
2.0 PROPOSED RMP AND ALTERNATIVES

2.1 INTRODUCTION

Chapter 2 contains the Proposed Resource Management Plan (RMP) and alternatives that describe different approaches to the management of public lands and resources in the Vernal Planning Area (VPA) that considered issues and concerns raised during the scoping period (see Chapter 1, Identification of Issues), planning criteria, and the guidance applicable to the resource uses. Each alternative as well as the Proposed RMP represents a complete and reasonable set of objectives, actions, and allocations to guide future management of public lands and resources in the VPA.

The Proposed RMP and five alternatives are presented in this chapter. The Proposed RMP specifies what management would be carried forward into future management. Alternative D (No Action Alternative) describes the continuation of current, existing management. The No Action Alternative is required by Council on Environmental Quality (CEQ) regulations and provides a baseline for comparison of the other alternatives. Four other alternatives (A, B, C, and E) describe proposed changes to current management.

This chapter provides a brief introduction followed by Tables 2.1.1 through 2.1.27, which summarize the differences between the Proposed RMP and the alternatives. The Proposed RMP as well as the alternatives within this RMP share many goals, objectives, standards, and guidelines that ensure protection of resources and compliance with applicable laws. A “Goals and Objectives” section is at the beginning of each resource, followed by “Management Common to All” in order to avoid redundancy. Each category then includes several subsections, each of which focuses on a particular resource, resource use, or program.

2.2 DEVELOPMENT OF THE PROPOSED RMP AND DRAFT RMP ALTERNATIVES

The development of the Proposed RMP and the Draft RMP alternatives for the Vernal RMP and Environmental Impact Statement (EIS) was guided by provisions of the Federal Land Policy and Management Act (FLPMA) and the National Environmental Policy Act (NEPA), as well as by planning criteria listed in Chapter 1. Other laws, as well as Bureau of Land Management (BLM) planning regulations and policy, directed alternative considerations and focused the alternatives on appropriate decisions made at the level of the land use plan (LUP). To begin the alternative development process, goals and desired future conditions were identified by the planning team after carefully considering public comments received throughout the scoping period, as well as direction established by BLM national policy guidance.

The Proposed RMP/Final EIS is primarily based on the components from the Preferred Alternative (Alternative A) of the Draft RMP/EIS (January 14, 2005). However, it has been modified to include aspects of all alternatives analyzed after careful consideration of public comments, cooperating agency review, and internal review.

The Draft RMP, which includes the Supplement to the Draft, developed five management alternatives to address the major planning issues and to provide direction for resource programs influencing land management. Each alternative emphasizes a different combination of resource uses, allocations, and restoration measures to address issues and resolve conflicts among uses, to allow program goals to be accomplished in varying combinations across the alternatives. Management scenarios for programs not tied to major planning issues and/or mandated by law often contain few or no differences in management between alternatives.

Alternative D, continuation of current management (No Action), is based on existing planning decisions that remain valid, as well as on current direction and policy. The remaining alternatives were developed with input received during scoping and with expertise from the interdisciplinary planning team and input from local, state, federal, and tribal governments.

2.2.1 GENERAL DESCRIPTION OF THE PROPOSED RMP/FINAL EIS

The Proposed RMP/Final EIS is primarily based on the decisions from the Preferred Alternative (Alternative A) from the Draft RMP/EIS (January 14, 2005). However, it has been modified to include aspects of all alternatives analyzed after careful consideration of public comments, cooperating agency review, and internal review. The reviews were provided on the Draft RMP/EIS; call for information on Areas of Critical Environmental Concern (ACECs) (Federal Register Notice, December 13, 2005); and, Alternative E from the supplement that was issued on October 5, 2007, analyzing the management of non-WSA lands with wilderness characteristics. These alternatives are combined in the Proposed RMP/Final EIS. Some changes to the draft alternatives have been made in response to the public comments received during the comment period. These changes are limited, for the most part, to correcting mistakes and refining technical points. Changes in the Proposed RMP/Final EIS from the Draft RMP/EIS Alternative A (Draft RMP/EIS Preferred Alternative) are summarized for the reader in Appendix N.

2.2.2 GENERAL DESCRIPTION OF THE DRAFT RMPEIS ALTERNATIVES

The alternatives were developed in response to the issues identified in the public scoping process and the planning criteria.

