

4.7. LANDS AND REALTY

The majority of specific program management decisions regarding the following resources and resource uses would have no adverse impacts (short term and/or long term, as well as direct and/or indirect) on lands and realty for the Proposed RMP of any of the alternatives. These include fire resource actions, air quality, hazardous materials, forage management, livestock grazing, and rangeland improvement, cultural and paleontological resources, some recreation decisions, travel decisions, vegetation decisions (including decisions regarding woodland and riparian resources), visual resources, and wild horse and wildlife resources. Impacts would be minimal because management decisions under these resources would not alter the BLM's authority to designate ROWs or to withdraw, acquire, and/or exchange lands under its administration. These impacts and resources, as they pertain to lands and realty, will not be analyzed further.

In general, adverse impacts to lands and realty would be limited because the types of acquisitions and disposals are identified.

4.7.1. IMPACTS COMMON TO THE PROPOSED RMP AND ALL ALTERNATIVES

4.7.1.1. DIRECT IMPACTS

No specific land disposals or exchanges have been identified under the Proposed RMP or any alternative; thus, there are no direct impacts associated with these lands and realty issues. Future land-tenure adjustments for major water developments—to protect water sources, consolidate management opportunities, or to accommodate the needs for the economy and community growth—would be processed on a case-by-case basis with public notices as required by regulation.

Priorities for land-tenure adjustments would focus on opportunities to pursue and assemble land exchanges with the State of Utah in order to consolidate land management opportunities for the BLM and provide the State of Utah with additional revenue generating potential for the State Institution Trust Lands Administration.

The BLM recognizes local government concerns over net gains of public lands within the respective counties and would continue to consider these concerns during land-tenure adjustment processes.

Priority would be given for acquisition of lands containing significant paleontological or cultural resources, special status species habitat, riparian and wetland habitat, crucial wildlife habitat, and high-value recreation areas. Lands would be acquired through donation, purchase, or land exchange from willing partners to secure key property necessary to protect special status species and to promote biological diversity. Right-of-way designation would be generally avoided in threatened and endangered species habitat.

Recreation resources would affect lands and realty where increased public access is desired in order to provide recreational opportunities on approximately 70,700 acres within the VPA. Land-tenure adjustments would be made and/or easements acquired from willing partners to improve public access for hunting and access to rivers for fishing, boating, or swimming. In addition, ROW designation would be avoided in developed or inventoried recreation sites unless necessary to support recreational uses.

The BLM would pursue easements from willing partners to provide access for roads and trails with priority given to certain areas. Similarly, easements would be pursued for access to woodland resources.

Easements would be acquired to provide public access to ACECs and SRMAs, and new ROWs may be issued to avoid special designation areas unless necessary to support complementary uses.

ACECs would be managed to protect a variety of special values under the Proposed RMP and each alternative. While the number of ACECs and acreage designated would vary under the Proposed RMP and each alternative, the values identified for protection would remain the same. Under the Proposed RMP or all alternatives considered, portions of the Upper, Middle, and Lower Green Rivers, White River, Evacuation Creek, Bitter Creek, Nine Mile Creek, and Argyle Creek would be recommended for designation as wild and scenic rivers. The number of segments and miles of river recommended suitable varies under the Proposed RMP and each alternative. The utility corridors that exist would be carried forward in the Proposed RMP and each alternative considered, for location of future utility lines. These corridors lie adjacent to, or cross, almost every proposed ACEC and recommended wild and scenic river. Placement of new power lines and pipelines within these corridors would have to be consistent with protection of identified relevant and important ACEC values, and outstandingly remarkable wild and scenic river values. For ACECs that are managed to protect relevant and important scenic values (Brown's Park, Four Mile Wash, Lower Green River, Nine Mile Canyon, Red Mountain-Dry Fork, and White River), construction of new power lines and pipelines within the designated corridors would have to be consistent with VRM objectives. However, construction of new utility lines would also have to be consistent with other natural and cultural resource objectives of the ACECs. Compatibility with the objectives of the ACECs would depend on the size, design, and location of the line within the corridors. Placement of new lines within the corridors would also have to be consistent with wild and scenic river values. Generally, rights-of-way are discouraged in "wild," scenic," and "recreational" river segments unless they are provided for in a plan, or no reasonable alternative exists. New lines would likely be confined to the designated corridors and would be designed to minimize impacts to the outstandingly remarkable river values. See Tables 4.16.1 for a list of ACECs that would be designated and Table 4.16.2 for a list of wild and scenic rivers recommended for designation under the Proposed RMP and each alternative.

