
5.0 CONSULTATION AND COORDINATION

5.1. INTRODUCTION

During the planning and decision-making process for this Vernal Proposed Resource Management Plan (PRMP)/Final Environmental Impact Statement (FEIS), the Bureau of Land Management (BLM) made formal and informal efforts to consult and coordinate with other Federal agencies, State and local governments, Indian tribes, and the interested public, in accordance with the requirements of the National Environmental Policy Act (NEPA), the Federal Land Policy Management Act (FLPMA), and all applicable Council on Environmental Quality (CEQ) and Department of Interior regulations, policies and procedures. NEPA, FLPMA, and applicable regulations and policy require that all federal agencies involve the interested general public in their decision making, consider reasonable alternatives to the preferred alternative/Proposed RMP, and prepare environmental documents that disclose the potential impacts of the preferred alternative/Proposed RMP and the reasonable alternatives.

Such public involvement, consultation, and coordination have been at the heart of the planning process leading to the Vernal Field Office PRMP/FEIS to ensure that (1) the most appropriate data have been gathered and employed for the analyses and (2) agency and public sentiment and values are considered and incorporated into decision making. This was accomplished through *Federal Register* notices, formal public and informal meetings, individual contacts, news releases, planning bulletins, the planning website, and public comments and responses thereto on the draft RMP/EIS.

The BLM initiated the planning process on March 2001 by publishing in the *Federal Register* a Notice of Intent (NOI) to conduct land-use planning for the Vernal Field Office. The NOI invited the participation of the affected and interested agencies, organizations, and members of the general public in determining the scope of and the significant issues to be addressed in the planning alternatives and analyzed in the EIS. The scoping for this project began on March 12, 2001 remained open until December 31, 2001. As part of the resource inventory to determine baseline, members of the interdisciplinary (ID) team formally and informally contacted various relevant agencies to request data to supplement the BLM's existing resource database.

On January 14, 2005, the BLM published in the Federal Register a Notice of Availability of the Draft RMP/EIS to announce and solicit public comment on the alternatives and impacts and effects of those alternatives on the human environment. The BLM distributed to relevant agencies and the interested public the Draft RMP/EIS for review and comment. The comment period ended April 4, 2005. The comments and the BLM's responses thereto are addressed in this Proposed RMP/Final EIS (PRMP/FEIS or Proposed RMP).

On December 13, 2005, the BLM published in the Federal Register a Notice of Availability of the Draft RMP/EIS to list proposed Areas of Critical Environmental Concern and specific associated resource use limitations for public lands in Daggett, Duchesne, Uintah and a small portion of Grand Counties, UT. They provided a 60-day comment period on the potential ACECs. The comment period ended February 11, 2006. The comments and the BLM's responses thereto are addressed in this PRMP/FEIS.

In order to adequately address the management of non-WSA lands with wilderness characteristics, a Supplemental EIS (SEIS) and a fifth alternative (Alternative E) was published by the BLM in 2007. A Notice of Availability of the SEIS was published in the Federal Register on Oct. 5, 2007. The 90-day public comment period to solicit public comment on the impacts of Alternative E ended on January 3, 2008.

The following sections of this chapter describe the public involvement, consultation, and coordination process including key consultation and coordination activities undertaken to prepare a comprehensive PRMP/FEIS for the Vernal Field Office.

5.2. CONSULTATION AND COORDINATION WITH TRIBES, STATE AND LOCAL GOVERNMENTS, AND FEDERAL AGENCIES

In the development of this PRMP, the BLM is required to consult and coordinate with other Federal agencies, State and local government agencies and officials, both elected and appointed, and federally recognized Indian tribes. More specifically, Federal law, including FLPMA, NEPA, the National Historic Preservation Act of 1966 (NHPA) (16 USC Sec. 470 et seq.), the Fish and Wildlife Coordination Act (16 USC Sec. 661 et seq.), the Endangered Species Act of 1973 (ESA) (16 USC Sec 1531 et seq.), and other applicable law, regulations, policy, and executive orders, directs the BLM to coordinate and consult with Native Americans, the State Historic Preservation Office (SHPO), the U.S. Fish and Wildlife Service (USFWS), and the Environmental Protection Agency (EPA) during the planning/NEPA decision-making process. This section documents the specific consultation and coordination efforts undertaken by the BLM throughout the entire process of developing the PRMP/FEIS.

Coordination with other agencies and consistency, to the extent possible, with other plans were accomplished through frequent communications, meetings, and cooperative efforts among the BLM planning and interdisciplinary team and involved federal, state, and local agencies and organizations. The cooperating agencies that were formally involved assisted the BLM throughout the planning process in the development of the PRMP/FEIS. A list of cooperating agencies and their representatives is presented in Table 5.1.

The Vernal Field Office has completed its consultation on the Proposed RMP Final EIS with the Utah State Historic Preservation Office (SHPO) as required by Section 106 of the National Historic Preservation Act. SHPO's concurrence is included in Appendix P and they concur with BLM's determinations for the Section 106 consultation process specified in 36 CFR 800.4.

SHPO concurred with BLMs determination that in many cases there was no potential to cause effect by the decisions in this plan and in some cases there was potential to effect, but there would be no adverse affect on historic properties.

Table 5.1. Cooperating Agencies and their Representatives

Bureau of Indian Affairs	Ute Indian Tribe
Forrest S. Cuch	Curtis Cesspooch
State of Utah	
John Harja Val Payne	
Uintah, Duchesne, and Daggett Counties	County Commissioners
Daggett County	Stewart Leith Floyd Briggs Henry J. Gutz
Duchesne County	W R (Rod) Harrison Kent Peatross Kirk Wood
Uintah County	Darlene Burns David Haslem Mike McKee
Agency Liaison	
BLM Primary Liaison	Lauren Mermejo, State Planning Coordinator

5.2.1. NATIVE AMERICAN INTERESTS AND TRIBES

Protective measures for culturally sensitive Native American resources are established through consultation and coordination with the appropriate Native American tribes or entities. Pursuant to NEPA, the NHPA, FLPMA, the American Indian Religious Freedom Act (AIRFA), Executive Order 13007, and BLM Manuals 8160, *Native American Coordination and Consultation*, and H-8160-1, *General Procedural Guidance for Native American Consultation*, the BLM has engaged in consultation with Native American representatives throughout the planning process. The applicable laws and guidance require that the consultation record demonstrates, "that the responsible manager has made a reasonable and good faith effort to obtain and consider appropriate Native American input in decision making" (H8160-1, 2003:4). Recommended procedures for initiating the consultation process include project notification, preferably by certified mail, follow-up contact (i.e. telephone calls), and meetings when appropriate (H8160-1, 2003:15). Native American consultation is an ongoing process that would continue after the PRMP is completed.

