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## APPENDIX N. CHANGES BETWEEN THE DRAFT RMP/EIS AND THE PROPOSED RMP/FINAL EIS

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This Appendix presents the changes that the BLM has made between the Draft RMP/Draft EIS and Proposed RMP/Final EIS. The BLM has prepared this Appendix to document if changes between the Draft RMP/Draft EIS and the Proposed RMP/Final EIS resulted in a significant change in circumstances or conditions, or if the Proposed RMP/Final EIS contains different information from that which was presented to the public in the Draft RMP/Draft EIS. Finally, the BLM wanted to confirm that all changes made to the Proposed RMP/Final EIS fall within the range of alternatives presented and analyzed in the Draft RMP/Draft EIS.

The regulation controlling whether or not a supplement is required is found at 40 CFR 1502.9(c), which provides:

Agencies:

- (1) Shall prepare supplements to either draft or final environmental impact statements if:
  - (i) The agency makes substantial changes in the proposed action that are relevant to environmental concerns; or*
  - (ii) There are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impact.**
- (2) May also prepare supplements when the agency determines that the purposes of the Act will be furthered by doing so.*
- (3) Shall adopt procedures for introducing a supplement into its formal administrative record, if such a record exists.*
- (4) Shall prepare, circulate, and file a supplement to a statement in the same fashion (exclusive of scoping) as a draft and final statement unless alternative procedures are approved by the Council.*

All changes to the Vernal Field Office Draft RMP/Draft EIS were made in response to public comment and/or internal review. The majority of the changes were editorial changes made to add clarity to the document. In some cases, alternatives presented in the Draft RMP/Draft EIS were modified in the Proposed RMP to reflect technical corrections and data updates. In other cases, such as in Chapter 3, incorporation of updated information was necessary to refine the analysis in Chapter 4 that was incomplete or needed augmentation.

None of the changes detailed in Appendix N meet the regulatory definition for significance in 40 CFR 1508.27(a) and (b). These regulations require an agency preparing a NEPA document to review the changes for significant new circumstances or information relevant to environmental concerns and bearing on the Proposed Plan or its impacts, using context and intensity as the trigger for significance. BLM has reviewed each substantive change through this regulatory standard and has determined that none of the changes, individually or collectively, require a supplement to this Final EIS.

<b>DESCRIPTION OF CHANGES</b>
<b>Combined Hydrocarbon Areas/Special Tar Sand Areas</b>
Management decisions regarding combined hydrocarbon area / special tar sand areas are deferred to the programmatic EIS which is being prepared. A plan amendment will be prepared after the EIS ROD is signed.
<b>Forage – Book Cliffs Locality</b>
No wild horses will be permitted in the Winter Ridge Herd Area due to disease (e.g., EIA) and trespass of private horses because of mixed surface ownership with the Ute Indian Tribe, State of Utah, and privately held lands. Initially 2,340 AUMs would be allocated for wild horses in the Winter Ridge Herd Area and the Hill Creek Herd Management Area. The 2,340 AUMs no longer needed for wild horses would be allocated through a future planning process.
<b>Hillcreek Extension</b>
Refined, in cooperation with Ute Indian Tribe, those state lands in the Hill Creek Extension that are managed by the BLM, this increased the acreage for this area by 3,500 acres.
<b>Non-WSA Lands with Wilderness Characteristics</b>
<p>Approximately 106,178 acres would be managed as non-WSA lands with wilderness Characteristics:</p> <ul style="list-style-type: none"> <li>• Beach Draw, Bourdette Draw, Bull Canyon, Cold Spring Mountain, Daniels Canyon, Dead Horse Pass, Diamond Breaks, Diamond Mountain, Lower Flaming Gorge, Moonshine Draw, Mountain Home, Stuntz Draw, Vivas Cake Hill, White River, and Wild Mountain.</li> <li>• They would be managed with the following common prescriptions:</li> <li>• VRM Category II</li> <li>• Closed to oil and gas leasing, except for the White River area that would be open to leasing, subject to major constraints, such as an NSO stipulation.</li> <li>• Closed to solid mineral leasing.</li> <li>• Closed to disposal of mineral materials.</li> <li>• Closed to woodland product harvest.</li> <li>• Avoidance area for rights-of-way.</li> <li>• OHVs would be limited to designated routes.</li> <li>• No motorized vehicles would be allowed to travel on a single path up to 300 feet from designated routes to access a camp.</li> <li>• Retain public lands in federal ownership.</li> <li>• When compatible with the goals and objectives for management of non-WSA lands with wilderness characteristics:</li> <li>• Permit vegetation and fuel treatments using prescribed fire, mechanical and chemical treatments, and other actions compatible with the Healthy Lands Initiative (HLI).</li> <li>• Permit construction of wildlife water and livestock facilities, and minimal recreation facilities.</li> <li>• The following areas would not be managed as non-WSA lands with wilderness characteristics:</li> <li>• Bitter Creek, Cripple Cowboy, Desolation Canyon, Hells Hole Canyon, Hideout Canyon, Lower Bitter Creek, Mexico Point, Rat Hole Ridge, Sweetwater Canyon, and Wolf Point.</li> </ul>
<b>Proposed Plan/Final EIS</b>
The Proposed Plan/Final EIS does not carry forward Alternative A (the Preferred Alternative) from the Draft RMP/EIS. Rather the Proposed Plan/RMP consists of a combination of all the alternatives, including Alternative A from the Draft RMP/EIS (January 2005), information from the supplement on existing and potential Areas of Critical Concern (ACECs) considered within the Draft RMP and EIS (December 2005), and Alternative E from the supplement that was issued October 5, 2007 on non-WSA lands with wilderness characteristics, as those alternatives and that information has been modified in response to public comment.

