have any impacts to wilderness characteristics.</p>	Jason West	10/05/10

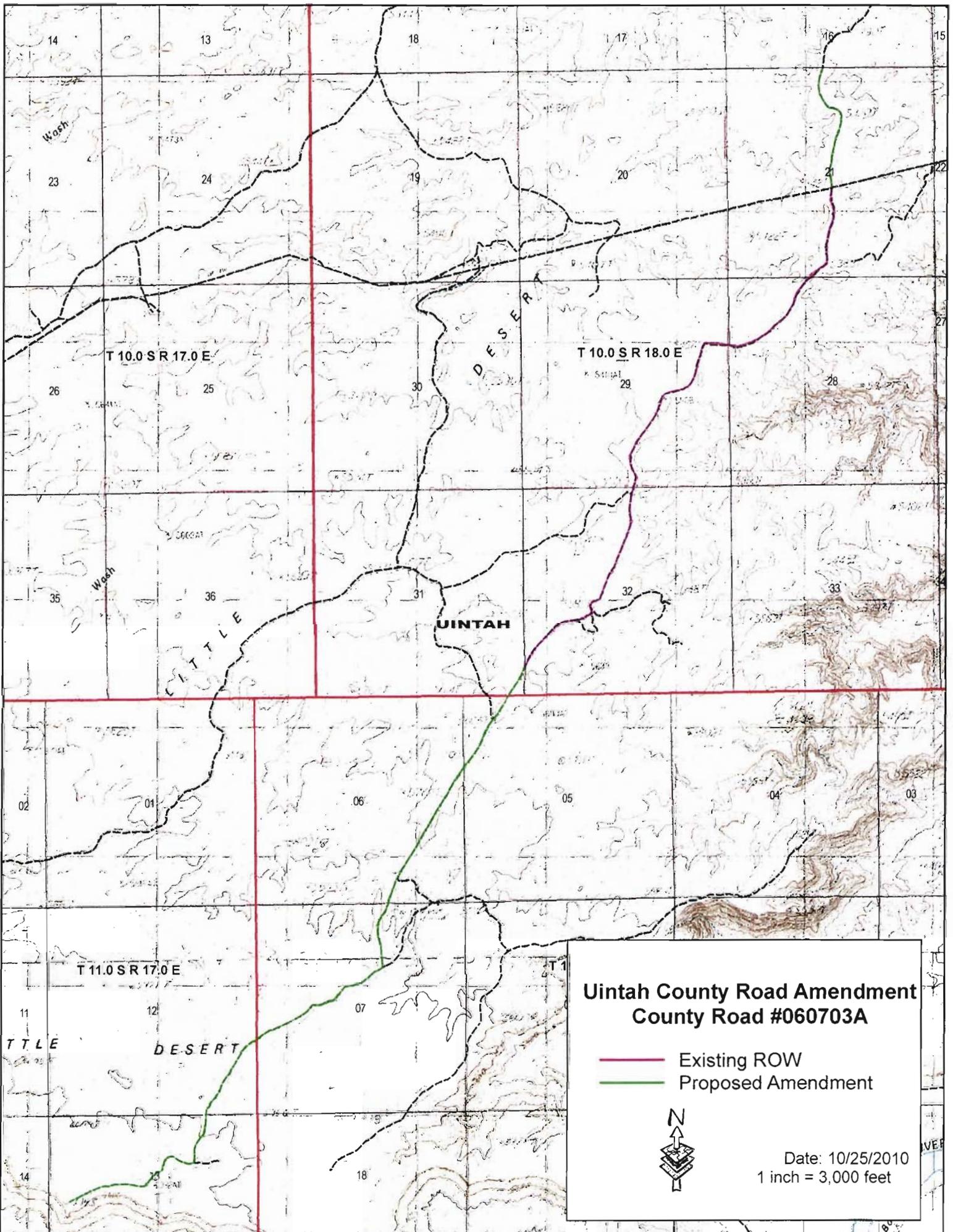
Determination	Resource	Rationale for Determination*	Signature	Date
NI	Paleontology	The proposed maintenance would stay within the existing road disturbance; therefore there are no paleontological concerns.	Robin Hansen	12/30/09
NP	Rangeland Health Standards and Guidelines	The Little Desert Allotment was surveyed for Rangeland Health in the summer of 2008 and was meeting standards. The As-Is; Where-Is proposal would not be expected to alter the existing rangeland health of the allotment.	Stan Olmstead	5/7/2010
NI	Recreation	The proposed maintenance would stay within the existing road disturbance; therefore there are no concerns.	Jason West	2/05/2010
NI	Socio-economics	No impact to the social or economic status of the county or nearby communities would occur from this project due to its small size in relation to ongoing development throughout the basin.	Katie Nash	01/25/10
NI	Soils	Since the proposed maintenance would stay within the existing road disturbance, no increases in soil erosion or sediment yields would occur above the existing background rate of erosion from the existing road right of way.	Steve Strong	2/22/10
NP	Threatened, Endangered or Candidate Animal Species	BLM does not classify the proposed project area as having crucial big game habitat. There are no known or documented raptor nests within 0.5 miles of the project area.	Daniel Emmett	03/17/10
NI	Threatened, Endangered or Candidate Plant species	The proposed project is located within USFWS delineated potential habitat for the Uinta Basin hookless cactus and a portion of the road is located within 600 feet of known individuals with the high potential that other individuals would be located in the vicinity of the proposed project. However, all road maintenance will be required to stay within the existing disturbance area. It is the responsibility of Uintah county to prevent any disturbance beyond that existing on the ground at the signing of this document; this includes conveying the sensitive nature of the surrounding landscape and importance of not increasing disturbance nor changing the character of the road to on the ground personnel or contractors (i.e. those actively repairing the roads). Given this notice that there are threatened plants in the vicinity of the proposed project, any damage or loss of individuals due to unauthorized maintenance will be considered prohibited under Section 9 Subsection B of the Endangered Species Act of 1973 as amended and no further consultation with USFWS is needed.	Aaron Roe	10/12/10
SSP: NP Veg: NI	Vegetation Excluding USFWS Designated Species	SSP: As per BLM GIS layers there is no potential habitat for any Bureau-sensitive plant species within the project area. Veg: The proposed maintenance would stay within the existing road disturbance; therefore there are no concerns.	Aaron Roe	02/19/10
NI	Visual Resource Management	VRM Class III and IV have been identified within the proposed project area. The road is existing and would be utilized "as-is, where-is", therefore, the project would meet the requirements for Class III and IV objectives. Class III objectives are the most restrictive for the proposed action and state: The objective of this class is to partially retain the existing character of the	Jason West	2/05/2010