Native American organizations were invited to participate at all levels of the planning process for the RMP. The BLM State Director notified tribes of the BLM's intent to prepare the RMP and the Vernal Field Office invited tribes to consult regarding the entire range of cultural and natural resource impacts (Table 5.2).

The RMP/EIS scoping process was initiated in November 2002 when then-BLM Utah State Director Sally Wisely mailed letters to 32 tribal organizations. The BLM requesting information regarding any concerns the tribal organizations might have within the planning area, specifically requested input concerning the identification and protection of culturally significant areas and

resources located on lands managed by the Vernal and Price Field Offices, and offered the opportunity for meetings. Between November 2002 and May 2003, all 32 tribes were contacted by SWCA ethnographer Molly Molenaar, under contract with and on behalf of BLM, to 1) ensure that the appropriate tribal contact had received the consultation letter and 2) determine the need for additional or future consultation for the study areas identified in the consultation letter. Meetings were arranged when requested.

Of the 32 organizations contacted for this report, four requested meetings to discuss the traditional cultural resources study: Pueblo of Laguna, Hopi Tribe, Southern Ute Tribe, Uintah and Ouray Ute Indian Tribe. The Southern Ute Tribe requested that a meeting invitation be extended to all Ute Tribes contacted for this project and a meeting was held in Grand Junction, Colorado on April 10, 2003. Attending this meeting were representatives from the Ute Mountain Ute, White Mesa Ute, Uintah and Ouray Ute Indian Tribe, and the Southern Ute Tribe. Two meetings were held with the Hopi Cultural Preservation Office on January 19, 2003 and May 23, 2003. A meeting was held with the NAGPRA Committee at the Pueblo of Laguna tribal offices on April 28, 2003. Based on telephone conversations, correspondence, and meetings, 12 Native American organizations requested to be contacted for future projects in the Price Field Office and 12 Native American organizations requested to be contacted for future projects in the Vernal Field Office. Three organizations said that they did not need to be contacted for future projects and 16 organizations did not respond to the initial consultation letter or telephone calls made by Ms. Molenaar. *It is important to note that failure to respond to a request to consult does not necessarily mean that a Native American organization is not interested in current or future consultation with the Price and Vernal Field Offices.*

The remaining organizations contacted expressed concerns that are summarized below but did not specify as to whether or not they would like to be contacted for future projects for the field offices. *It is important to note that failure to respond to a request to consult does not necessarily mean that a Native American organization is not interested in current or future consultation with the Price and Vernal Field Offices.*

Table 5.2. Native American Organizations Requesting to Be Contacted for Future Projects in the Price Field Office

Jicarilla Apache Tribe	Navajo Nation
Paiute Indian Tribe of Utah	Pueblo of Acoma (NAGPRA cases only)
Pueblo of Laguna	Pueblo of Santa Clara
Pueblo of Zia	Uintah and Ouray Ute Indian Tribe
Southern Ute Tribe	White Mesa Ute Tribe
Ute Mountain Ute Tribe	Hopi Tribe

Table 5.3. Native American Organizations Requesting to Be Contacted for Future Projects in the Vernal Field Office

Jicarilla Apache Tribe	Navajo Nation
Pueblo of Acoma (NAGPRA cases only)	Pueblo of Laguna
Pueblo of Santa Clara	Pueblo of Zia
Uintah and Ouray Ute Indian Tribe	Southern Ute Tribe
White Mesa Ute Tribe	Ute Mountain Ute Tribe
Hopi Tribe	Pueblo of Nambe (assumption)

Table 5.4. Native American Organizations Requesting No Further Consultation on Projects in the Price and Vernal Field Offices

Pueblo of Picuris	Pueblo of Sandia
Te-Moak Tribe of Western Shoshone Indians	

Table 5.5. Native American Organizations that Did Not Submit a Final Response

Kaibab Paiute Tribe	San Juan Southern Paiute Tribe
Pueblo of Cochiti	Pueblo of Isleta
Pueblo of Jemez	Pueblo of Pojoaque
Pueblo of San Felipe	Pueblo of San Ildefonso
Pueblo of San Juan	Pueblo of Santa Ana
Pueblo of Santo Domingo	Pueblo of Taos
Pueblo of Tesuque	Pueblo of Zuni
Confederated Tribes of Goshute Nation	Shoshone-Bannock Tribes

Table 5.6. Native American Organizations that Did Not Specify the Need for Future Consultation (see Summary of Results for comments)

Duck Valley Shoshone-Paiute Tribe	Duckwater Shoshone Tribe
Eastern Shoshone Tribe	Ely Shoshone Tribe
Skull Valley Band of Goshute Indians	

5.2.2. SUMMARY OF RESULTS

The following is a list of requests, comments and concerns submitted to the BLM during the consultation process. Complete summaries for each tribe and the BLM response to requests can be found in the section entitled, Native American Consultation Review.

The Paiute Indian Tribe of Utah representative, Dorena Martineau (Cultural Resources Director) requested avoidance of "significant cultural resources whenever possible" on lands managed by the Price Field Office. She requested to consult with BLM, Price Field Office, on future projects.

The Jicarilla Apache Tribal representative Adelaide Paiz (Acting Director, Historic Preservation Office) voiced a concern for the protection of plants and medicinal herbs in the mountainous regions of Utah. Because it is not known how far north into Utah the Jicarilla Apache traveled, Ms. Paiz requested to consult with the BLM Price and Vernal Field Offices.