Specific cultural resource mitigation requirements may adversely affect some lands by limiting access to significant cultural sites in order to preserve cultural resources. Land-tenure adjustments might be made and easements acquired from willing partners to obtain land and provide access to significant cultural sites for protective or interpretive purposes. Right-of-way

designation, permits, and leases are unavailable or very limited in areas designated for avoidance due to significant cultural sites

The Proposed RMP and all alternatives would have some direct short- and long-term impacts to lands and realty due to mineral resource decisions. If locatable minerals are found on lands to be sold, the VFO might remove the lands from sale, dispose of the surface estate, or reserve all or part of the mineral estate to the U.S. Consequently, the VFO would dispose of the mineral estate pursuant to Section 209(b) of the FLMPA, or a surface owner could acquire the mineral estate under 43 CFR 2720. Acquisition of access rights could be pursued, providing easements for removal of mineral resources, and ROW designation, permits, and leases would be provided for oil and gas gathering systems or roads.

In 1982, a dam and reservoir ROW grant, serial number UTU-30745, was issued to the State of Utah Division of Water Resources, but the dam has not been built. Should the dam be constructed, access road(s) and power line locations and their effects would need to be addressed at that time.

Where public access would be sought, VRM Class I areas may be affected.

4.7.1.2. INDIRECT IMPACTS

Cultural and historical sites, special area designations, special status species, fish and wildlife habitat, wetland and riparian habitats, water and fisheries issues, and other resource values generally limit lands available for exchange or disposal in any area, reducing the demand for the number and type of realty use authorizations and withdrawals and restricting the ability to construct or relocate roads for legal access.

4.7.2. PROPOSED RMP AND ALTERNATIVES IMPACTS

No short-term indirect impacts are anticipated for the Proposed RMP or any of the alternatives.

4.7.2.1. IMPACTS OF LANDS AND REALTY DECISIONS ON LANDS AND REALTY

4.7.2.1.1. PROPOSED RMP

Easements would need to be acquired from the state and/or willing private landowners to increase public recreation access to trail systems where they cross non-federal lands. Under the Proposed RMP, a public access easement would be pursued for the White River at the mouth of Cowboy Canyon, Bonanza Bridge, and Wagon Hound Road. This would allow the public to access a portion of the White River, which has been nominated for Wild and Scenic River (WSR) status. An easement for the old Uintah Railroad bed from the Utah–Colorado line to Watson in Evacuation Creek would not be pursued, thus restricting access along this portion of the creek.

Acquisition of Indian Trust lands in Bitter Creek and near the confluence of South and Sweetwater Canyons would be sought from willing partners, which would allow the public to

access this area, as well as permit the BLM to better manage the area by consolidating landscape-level issues without having to consider administrative boundaries.

Land-withdrawal decisions would preclude mineral entry on 22,814 acres under the Proposed RMP. Compared to Alternative D (No Action), this alternative would have less adverse, long-term impacts on lands and realty because fewer acres would be restricted and the range of land usages would be greater.

Under the Proposed RMP, 106,178 acres of non-WSA lands with wilderness characteristics would be managed as ROW avoidance areas. Compared to Alternative D (No Action), this alternative would have greater adverse, long-term impacts on lands and realty because more acres would be restricted and the range of land uses would be less.

4.7.2.1.2. ALTERNATIVE A

Impacts of land-access decisions under Alternative A would be the same as the Proposed RMP, as the land-access management decisions are the same.