<b>DESCRIPTION OF CHANGES</b>
<b>Special Designations – Areas of Critical Environmental Concern (ACECs)</b>
<p>The VFO manages the three following ACECs that were designated in the 1994 Diamond Mountain RMP ROD and carried forward without revisions in the Proposed Plan:</p> <ul style="list-style-type: none"> <li>• Pariette Wetlands– Manage to protect high value wetland, wildlife, and plant habitat resources. Manage as NSO and close to mineral material sales.</li> <li>• Lears Canyon– Manage to protect the relict vegetation. Manage as NSO and close to mineral material sales.</li> <li>• Lower Green River Corridor– Manage to protect riparian habitat, special status animal species habitat, and high-quality scenic values.</li> </ul> <p>Four additional ACECs were designated in the 1994 Diamond Mountain RMP ROD (Brown’s Park, Nine-Mile Canyon, Red Creek Watershed, and Red Mountain-Dry Fork). These four ACECs have been further analyzed due to modifications in size and prescriptions.</p> <p>The following areas would not be included for ACEC designation:</p> <ul style="list-style-type: none"> <li>• Bitter Creek, Coyote Basin, Four Mile Wash, Main Canyon, Middle Green River, and White River.</li> </ul>
<b>Special Recreation Management Area (SRMA)</b>
<ul style="list-style-type: none"> <li>• Blue Mountain (42,729) acres would be managed as an SRMA.</li> <li>• The Book Cliffs (273,486 acres) would not be designated as an SRMA.</li> <li>• Brown’s Park would be designated as an SRMA but would be reduced in size from 52,720 acres to 18,474 acres.</li> <li>• Fantasy Canyon (69 acres) would be managed as an SRMA.</li> <li>• Nine-Mile Canyon would continue to have an SRMA designation but would be reduced in size from 81,168 to 44,168.</li> <li>• White River - would be designated as an SRMA but would be reduced from 81,168 acres to 2,831 acres.</li> <li>• Dry Fork Canyon SRMA - would be developed to determine what areas are appropriate for day use only.</li> <li>• Continue to manage 1,014 acres at Pelican Lake as a Special Recreation Management Area (SRMA). The area would be open to oil and gas leasing subject to major constraints such as No Surface Occupancy (NSO) stipulations and closed to mineral materials sales.</li> <li>• Manage 24,259 acres in Red Mountain-Dry Fork as a SRMA to provide for maintenance and development of OHV or non-OHV trails, minimal facilities necessary for human health and safety, watershed values, relict vegetation communities, and crucial deer and elk winter habitat. An activity plan for the SRMA would be developed to determine what areas are appropriate for day use only.</li> </ul>
<b>Supplement to the DRMP has been merged to the DRMP</b>
<p>The Supplement presents an analysis of the effects of managing non-Wilderness Study Area (WSA) lands with wilderness characteristics in a protective manner. This analysis is identified as Alternative E in the combined RMP.</p>
<b>Travel Plan</b>
<p>A travel plan will be completed after signature of the Final EIS/RMP ROD.</p>
<b>Wild and Scenic Rivers</b>
<p>Two segments identified as suitable on the Green River are being carried forward as Wild and Scenic Rivers (Upper and Lower). All other river segments (Argyle Creek, Bitter Creek, Evacuation Creek, Middle Green River, Nine-Mile Creek, and the White River) would not be identified as suitable for designation into the National Wild and Scenic River System.</p>
<b>Changes Made Throughout Document</b>
<p>Editorial changes made and language added throughout the document to include the Supplement to the RMP (Alternative E), and the Proposed RMP.</p>

<b>DESCRIPTION OF CHANGES</b>
All tables have been modified throughout the document to include the Proposed RMP.
“Reservation Trust Lands” has been changed to “Indian Trust Lands.”
Changed “critical” wildlife habitat to “crucial” wildlife habitat where habitat is not for Threatened, Endangered, or Candidate species.
Reworded bald eagle references, as bald eagle is now de-listed. Bald eagles remain Federally protected under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act (based on U.S. Fish and Wildlife comment).
“Uintah Basin” to “Uinta Basin;” “Uintah Mountains” to “Uinta Mountains;” “Uintah Foothills” to “Uinta Foothills.”
<b>Executive Summary</b>
Rewritten to highlight the areas brought forward from the Draft RMP Final EIS.
Corrected boundary description of the Vernal Planning Area (VPA). Corrected the number of ACECs being brought forward from 6 to 7. Added a section that summarizes the major changes from the Draft RMP/EIS to the Proposed RMP/Final EIS.
Add section summarizing changes to document.
<b>Table Added:</b> Table S.5. Proposed RMP and Alternatives Comparison: non-WSA Lands With Wilderness Characteristics (acres)
<b>Chapter 1</b>
Rewritten to highlight the areas brought forward from the Draft RMP Final EIS.
Corrected boundary description of the Vernal Planning Area (VPA). Corrected the number of ACECs being brought forward from 6 to 7. Added a section that summarizes the major changes from the Draft RMP/EIS to the Proposed RMP/Final EIS.
<b>Language Added: RS-2477 - Issues Beyond the Scope of the Plan</b> The State of Utah, Uintah, Duchesne and Daggett Counties may hold valid existing rights-of-way in the planning area pursuant to Revised Statute (RS) 2477, Act of July 28 1866, chapter 262, 8, 14 Stat. 252, 253, codified at 43 USC 932. On October 21, 1976, Congress repealed R.S-2477 through passage of FLPMA. This RMP does not adjudicate, analyze, or otherwise determine the validity of claimed rights-of-way. However, nothing in the RMP extinguishes any valid right-of-way, or alters in any way the legal rights the state and counties have to assert and protect RS-2477 rights or to challenge in Federal court or other appropriate venue any use restrictions imposed by the RMP that they believe are inconsistent with their rights.
<b>Language Added: Utah Division of Wildlife Resources (DWR) Wildlife Habitat Classification System Change</b> In August of 2005, the Utah Division of Wildlife Resources (UDWR) changed its wildlife habitat classification system. Prior to 2005, the UDWR classification system distinguished between “critical” habitat (an area that provides for biological and/or behavioral requisites necessary to sustain the existence and/or perpetuation of a wildlife population) and “high value” (an area that provides for intensive use by the species). The UDWR has been criticized for using the term “critical”, as the same term refers to habitat Federally designated by the U.S. Fish and Wildlife Service as required by the Endangered Species Act (ESA).  In previous BLM planning efforts, mitigation decisions (usually timing stipulations) for impacts to UDWR’s “critical” habitats have been integrated into the planning process. BLM rarely incorporated management decisions in its RMPs for “high value” habitats. UDWR changed its classification system to include “critical” habitat with “high value” habitat, in part to accommodate the limitations of having classifications that were of no practical value to land managers. The new term “crucial” habitat is defined by UDWR as “habitat on which the local population of a wildlife species depends for survival because there are no alternative ranges or

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habitats available. Crucial habitat is essential to the life-history requirements of a wildlife species. Degradation or loss of crucial habitat will lead to significant declines in the wildlife population in question.”