The Navajo Nation representative, Marklyn Chee (Archaeologist, Historic Preservation Office) expressed a concern for the protection of the waters of the Green River. The Navajo will not usually consult on federal lands north of the Henry Mountains. However, the Green River that flows through both the BLM Price and Vernal Field Offices are a significant water source to the Navajo. When the Green River is impacted, the cultural integrity of the spring water is affected, which in turn affects traditional procurement use values of the Navajo. Mr. Chee requested to consult with the BLM, Price and Vernal Field Offices, for future projects. He is particularly concerned with new discoveries, sites, and burials where NAGPRA will be initiated.

The Pueblo of Acoma representative Todd Sissons (Acoma Historic Preservation Office Head Researcher and NAGPRA Consultant) requested to be contacted for NAGPRA cases in the Price and Vernal Field Offices.

The Pueblo of Laguna NAGPRA Committee requested a meeting to discuss the traditional cultural resources study. Ms. Molenaar met with the committee at the Laguna tribal headquarters on April 28, 2003. During the meeting, the following requests were made by committee members:

- A request to consult for future projects in both the Price and Vernal Field Offices.
- A request to review the traditional cultural resources study draft report. After reviewing the draft document, the Laguna NAGPRA Committee will determine the need for additional meetings and field visits.
- A request for a written policy between Native Americans and the BLM that considers monetary compensation for field visits to project areas.
- A comment that federal agency request for consultation and comment for proposed projects (i.e., Right-of-Way applications), initial consultation letters, and appropriate follow-up contact. Letters are not considered sufficient consultation.
- A request was made for a large map of the project area and any videos of the project area.
- A request that the draft report include information about the laws that require Government-to-Government consultation between the federal agencies and Native Americans.

The Pueblo of Santa Clara representative Gilbert Tafoya (Land Claims, Rights and Protection Officer) mailed a written request to Sally Wisely (BLM Utah State Director) claiming affiliation to prehistoric cultural groups in the Price and Vernal Field Office areas. In a later telephone conversation with Ms. Molenaar, Mr. Tafoya voiced concerns about the BLM's ability to protect confidential, culturally significant information. Specific sites are identified, flagged, and recorded thus drawing attention to the sites and possibly attracting looting. Mr. Tafoya requested to review the draft report and then determine the need for further consultation.

The Pueblo of Zia representative Celestino Gachupin (Cultural and Natural Resources Director) requested to consult on future projects with the BLM, Price and Vernal Field Offices but would

not participate in the proposed study. Zia claims cultural affiliation with both field office district lands through oral history, specifically migration stories.

The Duck Valley Shoshone-Paiute Tribe representative Ted Howard (Environmental Coordinator) made a comment that tribes are living cultures, something that the government does not always understand. He said that agencies refer to sites as if they are past places, but they are dynamic and a sacred site can be rekindled at any time. Mr. Howard also voiced a concern about the federal government's ability to protect confidential information about sacred areas. Mr. Howard said that the tribe would not participate in the study and did not specify as to whether the tribe would like to be contacted for future projects.

The Duckwater Shoshone Tribe representative Ian Zabarte (Environmental Coordinator) commented on the overwhelming number of initial consultation letters received every month. The tribe does not have the staffing to issue formal responses for all projects. Mr. Zabarte said that the tribe would not be able to participate in the study and did not specify as to whether the tribe would like to be contacted for future projects.

The Skull Valley Band of Goshute Indians representative Mel Brewster submitted a cultural patrimony claim map to Ms. Molenaar and a report, *The Skull Valley Band of Goshute Indians: Historic Preservation Plan for Assumption of State Historic Preservation Office Responsibilities within the National Historic Preservation Program*. During an informal meeting with Ms. Molenaar, Mr. Brewster requested that federal agencies offer monetary compensation when requesting comment and consultation for federal projects. The Skull Valley Band does not have the staffing or funding to respond to federal agency requests to consult.

According to the cultural patrimony claim map, the Skull Valley Band does not consider lands managed by the Price and Vernal Field Offices to be part of their traditional territory. However, the preservation plan offers the Skull Valley Band's definition for correct and timely consultation and coordination of the Government-to-Government consultation process that should be considered for future projects in other BLM Field Offices.

The Te-Moak Tribe of Western Shoshone Indians representative Jennifer Bell (Environmental Coordinator) requested that the BLM, Price and Vernal Field Offices, contact the Confederated Tribe of Goshute Indians for future projects. The Te-Moak Tribe does not need to be contacted for future projects in the Price and Vernal BLM offices.

The Hopi Tribe representative Leigh Kuwanwisiwma (Director, Hopi Cultural Preservation Office) mailed a response letter to Sally Wisely (BLM, Utah State Director) claiming cultural affiliation with prehistoric cultural groups in the Price and Vernal Field Office areas. Mr. Kuwanwisiwma had the following comments and concerns:

- Opposition to BLM Instructional Memoranda 98-131-2 which prohibits reburial of Native American human remains and funerary objects subject to the Native American Graves Protection and Repatriation Act (NAGPRA) and excavated from BLM lands, on BLM lands.
- Opposition to any proposed ground disturbing activities with the potential to disturb the human remains of Hopi ancestors on BLM lands until the memoranda is revised or rescinded.

- A request that the revision or revocation of the memoranda be addressed as a traditional cultural concern in the preparation of land-use plan revisions.
- A concern that the Hopi Tribe's cultural values, religious beliefs, traditional practices and legal rights are being affected by BLM actions, specifically the instructional memoranda mentioned above and the Price Field Office's inaction regarding the appropriate protection of exposed burials on BLM lands under their jurisdiction.
- A request for a summary of cultural resource surveys of the project area (Daggett, Uintah, Duchesne, Carbon, and Emery Counties).
- A request to be involved in future projects.

In a telephone conversation with Ms. Molenaar, Terry Morgart (Legal Researcher) said that although the Hopi Council resolution claims affiliation with Basketmaker, Pueblo I and II, Archaic and Paleo-Indian Cultures, the Hopi clans have not used the Price and Vernal landscape in a long time. Hopi would therefore not be an active participant in the study but requested to comment on the final report. Hopi would, however, continue to be involved in NAGPRA cases issued by the Price and Vernal Field Offices.