The BLM recognizes that social, economic, and environmental issues cross land ownership lines and that extensive cooperation is needed to actively address issues of mutual concern. To the extent possible, the alternatives were crafted using the input from public scoping comments; from comments submitted by Duchesne, Daggett, and Uintah county representatives; and from input from other cooperating agencies such as the Northern Ute Tribe.

All management under any of the Proposed RMP and alternatives would comply with state and federal regulations, laws, standards, and policies. Management items common to all and a more detailed discussion for the Proposed RMP and the alternatives may be found in Table 2.1.1 through 2.1.27.

2.2.1.1 DRAFT RMP/EIS PREFERRED ALTERNATIVE (ALTERNATIVE A)

Management direction is generally broad and accommodates a wide variety of values and uses. The VPA would be managed to provide a sustainable flow of resources for human use, while protecting important watersheds and providing viable populations of native and desirable non-native plants species, as well as to provide opportunities for recreational use and wildlife habitat.

2.2.1.2 ALTERNATIVE B

This alternative provides for most resource uses but would emphasize oil and gas development, where feasible. Renewable resources would be protected by balancing the development of mineral resources with focused and prudent mitigation measures.

2.2.1.3 ALTERNATIVE C

The natural succession of ecosystems would be allowed to proceed in select management areas. This alternative would strongly emphasize maintenance of watershed conditions, species viability, properly functioning ecosystems, and a reduction of habitat fragmentation.

2.2.1.4 ALTERNATIVE D (CURRENT MANAGEMENT/NO ACTION)

This alternative would maintain present uses by continuing present management direction and activities while abiding by all new mandates, executive orders, and directives that have been implemented since the previous RMPs were completed.

2.2.1.5 ALTERNATIVE E

Alternative E gives emphasis to protection of all non-WSA lands with wilderness characteristics, including closure of these areas to mineral leasing and off-road vehicles, avoidance of rights-of-way, protection of undisturbed landscapes, and providing opportunities for primitive and semi-primitive recreation. The natural succession of ecosystems would be allowed to proceed in these and other select management areas. This alternative strongly emphasizes maintenance of watershed conditions, species viability, properly functioning ecosystems, and a reduction of habitat fragmentation. It also includes designation of ACECs and determinations for wild and scenic river suitability, while still providing for resource uses in other parts of the VFO, including mineral and energy development and motorized recreation use.

Alternative E is the same as Alternative C, except that it adds a protective management prescription to 277,596 acres of land in 25 areas that comprise non-WSA lands with wilderness characteristics. Alternative E, however, applies to all public lands within the VPA. The proposed decisions that apply to the lands outside of non-WSA lands with wilderness characteristics remain the same as those in Alternative C.

2.3 ALTERNATIVES AND MANAGEMENT OPTIONS CONSIDERED BUT ELIMINATED FROM DETAILED ANALYSIS

Several organizations and individuals provided components of alternatives and management actions as possible ways of resolving individual resource management issues and conflicts. However, none of the submittals addressed the BLM's purpose and need (outlined in Chapter 1) and multiple-use requirements as identified in the Federal Lands Policy and Management Act (FLPMA). These submissions were considered during alternative development; however, none provided the full range of protections required. The following alternatives and management options were considered as possible ways of resolving resource management issues and conflicts but were eliminated from detailed analysis because they were unreasonable or not practical as a result of technical, legal, regulatory, or policy issues.

2.3.1 NO GRAZING ALTERNATIVE

An alternative that proposes to make the entire planning area unavailable for grazing would not meet the purpose and need of this RMP/Draft EIS. The National Environmental Policy Act (NEPA) 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 grazing within the planning area for their resolution. Where appropriate, removal of livestock and adjustments to livestock use have been incorporated into the alternatives on an allotment or area basis to address issues identified in this planning effort. Since the BLM has considerable discretion through its grazing regulations to determine and adjust stocking levels, seasons-of-use, and grazing management activities, and to allocate forage to uses of the public lands in RMPs, the analysis of an alternative to entirely eliminate grazing is not needed.

An alternative that proposes to make the entire planning area unavailable for grazing would also be inconsistent with the intent of the Taylor Grazing Act, which directs the BLM to provide for livestock use of BLM lands; to adequately safeguard grazing privileges; to provide for the orderly use, improvement, and development of the range; and to stabilize the livestock industry dependent upon the public range. The Federal Land Policy and Management Act (FLPMA) requires that public lands be managed on a "multiple use and sustained yield basis" (FLPMA Sec. 302(a) and Sec. 102(7)) and includes livestock grazing as a principal or major use of public lands. While multiple-use does not require that all lands be used for livestock grazing, complete removal of livestock grazing on the entire planning area would be arbitrary and would not meet the principle of multiple use and sustained yield.