Crucial habitat boundaries appear larger on the wildlife maps in this Proposed Plan because they are a combination of UDWR’s old “critical” habitat and “high value” habitat, with some minor modifications. Timing stipulations for each of the species now apply to the whole crucial habitat area. It is important to note however, that the application of waivers, exceptions and modifications, as outlined in Appendix K, will be taken into consideration and used where/when applicable for all surface disturbing activities in these areas. The range of alternatives in the Draft RMP/Draft EIS considered both of UDWR’s old classifications of critical and high value habitat. Minor boundary modifications have been made by UDWR prior to incorporating them into crucial habitat boundaries. Because this information was taken into consideration and analyzed in the Draft, these minor changes are not considered significant in terms of resource uses and/or analysis in this Proposed Plan, and therefore a supplement to this EIS is not necessary for this purpose.

#### **Added Documents Incorporated by Reference:**

- 1991. Final Environmental Impact Statement Vegetation Treatment on BLM Lands in Thirteen Western States and associated Records of Decision. BLM Wyoming State Office, Casper Wyoming. 1991. (BLM-WY-ES-91-036-4320)
- 2007. Final Vegetation Treatments on Bureau of Land Management Lands in 17 Western States Programmatic Environmental Impact Statement and associated Record of Decision. USDI, Bureau of Land Management. (FES 07-21)
- 2007. Final Vegetation Treatments on Bureau of Land Management Lands in 17 Western States Programmatic Environmental Report. USDI, Bureau of Land Management (FES07-21)

#### **Language Added: Programmatic Vegetation EIS (VEIS) (directions from UT IB 2008 – 014)**

Continue implementation of noxious weed and invasive species control actions as per national guidance and local weed management plans in cooperation with state, federal, affected counties, adjoining private land owners and other partners or interests directly affected.

#### **Language Added: National Programmatic EIS for Tar Sands and Oil Shale Resources**

The Vernal Field Office contains areas of tar sands and oil shale resources. The tar sand resources have been, and currently are, available for lease under the Combined Hydrocarbon Leasing Act of 1981 and in accordance with decisions in the existing BLM land-use plans/plan amendments. There are, at present, no regulations in place to allow for leasing oil shale, nor any existing commercial oil shale leases upon BLM-managed lands. The VFO contains one Research and Development Oil Shale Lease.

In Utah, the major tar sand resources lie within 11 designated Special Tar Sands Areas (STSAs) managed by the Vernal, Price, Richfield, and Monticello Field Offices. One of these STSAs lies within the Grand Staircase-Escalante National Monument where leasing is prohibited. The Vernal Field Office wholly or in part manages seven of the remaining ten STSAs.

Lands containing oil shale resources were originally identified through an inventory that portrayed the occurrence of the Green River geologic formation in Utah, Wyoming, and Colorado. Once identified, lands containing oil shale resources were withdrawn from mineral entry through a 1930 Executive Order, which was later modified to allow for oil, gas, sodium leasing and leasing of UA UB Oil Shale tracts. Since that time, the economic potential for the oil shale resource has been further defined, now comprising a much smaller area in Utah, primarily in the southern part of the BLM Vernal Field Office area with a small area in the northeast portion of the lands managed by the Price Field Office.

When the Vernal Resource Management Plan Revision was initiated in 2001, there was no reasonable foreseeable development expectation for tar sands or oil shale over the life of the plan. The mineral report identified these resources, but did not foresee any leasing or development due to prevailing and anticipated economic factors.

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Since the start of this RMP revision, Congress enacted the Energy Policy Act of 2005. Section 369 of the Energy Policy Act requires the Secretary of Interior to “complete a programmatic environmental impact statement for a commercial leasing program for oil shale and tar sands resources on public lands, with an emphasis on the most geologically prospective lands within each of the States of Colorado, Utah, and Wyoming.” On December 13, 2005, the BLM published a Notice of Intent in the Federal Register initiating a Programmatic Environmental Impact Statement (PEIS) to support a commercial oil shale and tar sands leasing program on federal lands in these three states. Since that time, the scope of the PEIS has been revised. The BLM is no longer using the PEIS as the document that supports the National Environmental Policy Act (NEPA) requirements for leasing. Given that the development technologies for in-situ production of oil shale are just emerging, there is a lack of information regarding resource use and associated impacts. Consequently, the BLM has changed this document to a resource allocation document that identifies the BLM-managed lands for which applications to lease oil shale and tar sands resources would be accepted in the future. However although applications would be accepted, additional NEPA analysis would be performed before any leasing of the area would be considered.

All decisions related to land-use planning decisions (areas open to application for potential leasing) for oil shale and tar sands resources in this Resource Management Plan will be made by the ongoing PEIS for Oil Shale and Tar Sands Resources. The Record of Decision on the final PEIS will amend the existing Diamond Mountain and Book Cliffs RMP by making land-use planning decisions on whether or not lands will be available for future application, leasing and development of oil shale and tar sands on public lands for those areas where the resource is present. Additional site-specific NEPA analysis will be completed on each lease application before any leases would be issued.