The Southern Ute Tribe, Uintah and Ouray Ute Indian Tribe, Ute Mountain Ute Tribe, and White Mesa Ute Tribe met with BLM Utah State Archaeologist and Price Field Office representatives in Grand Junction, Colorado on April 10, 2003 to discuss the land-use plans and traditional cultural resources study. The tribes had the following comments and requests:

- Uintah and Ouray Ute Indian Tribal representative Betsy Chapoose (Director, Cultural Rights and Protection) requested that the Vernal Field Office make a concerted effort to consult with the tribe on all aspects of projects, not just cultural resources. Ms. Chapoose requested that the BLM consider holding community meetings on the reservation to discuss future projects.
- Ms. Chapoose requested that the BLM provide specific information on future project study areas (i.e., Class III cultural resource reports) and provide "site types" that may appear in the project area.
- Ms. Chapoose requested that the BLM re-consider their position on compensation for tribal knowledge, especially when a tribal elder, spiritual leader, or tribal expert in cultural resources is asked for this knowledge. She said that the issue of compensation for tribal knowledge concerning cultural resources should be addressed in the management plan.
- Ms. Chapoose said that the project area (Price and Vernal Field Office areas) for the proposed study is too large to offer specific information regarding traditional cultural properties and requested a larger map and additional cultural resource reports prepared for past projects.
- Southern Ute Tribal Representative Neil Cloud (NAGPRA Representative) voiced a concern about the BLM's ability to protect confidential information about culturally significant sites.
- Mr. Cloud requested that a follow-up meeting be held in a few months, stated that the project area is too large for a reasonable response and requested additional information about cultural resources in both field office areas.

- Ute Mountain Ute Tribal representative Terry Knight (Cultural Resources Director) commented that the BLM should protect culturally sensitive areas on federal lands by entering into agreements with tribes before projects begin.
- Mr. Knight requested that the BLM consider compensation for tribal knowledge and said that elders should be paid a rate comparable to level of expertise.

5.2.2.1. JICARILLA APACHE TRIBE

In a telephone conversation with Ms. Molenaar on November 25, 2002, Adelaide Paiz (Acting Director, Historic Preservation Office) said that the Jicarilla Apache would like to maintain consulting party status for future federal projects on lands managed by the Price Field Office. Ms. Paiz said that the Jicarilla Apache have an interest in the BLM Price Field Office lands because their nomadic ancestors roamed in the Utah area. When asked if she could identify areas of concern for the tribe, she said she would be interested in consulting and protecting the mountainous regions for future projects in the Price Field Office. She said that the mountain areas are exploited for plants and medicinal herbs more than the plains region in Utah. When asked if she could name any plants and herbs, she said that it is hard to identify specific plants because these plants usually spread to different locations and cannot be found in the same place year after year. She said that if meetings are held for this project, the Jicarilla would like to be invited to attend, although attendance at such a meeting would depend on money and staff availability. She said that a joint meeting with other tribes would be acceptable as the Jicarilla are in frequent contact with the Navajo and Southern Ute groups concerning land use issues.

On April 10, 2003, a meeting was held between the BLM and Ute Tribes at the request of the Southern Ute NAGPRA Coordinator. The Jicarilla Apache were invited to this meeting but were unable to send a representative.

In a telephone conversation with Ms. Molenaar on May 27, 2003, Ms. Paiz said that the Jicarilla Apache would like to stay on the Price and Vernal lists of tribes to be contacted in the future and would also like to be placed on the Vernal list for future projects because it is not known how far north the Apache traveled.

5.2.2.2. NAVAJO NATION

In a telephone conversation with Ms. Molenaar on January 8, 2003, Marklyn Chee (Navajo Nation Historic Preservation Office Archaeologist) said that the tribe will not usually consult on federal lands north of the Henry Mountains. However, the Green River that flows through both the BLM Price and Vernal Field Offices are a significant water source to the Navajo. When the Green River is impacted, the cultural integrity of the spring water is affected, which in turn affects traditional procurement use values. Mr. Chee said that he has drafted an electronic response letter to federal agency's requests for Section 106 consulting party status and would be emailing response letters to federal agencies in the near future.

In a telephone conversation with Ms. Molenaar on May 27, 2003, Mr. Chee said that the Navajo Nation would like to remain on the list of tribal contacts for the Price and Vernal Field Offices even though he indicated in a previous conversation that the tribe will probably not request to consult on projects on lands north of the Henry Mountains. He is particularly concerned with new discoveries, sites and burials, where NAGPRA will be initiated.

5.2.2.3. KAIBAB PAIUTE TRIBE

As of the date of this report, neither SWCA nor the BLM has received a final response from the Kaibab Paiute Tribe.

5.2.2.4. PAIUTE INDIAN TRIBE OF UTAH

In a telephone conversation with Ms. Molenaar on March 27, 2003, Dorena Martineau (Cultural Resources Director) said that the Paiute Indian Tribe of Utah will request consulting party status on future projects on lands managed by the BLM Price Field Office only, even though the tribe has consulted in the past with federal agencies in the Vernal area. Ms. Martineau said that the tribe requests avoidance of significant cultural resources whenever possible and said that Ralph Pikyavit (Kanosh Band, Cultural Resources Director) may have additional information about specific plants that need to be protected. Ms. Martineau said that the tribe would not participate in the traditional cultural resources study.

5.2.2.5. SAN JUAN SOUTHERN PAIUTE TRIBE

As of the date of this report, neither SWCA nor the BLM has received a final response from the San Juan Southern Paiute Tribe.

5.2.2.6. HOPI TRIBE

In a telephone conversation with Ms. Molenaar on December 30, 2003, Terry Morgart (Hopi Cultural Preservation Office Legal Researcher) said that he would submit a written response to Ms. Wisely stating that the Hopi Tribe considered the Vernal and Price areas to be peripheral territory. Hopi would not request to be a consulting party for the resource management plans. However, the preservation office would request a copy of the final traditional cultural resource report prepared for the Price and Vernal Field Offices. He said that the Hopi would also request the revocation of the BLM Reburial Policy.