Livestock grazing is and has been an important use of the public lands in the planning area for many years and is a continuing government program. Although the Council on Environmental Quality (CEQ) guidelines for compliance with NEPA requires that agencies analyze the No Action Alternative in all EISs, for purposes of this NEPA analysis, the No Action Alternative is to continue the status quo, which includes livestock grazing (CEQ Forty Most Asked Questions, Question 3). For this reason and those stated above, a no grazing alternative for the entire planning area has been dismissed from further consideration in this RMP/EIS.

2.3.2 LIVESTOCK GRAZING ADJUSTMENTS ALTERNATIVE

During scoping and comment on the Draft EIS, it was suggested that the BLM consider adjustments to livestock numbers, livestock management practices, and the kind of livestock grazed on allotments within the Vernal Field Office (VFO) to benefit wildlife and protect and promote land health, including soils, hydrologic cycles, and biotic integrity.

The BLM's 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 VFO 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.

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, p. 15). The 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 enhance land health. For these reasons this alternative has been dismissed from further consideration in this LUP revision.

2.3.3 GREATER DINOSAUR/BOOK CLIFFS HERITAGE PLAN

The BLM did not incorporate this plan in whole, but elements of the plan were incorporated in its action alternatives, particularly Alternatives C and E. The BLM has also incorporated several elements of this plan in its Proposed RMP/Final EIS. The Proposed RMP/Final EIS contains similar objectives in Management Common to All; they are:

- Mitigate or reduce long-term habitat fragmentation through avoidance and site-specific reclamation in order to return disturbed areas to productive levels.
- Ensure that management of native and naturalized plant species enhances and restores, and does not reduce, the biological and genetic diversity of natural ecosystems.
- Conserve and protect special status species and enhance their habitats.

2.3.4 NO LEASING ALTERNATIVE

During scoping and/or the comment period for the Draft RMP/EIS, commenters suggested that the 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.

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 the BLM has no authority to undertake in planning. As a result, the BLM does not regularly include a No-Leasing Alternative. The second alternative (lease expiration) would occur to some degree under any alternative.

The purpose and need for the LUP is to identify and resolve potential conflicts between competing resource uses rather than to eliminate a principle use of the public lands in the VFO 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 the 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 that requires the complete elimination of oil and gas leasing within the planning area for their resolution. The BLM’s Land Use Planning Handbook (BLM MANUAL Rel. 1-1693) requires that LUPs identify areas as open or unavailable for leasing.

Given the potential range of decisions available in the Draft RMP/Draft EIS, 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 EIS 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 the No-Leasing Alternative. To supplement that EIS, the BLM prepared a series of environmental assessments (EAs, then referred to as environmental analysis records, or EARs), including the Vernal District Oil and Gas Program Environmental Analysis Record (EAR) of 1975, which addressed oil and gas leasing for the public lands in the VFO area. Alternatives again included the No Action or No-Leasing alternative. The outcome was a category system for leasing that

categorized all public and USFS 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 VFO area has been an ongoing federal program under the established categories.

The CEQ (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 Draft RMP/Draft EIS and the Proposed RMP/Final EIS, 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 Diamond Mountain RMP and the Book Cliffs RMP.

2.4 BRIEF SUMMARY OF THE PROPOSED RMP AND DRAFT RMP / EIS ALTERNATIVES IN TABLES 2.1.1 THROUGH 2.1.27

The major resources and uses where issues were identified during scoping were travel management, recreation, oil and gas leasing and development, special designations (ACECs and Wild and Scenic Rivers [WSR]), special status species, wildlife, and non-WSA lands with wilderness characteristics. These resources and uses, among others, are displayed under a range of management alternatives that set forth different priorities and measures to emphasize uses or resource values over other uses or resource values to achieve specific goals or objectives outlined in detail in Table 2.1.1 through 2.1.27. Below is a brief summary of the range of alternatives for those major resources and uses brought forward during scoping. Much more detail for each of these resources and uses, among others, and their proposed management is in Table 2.1.1 through 2.1.27. For ease of reference, the following list is provided:

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2.4.1 TRAVEL MANAGEMENT

All public lands are required to have off-highway vehicle (OHV) area designations. Areas must be classified as open, limited, or closed to motorized travel activities. Off-highway vehicle designation areas, or categories, are listed by alternative. Within the Limited category, routes would be limited to "designated roads and trails" (43 CFR Part 8340.0-5(g)). Specific routes are being designated as open to motorized use by alternative as part of implementation-level planning. Table 2.1.22 portrays how travel and access management would be designated under the Proposed RMP and each alternative.