As part of the site-specific NEPA analysis, the environmental consequences to specific resource values and uses within the areas and any alternative actions would be analyzed. Any decision to offer the lands for lease would be made based on a full disclosure of the impacts. If a decision is made to offer the lands for lease, specific mitigation measures will be developed to ensure that the commercial operations use practices that minimize or mitigate impacts.

This pre-leasing NEPA analysis would include the same opportunities for public involvement and comment that are part of this PEIS process and every other land-use planning and NEPA process the BLM undertakes. The decisions associated with the PEIS will be incorporated into the Vernal RMP as it is finalized or will amend the Vernal RMP [Exact language will be dependent on situation at the time of printing—use whichever phrase is appropriate]. Additional opportunities for public involvement and comment will occur when the Proposed RMP Amendment/ Final PEIS is available.

This Resource Management Plan will, however, provide allocation and leasing decisions for conventional oil and gas leasing in the STSAs and Oil Shale areas.

#### **Language Added: Planning Process**

Step 9 is the monitoring and evaluation process. Monitoring is the repeated measurement of activities and conditions over time. Evaluation is a process in which the plan and monitoring data are reviewed to see if management goals and objectives are being met and if management direction is sound. Monitoring data gathered over time is examined and used to draw conclusions on whether management actions are meeting stated objectives, and if not, why. Conclusions are then used to make recommendations on whether to continue current management or what changes need to be made in management practices to meet objectives.

The two types of monitoring that are tied to the planning process include implementation and effectiveness monitoring. Land-use plan monitoring is the process of (1) tracking the implementation of land-use planning decisions and (2) collecting and assessing data/information necessary to evaluate the effectiveness of land-use planning decisions. The two types of monitoring are described below.

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**Implementation Monitoring:** Implementation monitoring is the most basic type of monitoring and simply determines whether planned activities have been implemented in the manner prescribed by the plan. Some agencies call this compliance monitoring. This monitoring documents BLM's progress toward full implementation of the land-use plan decision. There are no specific thresholds or indicators required for this type of monitoring.

**Effectiveness Monitoring:** Effectiveness monitoring is aimed at determining if the implementation of activities has achieved the desired goals and objectives. Effectiveness monitoring asks the question: Was the specified activity successful in achieving the objective? This requires knowledge of the objectives established in the RMP as well as indicators that can be measured. Indicators are established by technical specialists in order to address specific questions, and thus avoid collection of unnecessary data. Success is measured against the benchmark of achieving desired future conditions established by the plan.

Regulations at 43 CFR 1610.4-9 require that the proposed plan establish intervals and standards, as appropriate, for monitoring and evaluation of the plan, based on the sensitivity of the resource decisions involved. Progress in meeting the plan objectives and adherence to the management framework established by the plan is reviewed periodically. CEQ regulations implementing NEPA state that agencies may provide for monitoring to assure that their decisions are carried out and should do so in important cases (40 CFR 1505.2(c)). To meet these requirements, the BLM will review the plan on a regular schedule in order to provide consistent tracking of accomplishments and provide information that can be used to develop annual budget requests to continue implementation.

Land-use plan evaluations will be used by BLM to determine if the decisions in the RMP, supported by the accompanying NEPA analysis, are still valid. Evaluation of the RMP will generally be conducted every five years per BLM policy, unless unexpected actions, new information, or significant changes in other plans, legislation, or litigation triggers an evaluation. Land-use plan evaluations determine if decisions are being implemented, whether mitigation measures are satisfactory, whether there are significant changes in the related plans of other entities, whether there is new data of significance to the plan, and if decisions should be changed through amendment or revision. Evaluations will follow the protocols established by the BLM Land-use Planning Handbook H-1601-1 in effect at the time the evaluation is initiated. Specific monitoring and evaluation needs are identified by resource/uses throughout Chapter 2.

Add section summarizing changes to document.

#### Chapter 2

Rewritten to further detail what has been moved into the Final RMP/EIS.

#### Table 2.1

Table has been broken down into sections by resources (2.1.1 through 2.1.27) for better flow and ease in locating specific resources.

#### Implementation Level Decisions

All implementation-level decisions in Tables 2.1.1 through 2.1.27 have been italicized and asterisked with a footnote at the bottom of each page as follows: \*This is an implementation-level decision that cannot be protested under the planning regulations. Please see the cover letter for further information.

#### Table 2.4

Deleted from the Final RMP/EIS. This table was considered to be extraneous information and no longer served any useful purpose.

#### Language Added: Air Quality Common to All

- BLM will continue to work cooperatively with state, federal, and tribal entities in developing air quality assessment protocols to address cumulative impacts and regional air quality issues.
- BLM will continue to work cooperatively with the Utah Airshed Group to manage emissions from