On January 2, 2003, Leigh Kuwanwisiwma (Director, Hopi Cultural Preservation Office) mailed a response letter to Sally Wisely (BLM, Utah State Director) claiming cultural affiliation to prehistoric cultural groups in the Vernal and Price BLM Field Office areas.

5.2.2.7. PUEBLO OF ACOMA

In a telephone conversation with Ms. Molenaar on May 27, 2003, Todd Sissons (Acoma Historic Preservation Office Head Researcher and NAGPRA Consultant) said that Acoma is usually involved as a consulting party on federal lands in Utah for the Southeastern part of the state. However, Acoma sometimes requests to be involved in discovery (NAGPRA) cases in the Price and Vernal areas. Mr. Sissons requested that the Pueblo of Acoma stay on the list of tribal contacts for the Price office and should be contacted for NAGPRA cases in both the Price and Vernal field offices.

5.2.2.8. PUEBLO OF COCHITI

As of the date of this report, neither SWCA nor the BLM has received a final response from the Pueblo of Cochiti.

5.2.2.9. PUEBLO OF ISLETA

As of the date of this report, neither SWCA nor the BLM has received a final response from the Pueblo of Isleta.

5.2.2.10. PUEBLO OF JEMEZ

As of the date of this report, neither SWCA nor the BLM has received a final response from the Pueblo of Jemez.

5.2.2.11. PUEBLO OF LAGUNA

On November 21, 2002, Laguna Governor Harry Early mailed a letter to Sally Wisely (BLM Utah State Director) requesting a meeting between the BLM and the Laguna NAGPRA Committee. On April 28, 2003, Ms. Molenaar attended a meeting with the Laguna NAGPRA Committee representatives to discuss the traditional cultural resources study for the Price and Vernal Field Offices. The NAGPRA Committee requested to consult for future projects on lands managed by both field offices but did not wish to contribute to the traditional cultural resources study until a draft document had been produced and distributed to tribes for review. On May 6, 2003, Ms. Molenaar mailed copies of the meeting notes to Laguna NAGPRA Committee Representatives for comment. The NAGPRA Committee approved of the meeting notes.

5.2.2.12. PUEBLO OF NAMBE

In a telephone conversation with Ms. Molenaar on March 19, 2003, Ernest Mirabel (Nambe NAGPRA Committee) said that Nambe has been involved in previous projects in the Vernal area and requested more information about the proposed study. Copies of the initial consultation letter and map were mailed to Mr. Mirabel on the same day but a final response has not been forthcoming from the Pueblo of Nambe.

5.2.2.13. PUEBLO OF PICURIS

In a telephone conversation with Ms. Molenaar on April 3, 2003, Richard Mermejo (Cultural Resources Director) said that Picuris would not request consulting party status for projects on lands managed by the BLM, Price and Vernal Field Offices. He said that Picuris would prefer that tribes residing close to the project area take the lead role in the consultation process, including NAGPRA cases.

5.2.2.14. PUEBLO OF POJOAQUE

As of the date of this report, neither SWCA nor the BLM has received a final response from the Pueblo of Pojoaque.

5.2.2.15. PUEBLO OF SAN FELIPE

As of the date of this report, neither SWCA nor the BLM has received a final response from the Pueblo of San Felipe.

5.2.2.16. PUEBLO OF SAN ILDEFONSO

As of the date of this report, neither SWCA nor the BLM has received a final response from the Pueblo of San Ildefonso.

5.2.2.17. PUEBLO OF SAN JUAN

As of the date of this report, neither SWCA nor the BLM has received a final response from the Pueblo of San Juan.

5.2.2.18. PUEBLO OF SANTA CLARA

On December 2, 2002, Gilbert Tafoya (Land Claims, Rights and Protection Officer) mailed a letter to Sally Wisely (BLM Utah State Director) stating that Santa Clara elders indicated that their people had traveled in the project area for hunting, trading, or other reasons and therefore, Santa Clara has concerns for traditional cultural properties on lands managed by the Price and Vernal Field Offices. Mr. Tafoya requested a copy of the draft report once it becomes available.

In a telephone conversation with Ms. Molenaar on March 10, 2003, Gilbert Tafoya (Land Claims, Rights and Protection Officer) said Santa Clara would prefer to read the draft report before requesting to be involved in the proposed study. If he finds the report lacking or does not agree with its contents specific to TCPs, tribal consultation, and cultural resources, he will then request a meeting.

Mr. Tafoya said in the past, Santa Clara has released confidential, culturally significant information for similar federal projects only to find out years later that the information was not kept confidential. He said that he has concerns about identifying specific sites in an area because the government usually draws more attention to the site by putting up ribbons and barriers for its protection but this draws attention to the site instead and attracts looters.

Another concern voiced by Mr. Tafoya was that federal agencies often request information from the Pueblo of Santa Clara only to completely disregard the concerns raised and information given when making final project decisions.

5.2.2.19. PUEBLO OF SANTA ANA

As of the date of this report, neither SWCA nor the BLM has received a final response from the Pueblo of Santa Ana.

5.2.2.20. PUEBLO OF SANTO DOMINGO

As of the date of this report, neither SWCA nor the BLM has received a final response from the Pueblo of Santo Domingo.

5.2.2.21. PUEBLO OF SANDIA

In a telephone conversation with Ms. Molenaar on February 26, 2003, Mike Ferguson (Lands Director) said that he requested input from tribal elders concerning the traditional cultural resource study and was told that the tribal elders had no concerns in the project area. He said that he would like to contact the elders one more time and verify their response. He said that if he did

not call again then the BLM could assume that the Pueblo of Sandia does not have cultural resource issues in the project area.

5.2.2.22. PUEBLO OF TAOS

As of the date of this report, neither SWCA nor the BLM has received a final response from the Pueblo of Taos.

5.2.2.23. PUEBLO OF TESUQUE

As of the date of this report, neither SWCA nor the BLM has received a final response from the Pueblo of Tesuque.