Impacts of land withdrawal decisions under Alternative A would be the same as the Proposed RMP, as the same acreages are proposed for withdrawal.

No acres of non-WSA lands with wilderness characteristics would be managed as ROW avoidance areas under Alternative A. Impacts would be the same as Alternative D (No Action), because management decisions regarding non-WSA lands with wilderness characteristics are the same.

4.7.2.1.3. ALTERNATIVE B

Under this alternative, the BLM would pursue only administrative access to Indian Trust lands and would not pursue public access to the White River at the mouth of Cowboy Canyon, Bonanza Bridge, and Wagon Hound Road. These land-acquisition decisions would have potential direct, long- and short-term adverse effects on lands resources as compared to Alternative D (No Action), by restricting access to public lands and increasing BLM lands.

Impacts of land-withdrawal decisions under Alternative B would be the same as the Proposed RMP, because the same acreages are proposed for withdrawal.

Impacts of management of non-WSA lands with wilderness characteristics would be the same as under Alternative A because management decisions are the same.

4.7.2.1.4. ALTERNATIVE C

Lands and realty decisions under Alternative C are similar to the Proposed RMP, except that the BLM would also pursue an easement for the old Uintah Railroad bed from the Utah–Colorado line to Watson in Evacuation Wash. Potential long- and short-term direct impacts to lands and

realty from land-acquisition decisions under Alternative C would be similar to those described under Alternative A, but would also include the railroad bed easement.

Land-withdrawal decisions would preclude mineral entry on 36,265 acres under the Alternative C. Compared to Alternative D (No Action), this alternative would have adverse, long-term impacts on lands and realty because slightly more acres would be restricted; however, the range of land usages would be less restrictive than Alternative D, No Action, which would also preclude agricultural entry.

Impacts of management of non-WSA lands with wilderness characteristics would be the same as under Alternative A because management decisions are the same.

4.7.2.1.5. ALTERNATIVE D

Lands and realty decisions under Alternative D (No Action), are unspecified in the current management plan. Any proposal to acquire or dispose of land would be reviewed to determine its potential to affect resources.

Land-withdrawal decisions would preclude mineral and agricultural entry on 35,900 acres, over 13,000 more acres than the Proposed RMP Alternatives A and B, but slightly fewer acres than Alternative C and E. This alternative would have most adverse, long-term impacts on lands and realty because the range of land uses would be more limited as compared to the action alternatives, and in general, more acres would be subject to restrictions.

Impacts of management of non-WSA lands with wilderness characteristics would be the same as under Alternative A because management decisions are the same.

4.7.2.1.6. ALTERNATIVE E

Proposed lands and realty decisions under Alternative E are similar to Alternative C, with potential long- and short-term direct impacts to lands and realty from land-acquisition decisions similar to those described under Alternative A, except that under this alternative, approximately 277,596 acres of non-WSA lands with wilderness characteristics within the VPA would be designated as ROW exclusion areas to protect the wilderness characteristics values in these areas. This would have more long-term, adverse impacts on lands and realty by reducing the range of land uses as compared to Alternative D (No Action).

Impacts from land withdrawal decisions under Alternative E would be the same as Alternative C because the acreages are the same.

4.7.2.2. IMPACTS OF MINERAL DECISIONS ON LANDS AND REALTY

4.7.2.2.1. PROPOSED RMP

Under the Proposed RMP, 1,640,381 acres of BLM-administered land would be open for oil and gas development within the VPA and 273,706 acres would be closed to surface occupancy or development. Off-lease roads and pipelines related to oil and gas development are a major contributor to lands and realty actions within the VFO planning area. More acres would be

available for oil and gas leasing, resulting in more land and realty actions, such as ROW applications, than under Alternative D (No Action).

4.7.2.2.2. ALTERNATIVE A

Under Alternative A, 1,780,860 acres of BLM-administered land would be open for oil and gas development within the VPA and 133,141 acres would be closed to surface occupancy or development. Off-lease roads and pipelines related to oil and gas development comprise a major contributor to land and realty actions within the VFO planning area. More acres would be available for oil and gas leasing, resulting in more land and realty actions, such as ROW applications, than under Alternatives D, No Action.