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<p>wildland and prescribed fire activities.</p> <ul style="list-style-type: none"> <li>National Ambient Air Quality Standards are enforced by the Utah Department of Environmental Quality, Division of Air Quality (UDEQ-DAQ), with EPA oversight. Special requirements to reduce potential air quality impacts will be considered on a case-by-case basis in processing land-use authorizations.</li> <li>BLM will utilize BMPs and site specific mitigation measures, when appropriate, based on site specific conditions, to reduce emissions and enhance air quality. Examples of these types of measures can be found in the Four Corners Air Quality Task Force Report of Mitigation Options, November 1, 2007.</li> <li>Project specific analyses will consider use of quantitative air quality analysis methods (i.e. modeling), when appropriate as determined by BLM, in consultation with state, federal, and tribal entities.</li> </ul>
<p><b>Language Added: Fluid Minerals – Common to All</b></p> <p>In accordance with an UDEQ-DAQ letter dated June 6, 2008, (see Appendix O) requesting implementation of interim nitrogen oxide control measures for compressor engines; BLM will require the following as a Lease Stipulation and a Condition of Approval for Applications for Permit to Drill:</p> <ul style="list-style-type: none"> <li>All new and replacement internal combustion gas field engines of less than or equal to 300 design-rated horsepower must not emit more than 2 gms of NOx per horsepower-hour. This requirement does not apply to gas field engines of less than or equal to 40 design-rated horsepower.</li> <li>All new and replacement internal combustion gas field engines of greater than 300 design rated horsepower must not emit more than 1.0 gms of NOx per horsepower-hour.</li> </ul>
<p><b>Language Added: Special Designations – Wild and Scenic Rivers</b></p> <p>BLM would work with the State of Utah, local and tribal governments, and other federal agencies, in a state-wide study, to reach consensus regarding recommendations to Congress for the inclusion of rivers in the National Wild and Scenic Rivers System. Besides applying consistent criteria across agency jurisdictions, the joint study would avoid piece-mealing of river segments in logical watershed units in the state. The study would evaluate, in detail, the possible benefits and effects of designation on the local and state economies, agricultural and industrial operations and interests, outdoor recreation, natural resources (including the outstandingly remarkable values for which the river was deemed suitable), water rights, water quality, water resource planning, and access to and across river corridors within, and upstream and downstream from the proposed segments(s). Actual designation of river segments would only occur through congressional action or as a result of Secretarial decision at the request of the Governor in accordance with provisions of the Wild and Scenic Rivers Act (the Act). BLM will work with the State, local and tribal governments, and the agencies involved to coordinate its decision making on wild and scenic river issues and to achieve consistency wherever possible.</p> <p>BLM recognizes that water resources on most river and stream segments within the State of Utah are already fully allocated. Before stream segments that have been recommended as suitable under this Proposed Plan are recommended to Congress for designation, BLM will continue to work with affected local, state, federal, and tribal partners to identify in-stream flows necessary to meet critical resource needs, including values related to the subject segments(s). Such quantifications would be included in any recommendation for designation. BLM would then seek to jointly promote innovative strategies, community-based planning, and voluntary agreements with water users, under State law, to address those needs.</p> <p>Should designations occur on any river segment as a result of Secretarial or congressional action, existing rights, privileges, and contracts would be protected. Under Section 12 of the Act, termination of such rights, privileges, and contracts may happen only with the consent of the affected non-federal party. A determination by the BLM of eligibility and suitability for the inclusion of rivers on public lands to the Wild and Scenic Rivers System does not create new water rights for the BLM. Federal reserved water rights for new components of the Wild and Scenic Rivers System are established at the discretion of Congress. If water is reserved by Congress when a river component is added to the Wild and Scenic Rivers System, it would come from water that is not appropriated at the time of designation, in the amount necessary to protect features which led to the river's inclusion into the system. BLM's intent would be to leave existing water rights undisturbed and to recognize the lawful rights of private, municipal, and state entities to manage water resources under state law</p>

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to meet the needs of the community. Federal law, including Section 13 of the Act and the McCarren Amendment (43 U.S.C. 666), recognizes state jurisdiction over water allocation in designated streams. Thus, it is BLM's position that existing water rights, including flows apportioned to the State of Utah interstate agreements and compacts, including the Upper Colorado River Compact, and developments of such rights would not be affected by designation or the creation of the possible federal reserved water right. BLM would seek to work with upstream and downstream water users and applicable agencies to ensure that water flows are maintained at a level sufficient to sustain the values for which affected river segments were designated.

**Language Added:**

The Proposed Plan/Final EIS does not carry forward Alternative A (the Preferred Alternative) from the Draft RMP/EIS (January 14, 2005). Rather the Proposed Plan/RMP consists of a combination of all the alternatives, including Alternative A from the Draft RMP/EIS, information from the Draft Resource Management Plan (RMP) and Environmental Impact Statement (EIS) Supplement (December 13, 2005) analyzing existing and potential Areas of Critical Environmental Concern (ACECs) considered within the Draft RMP and EIS, and Alternative E from the Supplement that was issued in October 5, 2007 analyzing the management of non-WSA lands with wilderness characteristics. These alternatives are combined in the PRMP/FEIS. Some changes to the draft alternatives have been made in response to the public comments received during the comment period. These changes are limited to, for the most part, to correcting mistakes and refining technical points. Changes are summarized for the reader in Appendix N.

**Language Added: Travel Management Sections**

BLM, in preparing its RMP designations and its implementation-level travel management plans, is following policy and regulation authority found at: 43 C.F.R. Part 8340; 43 C.F.R. Subpart 8364; and 43 C.F.R. Subpart 9268.

Where the authorized officer determines that OHVs are causing or would cause considerable adverse impacts, the authorized officer shall close or restrict such areas. The public would be notified.

BLM could impose limitations on types of vehicles allowed on specific designated routes if monitoring indicates that a particular type of vehicle is causing disturbance to the soil, wildlife habitat, cultural or vegetative resources, especially by off-road travel in an area that is limited to designated routes.

**Language Added: Travel Management & WSA Sections**

Where routes would remain available for motorized use within WSAs, such use could continue on a conditional basis. Use of the existing routes in the WSAs ("ways" when located within WSAs – see Glossary) could continue as long as the use of these routes does not impair wilderness suitability, as provided by the IMP (BLM 1995). If Congress designates the area as wilderness, the routes will be closed. In the interim, if use and/or non-compliance are found through monitoring efforts to impair the area's suitability for wilderness designation, BLM would take further action to limit use of the routes, or close them. The continued use of these routes, therefore, is based on user compliance and non-impairment of wilderness values.

**Language Added: Lands (Land Tenure Adjustment)**

Give land exchanges with the State of Utah priority consideration to resolve inholdings issues.

**Language Added: Wildlife**

The BLM will approach compensatory mitigation on an "as appropriate" basis where it can be performed onsite, and on a voluntary basis where it is performed offsite, or, in accordance with current guidance.

**Language Added: Transportation and Access (SITLA lands)**

As per the State of Utah v. Andrus, Oct. 1, 1979 (Cotter Decision), BLM would grant the State of Utah reasonable access to State lands for economic purposes, on a case-by-case basis.