5.2.2.24. PUEBLO OF ZIA

In a telephone conversation with Ms. Molenaar on May 12, 2003, Celestino Gachupin (Cultural and Natural Resources Director) said that Zia would not participate in the proposed study. He said that they did not know of any significant traditional cultural properties in the Price and Vernal Field Offices but said that they do consider themselves to be culturally affiliated to the study area through their migration stories. He said that Zia would prefer that tribes located closer to the project area take the lead in tribal consultation for future project planning in the study area but would like to remain on the contact list for the Price and Vernal Field Offices.

5.2.2.25. PUEBLO OF ZUNI

As of the date of this report, neither SWCA nor the BLM has received a final response from the Pueblo of Zuni.

5.2.2.26. DUCK VALLEY SHOSHONE-PAIUTE TRIBE

In a telephone conversation with Ms. Molenaar on March 28, 2003, Ted Howard (Environmental Coordinator) said that the tribe probably does not need to be involved in the proposed study for the BLM, Price and Vernal Field Offices. He did, however, request another copy of the initial consultation letter and map for the proposed study.

Mr. Howard also said that his tribe is very cautious about giving information to the government about their sacred areas. He said that they have MOUs in place so that they can keep this information within the tribe so that it does not get published in the public record. He said that tribes are living cultures, something that the government does not always understand. He said that agencies refer to sites as if they are past places, but they are dynamic and a sacred site can be rekindled at any time.

5.2.2.27. DUCKWATER SHOSHONE TRIBE

In a telephone conversation with Ms. Molenaar on February 20, 2003, Ian Zabarte (Environmental Coordinator) said that the tribe would like to respond to all requests to consult but they are overwhelmed with the number of requests they receive every month. He said that the tribe does not have the staffing to respond to the number of letters received and would therefore not be able to participate in the study. Mr. Zabarte did not specify as to whether the tribe would like to be contacted for future projects.

5.2.2.28. EASTERN SHOSHONE TRIBE

In a telephone conversation with Ms. Molenaar on January 8, 2003, Reba Teran (Eastern Shoshone Cultural Center), said that the tribe would not be involved in this project due primarily to recent budget cuts. The Business Council considers only the most significant cultural resource studies, particularly study areas that may contain spiritual rock cairns. She said that, unfortunately, there is no budget for the Preservation Office. She said that the Eastern Shoshone Spiritual Leaders who used to travel on behalf of the tribe now have to travel with their own funds in order to be involved in cultural resource projects. Ms. Teran did not specify as to whether the tribe would like to be contacted for future projects.

5.2.2.29. ELY SHOSHONE TRIBE

In several telephone conversations with Ms. Molenaar, Dana McDade (Tribal Coordinator) said that she would prepare a written statement to BLM, Utah State Office concerning Ely Shoshone's interest in the Price and Vernal Field Office lands. As of the date of this report, neither SWCA nor BLM has received a final response from the Ely Shoshone Tribe.

5.2.2.30. CONFEDERATED TRIBES OF GOSHUTE NATION

As of the date of this report, neither SWCA nor BLM has received a final response from the Goshute Nation.

5.2.2.31. SHOSHONE-BANNOCK TRIBES

As of the date of this report, neither SWCA nor BLM has received a final response from the Shoshone-Bannock Tribes.

5.2.2.32. SKULL VALLEY BAND OF GOSHUTE INDIANS

On January 28, 2003, Ms. Molenaar visited Mel Brewster (Tribal Archaeologist) at the Skull Valley tribal offices in Salt Lake City, Utah. Mr. Brewster gave Ms. Molenaar copies of letters to federal agencies concerning Goshute indigenous lands, including a cultural patrimony claim map, and a definition for consultation from the Goshute Historic Preservation Plan. According to the cultural patrimony claim map, the Skull Valley Band does not consider lands managed by the Price and Vernal Field Offices to be part of their traditional territory.

5.2.2.33. TE-MOAK TRIBE OF WESTERN SHOSHONE INDIANS

In a telephone conversation with Ms. Molenaar on November 25, 2002, Jennifer Bell (Environmental Coordinator) said that the Eastern half of Utah is not considered to be the traditional territory of the Te-Moak Shoshone and requested that BLM contact the Goshute for this project. When asked if the tribe should be included in consultation for future projects in the Vernal and Price areas, Ms. Bell said the Te-Moak would defer to the Goshute, and did not need to be contacted for future projects in the BLM Price and Vernal Field Offices. Ms. Molenaar requested that the Te-Moak Tribe submit a written response to the BLM, Utah State Office Director, Sally Wisely, stating that they did not need consultation on future projects in the Price and Vernal BLM districts.

5.2.2.34. UINTAH AND OURAY UTE INDIAN TRIBE

In a telephone conversation with Ms. Molenaar on March 11, 2003, Betsy Chapoose said that she would attend a meeting with the BLM concerning cultural resource issues and the development of the resource management plans for the Price and Vernal Field Offices. On April 10, 2003, Ms. Chapoose represented the Uintah and Ouray Ute Indian Tribe at a meeting with the BLM in Grand Junction, Colorado.

5.2.2.35. SOUTHERN UTE TRIBE

In a telephone conversation with Ms. Molenaar on November 21, 2002, Jim Jefferson (Cultural Preservation Coordinator) said that the Southern Ute Tribe should be left on the list of tribal contacts for the Price and Vernal Field Offices. He voiced a concern about the potential for looting of archaeological sites once they are identified.

In a telephone conversation with Ms. Molenaar on February 26, 2003, Neil Cloud (NAGPRA Representative) requested a meeting with the BLM to discuss the proposed study and the development of the resource management plans. On April 10, 2003, Mr. Cloud represented the Southern Ute Tribe at a meeting with the BLM in Grand Junction, Colorado.

5.2.2.36. WHITE MESA UTE TRIBE

In a telephone conversation with Ms. Molenaar on March 28, 2003, Elayne Attcity (Councilwoman) said that she would attend the joint meeting with the Ute Tribes and the BLM to discuss the proposed study and the development of the resource management plans. On April 10, 2003, Mr. Cloud represented the White Mesa Ute Indian Tribe at a meeting with the BLM in Grand Junction, Colorado.