Determination	Resource	Rationale for Determination*	Signature	Date
		landscape. The level of change to the characteristic landscape should be moderate. Management activities may attract attention but should not dominate the view of the casual observer. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape.		
NI	Wastes (hazardous or solid)	No chemicals subject to reporting under SARA Title III in amounts greater than 10,000 pounds would be used, produced, stored, transported, or disposed of annually in association with the project.	Katie Nash	01/25/10
SW: NI GW: NI	Water Resources/Quality (drinking/surface/ground)	Surface waters would not be expected to be impacted negatively by the as is, where is proposal although a potential for impacts to water quality could occur with increased use of the road or if containments were to be spilled upon the travel route. Groundwater will not be impacted by this project because all road maintenance is required to stay within the existing disturbed area.	SW - Stan Olmstead GW- Betty Gamber	5/7/2010 2/9/2010
NP	Waters of the U.S. (COE)	Waters of the U.S. are not present within the project area per the GIS database. The project area is completely within the head waters of the watershed and only cross small ephemeral drainages.	Stan Olmstead	10/12/2010
NP	Wetlands / Riparian Zones	No inventoried or known riparian areas are located at or near the proposed travel route area. The nearest perennial waters are the Green River more than two miles to the east.	Stan Olmstead	5/7/2010
NP	Wild and Scenic Rivers	None present within the proposed area as per GIS and RMP review.	Jason West	2/05/2010
NP	Wild Horses / Burros	The project does not fall within the boundaries of a Wild Horse and Burros area as shown in the Vernal Field Office RMP/ROD and GIS database. There are no Herd Areas or Herd Management Areas recognized west of the Green River within the VFO wild horse jurisdiction.	Dusty Carpenter	2/19/2010
NP	Wilderness / WSAs	The area does not fall within a Wilderness area, as the U.S. Congress has not designated any Wilderness in the Vernal Field Office. The project area does not fall within the boundaries of a WSA as shown in the Vernal Field Office RMP/ROD and GIS database.	Jason West	2/05/2010
NP	Woodland / Forestry	No woodland / forestry within the proposed project area, as per review of GIS and aerial photos.	David Palmer	2/22/2010

FINAL REVIEW:

Reviewer Title	Signature	Date	Comments
Environmental Coordinator		3/9/12	2010-0093
Authorized Officer		3/12/2012	

APPENDIX B
MAP OF PROJECT AREA



Uintah County Road Amendment County Road #060703A

- Existing ROW
- Proposed Amendment



Date: 10/25/2010
1 inch = 3,000 feet

APPENDIX C
PUBLIC COMMENTS

Appendix C

Public Comments and Responses

Public comments are discussed in the table below. Comments that were not considered substantive (e.g. opinions or preferences) did not receive a formal response, but were considered in the BLM decision-making process. Southern Utah Wilderness Alliance (SUWA) submitted the only comments on this project.