**Language Added: Alternatives Considered But Eliminated From Detailed Analysis – No Leasing**

During scoping and/or the comment period for the DRMP/EIS, commentors suggested that BLM should address a "No-Leasing Alternative" because the "No-Leasing Alternative" is the equivalent of the "No Action Alternative" that must be analyzed in all EISs.

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The “No-Leasing Alternative” in an RMP revision is actually an action alternative because where lands have already been leased, the no-action for NEPA purposes continues to allow for (honor) valid existing rights. Proposing a “No-Leasing Alternative” would require revisiting existing leases and either buying them back from the lessee, or allowing them to expire on their own terms. The first option (buying back), is outside the scope of any RMP. This is a political decision that BLM has no authority to undertake in planning. As a result, BLM does not regularly include a “No-Leasing Alternative”.

The purpose and need for the land-use plan is to identify and resolve potential conflicts between competing resource uses rather than to eliminate a principle use of the public lands in the Vernal Field Office Area. Leasing of the public lands for oil and gas exploration and production is required by the Mineral Leasing Act of 1920, as amended, and BLM’s current policy is to apply the least restrictive management constraints to the principal uses of the public lands necessary to achieve resource goals and objectives. A field office-wide “No-Leasing Alternative” would be an unnecessarily restrictive alternative for mineral exploration and production on the public lands.

The National Environmental Policy Act (NEPA Section 102 (E)) requires that agencies “*study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources.*” No issues or conflicts have been identified during this land-use planning effort which requires the complete elimination of oil and gas leasing within the planning area for their resolution. BLM’s Land-use Planning Handbook (BLM MANUAL Rel. 1-1693), requires that land-use plans identify areas as open or unavailable for leasing.

Given the potential range of decisions available in the DRMP/DEIS, the analyzed alternatives include no leasing for certain areas; but a field office-wide “No-Leasing Alternative” is not necessary in order to resolve issues and protect other resource values and uses.

As mentioned above, a “No-Leasing Alternative” should not be confused with the “No Action Alternative” for purposes of NEPA compliance. Leasing and No Leasing on the public lands has previously been analyzed in several NEPA documents. In 1973, the Department of Interior published the Final Environmental Impact Statement on the Federal Upland Oil and Gas Leasing Program (USDI, 1973). The proposed action was to lease Federal lands for production of oil and natural gas resources. Alternatives included the No Action Alternative, which at initiation of the program was “No Leasing.” To supplement that EIS, BLM prepared a series of Environmental Assessments (then titled “Environmental Analysis Records or EARs”) including the Vernal District Oil and Gas Program Environmental Analysis Record (EAR), 1975 which addressed oil and gas leasing for the public lands in the Vernal Field Office area. Alternatives again included the No Action or “No Leasing” alternative. The outcome was a category system for leasing which categorized all public and Forest Service lands into four groups: 1) Open to leasing with standard lease stipulations, 2) Special Stipulations to address special concerns, 3) No surface occupancy and 4) No Leasing. Since completion of the EAR in 1975 oil and gas leasing in the Vernal Field Office Area has been an ongoing federal program under the established categories.

The Council on Environmental Quality (Section 1502.14(d) of NEPA) requires the alternatives analysis in an EIS to “include the alternative of no action,” but explains that there are two distinct interpretations of “no action” that must be considered, depending on the nature of the proposal being evaluated. “The first situation might involve an action such as updating a land management plan where ongoing programs initiated under existing legislation and regulations will continue, even as new plans are developed. In these cases “no action” is “no change” from current management direction or level of management intensity. To construct an alternative that is based on no management at all would be a useless academic exercise. Therefore, the “no action” alternative may be thought of in terms of continuing with the present course of action until that action is changed.” (CEQ Forty Most Asked Questions, Question 3). Therefore, for the Vernal DRMP/DEIS, the “No-Action Alternative” is to continue the *status quo* which is to lease under the oil and gas stipulations (formerly categories) established in the Vernal RMP.