5.2.2.37. UTE MOUNTAIN UTE TRIBE

In a telephone conversation with Ms. Molenaar on February 20, 2003, Terry Knight (Cultural Resources Director) said that he would attend the joint meeting with the Ute Tribes and the BLM to discuss the proposed study and the development of the resource management plans. On April 10, 2003, Mr. Knight represented the Ute Mountain Ute Indian Tribe at a meeting with the BLM in Grand Junction, Colorado.

In addition, the NHPA and the regulations at 36 CFR Part 800 govern BLM's cultural resource management program. The regulations provide specific procedures for consultation between the BLM and the State Historic Preservation Office (SHPO). The BLM has initiated formal consultation with SHPO during the development of the RMP concerning cultural resources. A copy of the Draft RMP/EIS was sent to the SHPO for review and comment, and it also will receive a copy of this PRMP/FEIS.

5.2.3. ENVIRONMENTAL PROTECTION AGENCY

The BLM coordinated with the EPA through multiple meetings and communications. The EPA's air quality protocols are used as guideline standards for this document. This PRMP/FEIS also responds to EPA's comment letter on the DRMP/EIS.

The BLM provided the Environmental Protection Agency (EPA) with a copy of the DRMP/EIS and the Supplemental Draft. The EPA has submitted comments on both documents. The EPA rated the preferred alternative as Environmental Concerns-Insufficient Information, "EC-2".

The EPA expressed concern about the lack of information associated with BLM's analysis of air quality impacts, livestock and grazing management, and oil shale development within the planning area. The EPA also questioned the analysis of the environmental hazards and health risks to communities near mineral development. Additional analysis and information regarding air quality, grazing, oil shale development, and potential risks to communities have been included in Chapter 4 of the PRMP/FEIS based on EPA comments.

5.2.4. U.S. FISH AND WILDLIFE SERVICE

The BLM consulted with the USFWS as required prior to initiation of any project by a federal agency that may affect federally listed special status species or its habitat in accordance with Section 7 of the ESA and with the Fish and Wildlife Coordination Act, 16 USC Sec 661 et seq. This RMP/EIS is considered a major planning action, and the BLM initiated formal consultation with the USFWS on August 28, 2001.

In December 2001, the BLM requested assistance from the USFWS in identifying threatened, endangered, proposed, and candidate plant and animal species that may be located in the Vernal planning area. A letter was sent by the BLM State office to the USFWS initiating informal consultation for the Price, Vernal, and Richfield planning efforts. The USFWS responded by providing BLM with a list of species that may be present in or may be affected by projects in the subject planning area. Tables 3.1.5.15.1 and 3.1.5.15.2 present a comprehensive list of sensitive species that may be present in the planning area and whether they could be affected by the proposed and alternative actions. The results of this consultation have been incorporated into this EIS.

This PRMP constitutes a Biological Assessment (BA), which has been provided to the USFWS for review and comment. The BLM determined that the implementation of the PRMP/FEIS is "not likely to adversely affect" /or/ "may affect" the species on which this consultation occurred. The USFWS may concur with the BLM's determination via memorandum, or prepare a biological opinion, which advises the BLM on the actions that must be taken to protect federally listed special status species.

The BLM has also consulted with the Utah Division of Wildlife Resources (UDWR).

5.2.5. STATE AGENCY COORDINATION

NEPA requires that the agency work closely with cooperating and other responsible and trustee state agencies in preparing an EIS. The primary tool for this coordination is the preparation of the draft alternatives (Chapter 2) for review by state agencies and subsequently the preparation of the draft EIS. The BLM sent preliminary drafts to the State of Utah Divisions of Oil, Gas, and Mining; State Parks; Geological Survey; Wildlife Resources; and the State Historic Preservation Office (SHPO) and the School and Institutional Trust Lands Administration (SITLA).

5.2.6. COOPERATING AGENCY INVOLVEMENT

Cooperating agency status has been extended to federal, state, and local agencies with regard to the Vernal RMP/EIS planning effort. Daggett, Duchesne and Uintah Counties signed a Memoranda of Understanding (MOU) in 2001 and 2002 to be cooperating agencies. The State of Utah also signed a cooperating agency agreement in 2001. The Ute Tribe signed a cooperating agency agreement in September 2004. Cooperating agencies that have participated in the development of the Draft RMP/EIS include: U.S Fish and Wildlife Service, State of Utah, Daggett County, Duchesne County, and Uintah County.

BLM held more than 70 meetings with the cooperating agencies throughout the planning process, all of which have occurred between November 2001 and June 2003. RMP/EIS-related topics discussed in these meetings included socioeconomics, Wild and Scenic River suitability, ACEC relevance and determination, travel plans, and the development of alternatives. A list of these meetings can be found in at the end of this chapter in Section 5.9.

5.3. CONSISTENCY WITH OTHER PLANS

This PRMP/FEIS has been prepared by the Vernal Field Office with assistance from the BLM Utah State Office and the cooperating agencies. This is the third in a series of four NEPA documents released to the public during the federal land-use planning process. The Draft RMP (the first NEPA document) was sent to the public in January 2005 with an associated 90-day comment period until April 4, 2005. Complete records of public comments are on file in the Vernal Field Office, Vernal, Utah.

The BLM planning regulations require that RMPs be consistent with officially approved or adopted resource-related plans, and the policies and procedures contained therein, of other Federal agencies, State and local governments, and Indian Tribes, so long as the guidance and RMPs also are consistent with the purposes, policies and programs of Federal laws and regulations applicable to public lands.

43 U.S.C. §1712(c) (9) states that the Secretary of the Interior (through the land-use plans of the federal agencies under it) shall "coordinate the land use inventory, planning, and management activities of or for such lands with the land-use planning and management programs of other Federal departments and agencies and of the States and local governments within which the lands are located." It further states that "the Secretary shall assure that consideration is given to those State, local, and tribal plans that are germane in the development of land-use plans for public lands [and] assist in resolving, to the extent practical, inconsistencies between Federal and non-Federal Government plans..." This language does not require the BLM to adhere to or adopt the plans of other agencies or jurisdictional entities, but rather to give consideration to these plans and make an effort to resolve inconsistencies to the extent practical.