4.7.2.2.3. ALTERNATIVE B

Under Alternative B, 1,819,397 acres of BLM-administered land would be open for oil and gas development within the VPA and 94,603 acres would be closed to surface occupancy or development. Impacts to lands and realty would be similar to Alternative A. More acres would be available for oil and gas leasing, resulting in more ROWs applied for and granted than under Alternative D (No Action).

4.7.2.2.4. ALTERNATIVE C

Under Alternative C, 1,627,085 acres of BLM-administered lands would be open to minerals development and 286,916 acres would be closed to surface occupancy or development. Impacts to land and realty would be similar to Alternative A. More acres would be available for oil and gas leasing, and therefore more ROWs would be applied for and granted than under Alternative D (No Action).

4.7.2.2.5. ALTERNATIVE D (NO ACTION)

Under Alternative D (No Action), 1,536,030 acres on BLM-administered lands within the VPA would be open to oil and gas development, while 189,470 acres would be closed to surface occupancy or development. Fewer acres would be available for oil and gas leasing, and therefore fewer ROWs would be applied for and granted as compared to Alternatives A through C, but more than Alternative E.

4.7.2.2.6. ALTERNATIVE E

Under Alternative E, 1,499,461 acres of BLM-administered lands would be open to oil and gas minerals development and 414,666 acres would be closed to surface occupancy or minerals surface occupancy or development. Of all the alternatives, Alternative E has the fewest acres available for oil and gas leasing and would result in fewest ROWs being applied for and granted.

4.7.2.3. IMPACTS OF NON-WSA AREAS WITH WILDERNESS CHARACTERISTICS DECISIONS ON LANDS AND REALTY

4.7.2.3.1. PROPOSED RMP

Under the Proposed RMP, approximately 106,178 acres within the VFO would be retained in federal ownership and would be managed to preserve non-WSA wilderness characteristics. In addition to managing these areas as realty-action ROW avoidance areas, they would be managed as closed for oil and gas development (except for the White River area which is NSO and subject to prior existing rights), closed to solid mineral leasing and mineral material disposal, not available for disposal or exchange, and managed under VRM Class II objectives.

Restricting or prohibiting surface disturbance related development in order to protect the wilderness values in non-WSA areas with wilderness characteristics would result in fewer realty actions as compared to Alternative D (No Action).

4.7.2.3.2. ALTERNATIVES A–D

Under these alternatives, there would be no management decisions to protect non-WSA lands with wilderness characteristics.

4.7.2.3.3. ALTERNATIVE E

Approximately 277,596 acres within the VFO would be retained in federal ownership and managed to preserve non-WSA wilderness characteristics. In addition to managing these areas as realty-action ROW exclusion areas, they would be managed as closed for oil and gas development (subject to prior existing rights), closed to solid mineral leasing and mineral material disposal, not available for disposal or exchange, and managed under VRM Class I objectives. Restricting or prohibiting surface disturbance related development in order to protect the wilderness values in these areas would result in fewer realty actions as compared to Alternative D (No Action).

4.7.3. MITIGATION MEASURES

There are no mitigation measures necessary for lands and realty.

4.7.4. UNAVOIDABLE ADVERSE IMPACTS

There are no unavoidable adverse impacts.

4.7.5. SHORT-TERM USES VERSUS LONG-TERM PRODUCTIVITY

At this point in time, there is no known loss in land productivity as a result of the decisions of the Proposed RMP or any alternatives.

4.7.6. IRREVERSIBLE AND IRRETRIEVABLE IMPACTS

The Proposed RMP and all alternatives accommodate land-tenure adjustments that may result in the permanent loss of lands from public ownership if they enter private or state ownership.

There are no irreversible or irretrievable impacts to Lands and Realty for the Proposed RMP or any alternative chosen.