Issue/Resource	SUWA Comment	BLM Response
Air Quality	The BLM cannot approve activities that will lead to exceedances of federal air quality standards. Both ozone and PM _{2.5} levels in the Uinta Basin are currently exceeding federal air quality standards.	Although recent air quality monitoring indicates winter-time exceedances of ozone in the Uinta Basin, the proposed action would not permit new emission sources of ozone pre-cursors or PM _{2.5} pollution. Use on this road is not expected to increase if BLM grants an as-is-where-is right-of-way to Uintah County.
Wild Lands Guidance	Because of Secretarial Order 3310, SUWA asks that the Vernal Field Office avoid areas in America's Red Rock Wilderness Act in the consideration of these rights of way grants. These proposed ROWs conflict with lands with wilderness characteristics. Granting these rights of way would be incompatible with the management of lands with wilderness characteristics according to Secretarial Order 3310 and its accompanying guidance.	On June 1, 2011, The Secretary of the Department of Interior issued a memo that stated: "On April 14, 2011, the United States Congress passed the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Pub.L. 112-10) (2011CR), which includes a provision (Section 1769) that prohibits the use of appropriated funds to implement, administer, or enforce Secretarial Order 3310 in Fiscal Year 2011." Consequently, Order 3310 is no longer applicable.
Cultural Resources	It is not clear that the BLM has conducted a cultural resource inventory for the full extent of route 060703A. If it has not, then the 060703A does not comply with BLM's obligations under the National Historic Preservation Act (NHPA).	BLM has reviewed cultural resource surveys for the project area and has determined that no eligible cultural resources warrant protection under the NHPA. Refer to the Cultural Resources section of the ID Team Checklist (Appendix A of the EA).

Issue	SUWA Comment	BLM Response
Additional Alternatives	The BLM should consider an alternative that would deny the proposed ROW grant and consider closing the 060703A route, in areas found to have wilderness characteristics, to vehicular travel as part of the BLM's updating of its Vernal RMP travel plan.	<p>The proposed action is to consider the application by Uintah County to grant a right-of-way on an as-is-where-is road and analyze impacts to both the No Action and Proposed Action. Considering another alternative that would close the road would be outside the scope of the analysis.</p> <p>BLM has considered the no action, but has not brought forward an additional alternative to close the road based on wilderness characteristics particularly in light of the recent Department of Interior's Secretarial Memo (see response to wild lands comment above).</p>

**United States Department of the Interior
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**Finding of No Significant Impact
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FINDING OF NO SIGNIFICANT IMPACT
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Uintah County, Uintah County Road #060703A (amendment)

Based on the analysis of potential environmental impacts contained in the attached environmental assessment, and considering the significance criteria in 40 CFR 1508.27, I have determined that this project will not have a significant effect on the human environment. An environmental impact statement is therefore not required.


Authorized Officer

MAR 12 2012

Date

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Sec. 5, lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 6, SE $\frac{1}{4}$,
Sec. 7, W $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$,
T. 11 S., R. 17 E.,
Sec. 12, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 13, W $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$.

Applicant/Address: *Uintah County*
152 East 100 North
Vernal, Utah 84078

U.S. Department of the Interior
Bureau of Land Management
Vernal Field Office
170 South 500 East
Vernal, Utah 84078
Phone: (435) 781-4400
Fax: (435) 781-3420



DECISION RECORD
Environmental Assessment
DOI-BLM-UT-G010-2010-0093-EA
Uintah County, Uintah County Road #060703A (amendment)

It is my decision to authorize Uintah County to receive a Title V Right-of-Way on an existing Class D, unmaintained, as-is-where-is road, known as #060703A, described in the proposed action of EA DOI-BLM-G010-2010-0093-EA. I have determined that authorizing this selected alternative is in the public interest, and will minimize impacts so that no undue disturbance will occur.

The road is approximately 23,000 feet in length with a variable width (representative width is approximately 30 feet).

Authorities: The authority for this decision is Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

Compliance and Monitoring:

- None identified.

Terms / Conditions / Stipulations:

- None identified.

PLAN CONFORMANCE AND CONSISTENCY:

The proposed action and alternatives have been reviewed and found to be in conformance with one or more of the following BLM Land Use Plans and the associated decision(s):

The selected alternative would be in conformance with the Vernal Field Office RMP/ROD (October 31, 2008). The RMP/ROD decision allows for processing applications, permits, operating plans, mineral exchanges, leases on public lands in accordance with policy and guidance and allows for management of public lands to support goals and objectives of other resources programs, respond to public requests for land use authorizations, and acquire administrative and public access where necessary (RMP/ROD p. 86). It has been determined that the selected alternative would not conflict with other decisions throughout the plan.

This decision is also consistent with the Uintah County General Plan amended in 2007 (See Chapter 1 of the EA).

Alternatives Considered:

No Action

No other alternatives were considered.

Rationale for Decision:

The decision to authorize the Title V Right-of-Way has been made in consideration of the environmental impacts of the proposed action. This decision has been made after considering impacts to resources within the Vernal Field Office while accommodating Uintah County.

Identification of issue(s) for this assessment was accomplished by considering any resources that could be affected by implementation of one of the alternatives. Public involvement consisted of posting the proposal on the Utah BLM Environmental Notification Bulletin Board on December 2, 2009.

Protest/Appeal Language:

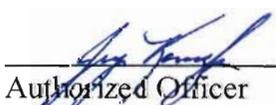
This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR 2801.10 or 43 CFR 2881.10 for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.



Authorized Officer

MAR 12 2012

Date