2.4.2 OIL AND GAS LEASING AND DEVELOPMENT

One of the major decisions in a LUP is to determine which areas should be:

- Open to leasing subject to the terms and conditions of the standard lease form stipulations.
- Open to leasing, subject to moderate constraints such as timing limitations (TL) or controlled surface use (CSU) restrictions.
- Open to leasing subject to major constraints such as no surface occupancy (NSO) stipulations.
- Administratively unavailable to leasing (closed).

All of these proposed decisions must be consistent with the goals and objectives of other resources and uses for each alternative. Table 2.1.9 depicts how oil and gas leasing would be managed under the Proposed RMP and each alternative.

In addition, this planning revision proposes to apply the same oil and gas stipulations to all other surface-disturbing activities where they are not contrary to laws, regulations, or policy under the Proposed RMP and all of the alternatives. For example, if an area has a timing stipulation on it for oil and gas development, it would also apply that same timing stipulation on a right-of-way (ROW) construction proposal or an organized recreational event. Appendix K contains proposed stipulations for surface-disturbing activities and applicable Waivers, Exceptions, and Modifications.

2.4.3 SPECIAL DESIGNATIONS—POTENTIAL ACECS

A Federal Register Notice of Availability (December 2005) announced the availability of information on existing and potential ACECs considered within the Draft RMP and EIS, as required in 43 CFR 1610.7-2. The CFR also provided an associated 60-day comment period

beginning December 13, 2005. In order to be considered and carried forward into the range of alternatives for planning, an ACEC must meet the relevance and importance criteria in 43 CFR 1610.7-2(a), and must require special management. The relevance and importance criteria encompass scenery, sensitive plant species, rare plants, cultural and historic resources, wildlife, fish, natural systems, and natural hazards. Table 2.1.18 shows the numbers and acres of ACECs considered by the Proposed RMP and alternatives. Where ACECs are designated, special management attention would be directed at the relevant and important values, resources, natural systems, and/or natural hazards.

2.4.4 WILD AND SCENIC RIVERS

During planning, the BLM must assess all eligible river segments and determine which are suitable or non-suitable per Section 5(d)(1) of the Wild and Scenic Rivers Act of 1968, as amended. The VFO reviewed all river segments for WSR eligibility and suitability as part of the RMP process. The BLM Manual 8351 directs the BLM to provide tentative classifications of Wild, Scenic, or Recreational to the eligible river segments. The information considered by alternative and brought forward in the Proposed RMP is in Table 2.1.19. Where rivers are determined as suitable, protection of the outstandingly remarkable values, tentative classification, and free-flowing nature would be provided until a determination is made by Congress.

2.4.5 SPECIAL STATUS SPECIES

Land use plan decisions must be consistent with the BLM's mandate to recover listed species and must be consistent with objectives and recommended actions in approved recovery plans, conservation agreements and strategies, MOUs, and applicable biological opinions for threatened and endangered species. Currently, the VFO has one federally listed bird species (and one candidate species), two federally listed mammal species, four federally listed fish species, and six federally listed plant species (and one candidate species). The information considered by alternative and brought forward in the Proposed RMP is in Table 2.1.21. Species conservation measures (Appendix L) have been developed in coordination with the U.S. Fish and Wildlife Service (USFWS). They will be implemented under the Proposed RMP and all alternatives. In addition, there are federally listed as well as state sensitive species where TLs and CSU stipulations are applied.

The BLM will work with UDWR, USFWS, and others to ensure that plans and agreements are updated as necessary to reflect the latest scientific data.

2.4.6 NON-WSA LANDS WITH WILDERNESS CHARACTERISTICS

During planning, the VFO identified decisions to protect, preserve, and maintain non-WSA lands with wilderness characteristics (naturalness, outstanding opportunities for solitude, and outstanding opportunities for primitive and unconfined recreation). There are 15 areas totaling 106,178 acres that were identified as non-WSA lands with wilderness characteristics that were

brought forward in the Proposed RMP. The total acreage considered, by alternative, is shown in Table 2.1.10.

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