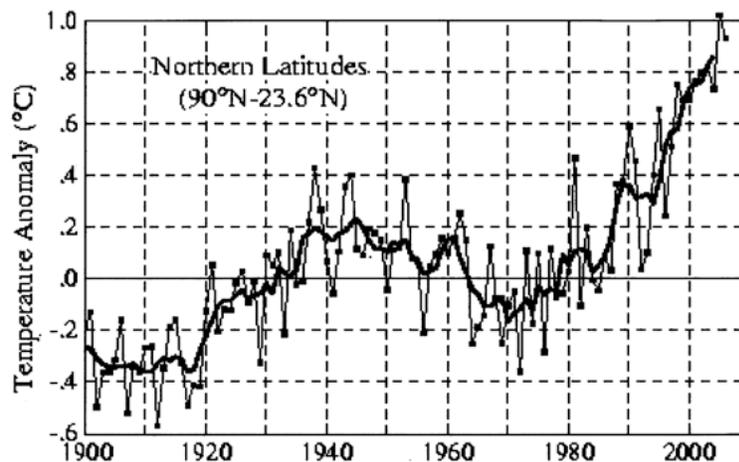
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<p><b>Language Added: Alternatives Considered But Eliminated From Detailed Analysis – Livestock Grazing</b></p> <p>During scoping and comment on the Draft EIS it was suggested that BLM consider adjustments to livestock numbers, livestock management practices, and the kind of livestock grazed on allotments within the Vernal Field Office to benefit wildlife and protect and promote land health including soils, hydrologic cycles and biotic integrity.</p> <p>BLM policy regarding adjustments to the levels of livestock use authorized is to monitor and inventory range conditions under existing stocking levels and make adjustments to livestock use as indicated by this data to help assure that standards for rangeland health and resource objectives are met. Regulations at 43 CFR 4130.3 require that the terms and conditions under which livestock are authorized “ensure conformance with the provisions of subpart 4180” (Standards for Rangeland Health) and further that “livestock grazing use shall not exceed the livestock carrying capacity of the allotment.” It would be inappropriate and unfeasible to estimate and allocate the available forage, design specific management practices and determine if changes to the kind of livestock are necessary for each allotment in the Vernal Field Office or in the area as a whole in the RMP/EIS. Such changes would not be supportable considering the type and amount of data required and the analysis necessary to make such changes.</p> <p>According to BLM policy decisions regarding authorized livestock use levels and the terms and conditions under which they are managed is an implementation decision (H-1610-1, Appendix C, Page 15). BLM assesses rangeland health, conducts monitoring and inventories, and evaluates this data on a periodic basis, normally on an allotment and/or watershed basis. After NEPA analysis, necessary changes to livestock management and implementation of Guidelines for Rangeland Management on Public Lands in Utah are implemented through a proposed decision in accordance with 43 CFR 4160. These decisions determine the exact levels of use by livestock in conformance with the LUP and to meet resource objectives and maintain or enhancing land health. For these reasons this alternative has been dismissed from further consideration in this land-use plan revision.</p>
<p><b>Language Added: Wildlife</b></p> <p>Minor adjustments to crucial wildlife habitat boundaries periodically made by the Utah Division of Wildlife Resources (UDWR) would be accommodated through plan maintenance.</p>
<p><b>Language Added: Transportation &amp; Access (SITLA Lands)</b></p> <p>As per the State of Utah v. Andrus, Oct. 1, 1979 (Cotter Decision), BLM would grant the State of Utah reasonable access to State lands for economic purposes, on a case-by-case basis.</p>
<p><b>Chapter 3</b></p>
<p><b>Language Added: Global Climate Change</b></p> <p>On-going scientific research has identified the potential impacts of climate changing pollutants on global climate. These pollutants are commonly called “greenhouse gases” and include carbon dioxide, CO<sub>2</sub>; methane; nitrous oxide; water vapor; and several trace gas emissions. Through complex interactions on a regional and global scale, these emissions cause a net warming effect of the atmosphere, primarily by decreasing the amount of heat energy radiated by the Earth back into space. Although climate changing pollutant levels have varied for millennia (along with corresponding variations in climatic conditions), recent industrialization and burning of fossil carbon sources have caused CO<sub>2</sub> concentrations to increase dramatically, and are likely to contribute to overall climatic changes, typically referred to as global warming. Increasing CO<sub>2</sub> concentrations also lead to preferential fertilization and growth of specific plant species.</p> <p>Global mean surface temperatures have increased nearly 1.0°C (1.8°F) from 1890 to 2006 (Goddard Institute for Space Studies, 2007). However, observations and predictive models indicate that average temperature changes are likely to be greater in the Northern Hemisphere. Figure X demonstrates that northern latitudes (above 24° N) have exhibited temperature increases of nearly 1.2°C (2.1°F) since 1900, with nearly a 1.0°C (1.8°F) increase since 1970. Without additional meteorological monitoring systems, it is difficult to determine the spatial and temporal variability and change of climatic conditions, but increasing concentrations of these</p>

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“greenhouse gases” are likely to accelerate the rate of climate change.

The Intergovernmental Panel on Climate Change (IPCC) has recently completed a comprehensive report assessing the current state of knowledge on climate change, its potential impacts, and options for adaptation and mitigation. At printing of this PRMP/FEIS, this assessment is available on the IPCC web site at <http://www.ipcc.ch/>. According to this report, global climate change may ultimately contribute to a rise in sea level, destruction of estuaries and coastal wetlands, and changes in regional temperature and rainfall patterns, with major implications to agricultural and coastal communities. The IPCC has suggested that the average global surface temperature could rise 1 to 4.5 degrees Fahrenheit (°F) in the next 50 years, with significant regional variation. The National Academy of Sciences (2006) has confirmed these findings, but also indicated that there are uncertainties regarding how climate change may affect different regions. Computer models indicate that such increases in temperature will not be equally distributed globally, but are likely to be accentuated at higher latitudes, such as in the Arctic, where the temperature increase may be more than double the global average (BLM 2007). Also, warming during the winter months is expected to be greater than during the summer, and increases in daily minimum temperatures is more likely than increases in daily maximum temperatures. Vulnerabilities to climate change depend considerably on specific geographic and social contexts.

BLM recognizes the importance of climate change and the potential effects it may have on the natural environment. Several activities occur within the planning area that may generate emissions of climate changing pollutants. For example, oil and gas development, large fires, and recreation using combustion engines, can potentially generate CO<sub>2</sub> and methane. Wind erosion from disturbed areas and fugitive dust from roads along with entrained atmospheric dust has the potential to darken glacial surfaces and snow packs resulting in faster snowmelt. Other activities may help sequester carbon, such as managing vegetation to favor perennial grasses and increase vegetative cover, which may help build organic carbon in soils and function as “carbon sinks”.



**Figure 3.2.2 – Annual Mean Temperature Change for Northern Latitudes (24 - 90° N)**

Source: Goddard Institute for Space Studies (2007)

**Language Added: Transportation & Access (SITLA Lands)**

Throughout much of Utah, the state owns and manages four isolated sections in each 36-section township. These are generally sections 2, 16, 32, and 36, and are ordinarily one mile square (640 acres). They are primarily administered by the Utah School and Institutional Trust Lands Administration (SITLA) for the purpose of economic support of the state’s public schools and institutional trust funds. Activities on state land generally are not substantially different from those on the surrounding land administered by BLM. Many of

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<p>the SITLA lands generate funds through grazing permits, right-of-way easements and permits, and hydrocarbon or other mineral leases.</p> <p>Many BLM lands with management restrictions, such as WSAs, have state lands that are adjacent to or within their boundaries. State lands that are completely or almost entirely surrounded by BLM lands with management restrictions, or are in conjunction with administratively endorsed National Park Service lands, are termed state inholdings.</p> <p>Existing access to inheld state lands varies. Some of the parcels have direct access through cherry-stemmed or boundary roads of WSAs. Inheld parcels may or may not currently have access, depending upon whether or not existing vehicle routes lead to them. BLM policy, as required by the Cotter decision, is that “the state must be allowed access to the state school trust lands so that those lands can be developed in a manner that will provide funds for the common school...” This decision confined the issue of access to situations directly involving economic revenues generated for the school trust. For example, if a holder of a state oil and gas lease on a parcel of state land that is completely surrounded by a WSA requires access to develop that lease, BLM must grant the leaseholder reasonable access with consideration given to minimize impacts to wilderness character.</p>
<p><b>Chapter 4</b></p> <p><b>Language Added: Air Quality - Global Climate Change</b></p> <p>The assessment of climate changing pollutant emissions and climate change is in its formative phase; therefore, it is not yet possible to know with confidence the net impact to climate. However, the Intergovernmental Panel on Climate Change (IPCC 2007) recently concluded that “warming of the climate system is unequivocal” and “most of the observed increase in globally average temperatures since the mid-20th century is very likely due to the observed increase in anthropogenic [man-made] greenhouse gas concentrations.”</p> <p>The lack of scientific tools designed to predict climate change on regional or local scales limits the ability to quantify potential future impacts. Currently BLM does not have an established mechanism to accurately predict the effect of resource management-level decisions from this planning effort on global climate change. However, potential impacts to air quality due to climate change are likely to be varied. For example, if global climate change results in a warmer and drier climate, increased particulate matter impacts could occur due to increased windblown dust from drier and less stable soils. Cool season plant species’ spatial ranges are predicted to move north and to higher elevations, and extinction of endemic threatened/endangered plants may be accelerated. Due to loss of habitat, or due to competition from other species whose ranges may shift northward, the population of some animal species may be reduced. Less snow at lower elevations would be likely to impact the timing and quantity of snowmelt, which, in turn, could impact aquatic species. In the future, as tools for predicting climate changes in a management area improve and/or changes in climate affect resources and necessitate changes in how resources are managed, BLM may be able to re-evaluate decisions made as part of this planning process and adjust management accordingly.</p>
<p><b>Section 4.14 – Socioeconomics</b></p> <p>The socioeconomics section has been extensively revised to incorporate the most current census information and data from recent economic reports and studies specific to the Uinta Basin.</p>
<p><b>All Sections – General</b></p> <p>Analysis has been revised to address changes to Chapter 2.</p>
<p><b>Chapter 5</b></p> <p>Table added to show the Proposed RMP/EIS consistency with Utah Code 63j-4-401.</p>

<b>DESCRIPTION OF CHANGES</b>
<b>Appendices</b>
<p>Appendices Added</p> <ul style="list-style-type: none"> <li>• Document Change Appendix</li> <li>• Air Mitigation Strategies Appendix</li> </ul>
<p><b>Language Added:</b></p> <p>BMPs described in this appendix (section) are designed to assist in achieving the RMP objectives. BMPs are dynamic, and should not be interpreted as specific direction at the same level as the RMP decisions. BMPs are selected and implemented as necessary, based on site specific conditions, to meet resource objectives for specific management actions.</p> <p>This appendix (section) does not provide an exhaustive list of BMPs. Additional BMPs may be identified during an interdisciplinary process when evaluating site-specific management actions. BMPs may also be updated as new technology emerges. Applicants may also suggest alternate practices that could accomplish the same intended result. Implementation and effectiveness of BMPs needs to be monitored to determine whether the practices are achieving the RMP goals and objectives. Adjustments could be made as necessary to ensure goals and objectives are met, as well as to conform to changes in BLM regulations, policy, direction, or new scientific information.</p>
<b>Glossary</b>
<p><b>Language Added</b></p> <p>Wilderness Characteristics – Features of the land associated with the concept of wilderness that specifically deal with naturalness and opportunities for solitude and primitive and unconfined recreation. These characteristics may be considered in land-use planning when BLM determines that those characteristics are reasonably present, of sufficient value (condition, uniqueness, relevance, importance), and need (trend, risk), and are practical to manage (from IM-2003-275, Change 1, Considerations of Wilderness Characteristics in LUP, Attachment 1)</p> <p>Undertaking - A project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; those requiring a Federal permit, license or approval; and those subject to State or local regulation administered pursuant to a delegation or approval by a Federal agency.</p>
<b>Maps</b>
<p>All crucial wildlife habitat baseline maps have been changed to include the date that the UDWR information was provided to create the map and the following statement printed directly onto the maps:</p> <p>“Surface disturbing activities are not excluded in these areas. All timing and controlled surface use limitations are subject to waivers, exceptions, and/or modification identified in Appendix K.”</p>
<b>References</b>
<p><b>References Added</b></p> <ul style="list-style-type: none"> <li>• BLM, 2007. Northeast National Petroleum Reserve - Alaska Draft Supplemental Integrated Activity Plan/Environmental Impact Statement. USDOJ BLM, August 2007.</li> <li>• Available on the Internet: <a href="http://www.blm.gov/ak/st/en/prog/planning/npra_general/ne_npra/ne_npra_supplement.html">http://www.blm.gov/ak/st/en/prog/planning/npra_general/ne_npra/ne_npra_supplement.html</a>.</li> <li>• Goddard Institute for Space Studies. 2007. Annual Mean Temperature Change for Three Latitude Bands. Datasets and Images. GISS Surface Temperature Analysis, Analysis Graphs and Plots. New York, New York.</li> <li>• Available on the Internet: <a href="http://data.giss.nasa.gov/gistemp/graphs/fig.B.lrg.gif">http://data.giss.nasa.gov/gistemp/graphs/fig.B.lrg.gif</a>.</li> <li>• Intergovernmental Panel on Climate Change (IPCC). 2007. Climate Change 2007: The Physical Basis (Summary for Policymakers). Cambridge University Press. Cambridge, England and New York, New York.</li> <li>• Available on the Internet: <a href="http://www.ipcc.ch/pdf/assessment-report/ar4/wg1/ar4-wg1-spm.pdf">http://www.ipcc.ch/pdf/assessment-report/ar4/wg1/ar4-wg1-spm.pdf</a>.</li> </ul>

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**Tables**

All tables have been modified throughout the document to include the Proposed RMP.

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