The BLM is aware that there are specific County and State plan decisions relevant to aspects of public land management that are discrete from, and independent of, Federal law. However, the BLM is bound by Federal law. The FLPMA requires that the development of an RMP for public lands must be coordinated and consistent with County plans, to the maximum extent possible by law, and inconsistencies between Federal and non-Federal government plans be resolve to the extent practical (FLPMA, Title II Sec. 202 (c)(9)). Where State and local plans conflict with Federal law, there will be an inconsistency that cannot be resolved or reconciled.

Thus, while County and Federal planning processes, under FLPMA, are required to be as integrated and consistent as practical, the Federal agency planning process is not bound by or subject to County plans, planning processes, or planning stipulations. In order to ensure such consistency, finalized plans were solicited from Federal, State, and local agencies as well as Tribal governments listed in Section 1.5. These same agencies received copies of the Draft RMP/EIS for review and comment, and will receive copies of this PRMP/FEIS. As stated previously, Section 202 of FLPMA requires the BLM to coordinate land-use planning activities with other Federal agencies, State and local governments, and Indian Tribes. FLPMA also requires BLM to ensure that consideration is given to non-BLM plans that are pertinent to the development of the RMP, assist in resolving inconsistencies between Federal and non-Federal government plans, and to provide for meaningful public involvement of other Federal agencies, State and local government officials, and Indian Tribes in the development of the RMP. There are no known inconsistencies between the Proposed RMP and officially approved and adopted resource-related plans of the Federal agencies, State and local governments, and Indian Tribes. Coordination and consultation continued throughout the planning process and would further continue with implementation of the RMP.

Table 5.7 outlines the planning consistency of the Proposed RMP with the approved management plans, land-use plans, and controls of other agencies with jurisdiction in or adjacent to the planning area. The authorized officer will continue to collaborate with federal agencies, state and local governments, and Indian tribes on implementation of the RMP and on pursuing consistency with other plans and will move toward integration of such plans to the extent that they are consistent with federal laws, regulations, and policy directives. Additional discussion is contained in Chapter 1.

The Vernal Field Office RMP is consistent with the following agency plans: Ashley National Forest Land-use plan; Dinosaur National Monument Plan; 1996. Green River Management Plan; Joint Management Plan; VFO and Ashley National Forest; Browns Park National Wildlife Refuge Plan; Ouray National Wildlife Refuge Plan; and Division of State Parks and Recreation, Steinaker and Red Fleet State Plans. **No comments were received to indicate inconsistency of these plans with the Proposed RMP.**

Table 5.7. Plan Consistency Review

Daggett County General Plan (1996)				
Discussion		Consistent	Partially Consistent	Not Consistent
Economic Development	Due to the dependence of the County businesses on public lands, it is important that economic decisions for the County are made with a firm understanding of public land issues.	X		
Multiple Use	<p>The County supports continuing multiple-use management practices on public lands. County residents have used public lands and resources for a variety of uses (e.g., grazing, recreation, timber, mining, oil/gas development, agriculture, hunting, fishing, wildlife viewing, and water resource development).</p> <p>The County feels that multiple use means a balanced allocation of available resources among uses and users.</p> <p>The County acknowledges that in some cases competing uses may conflict. In these situations, the County's position will be to support those uses consistent with maintaining/preserving the County's rural lifestyle and character.</p> <p>The County feels that federal and state public land managers should identify and address local social and economical impacts as part of their resource allocation decision-making processes.</p>	X		
Private/Public Land Ownership	<p>The County feels that the amount of acreage owned and managed by federal and state agencies is sufficient for the "public interest".</p> <p>The County encourages state and federal agencies to privatize public lands, particularly those suitable for agricultural uses and natural resource use and/or development.</p> <p>The County feels that federal or state agencies involved in private-to-public land ownership/lease/management transactions should identify, and make available for private purchase/lease/management an equivalent amount (acreage or value) of public land as a condition of the initial transaction. These lands, and the accompanying surface and subsurface resources, should be transferred to private ownership with minimal use restrictions.</p>	X		

	The County acknowledges the rights of property owners to dispose of private property to any willing purchaser, including federal or state agencies.			
Public Lands Access	<p>The County maintains that adequate access on public lands must be available to residents.</p> <p>The County will continue to participate in the current RS-2477 discussions and all other relevant federal and state land/road management decisions.</p> <p>The County also supports general public access through private lands to public lands as historically provided and allowed.</p> <p><u>BLM Response:</u> The Proposed RMP makes no commitments to respect to any valid existing rights, particularly those concerning RS-2477.</p>	X		
Public Lands Federal and State Agencies	<p>The County's economic growth and stability depends on public lands and associated resources for continued use and availability for industries such as agriculture, mining, tourism, and recreation.</p> <p>The County supports multiple-use management of public lands and encourages a balance between consumptive and non-consumptive uses.</p>	X		
Public Land Resource Use and Development	<p>The County enjoys an abundance of natural resources such as wildlife, timber, minerals, oil/gas, and beautiful scenery. Responsible use of these resources benefits the County economically.</p> <p>The County's believes that federal and state management plans continue to allow should allow for the responsible development of natural resources and the expansion of related industries.</p> <p>The County supports the development and use of additional natural resources as they become available or as new technology allows.</p>	X		
Recreation and Tourism	<p>The County continues to participate with local federal and state public land management agencies in their respective recreation and tourism promotion and planning efforts.</p> <p>The County will actively participate in federal and state planning processes that include relevant recreation and tourism elements.</p>	X		

	The County feels that proposals prepared by federal and state agencies, and/or individuals operating as concessioners or permittees, should include an impact analysis for County provided services.			
Value Added Agriculture	The County recognizes the important contribution that agriculture makes to the area's economy and wants to maintain and support this industry. County support for the area's agricultural industry.	X		
Wildlife/Fisheries	The County enjoys a diverse wildlife and fish population. This resource provides a variety of recreational opportunities for residents and visitors. The County supports additional wildlife management and habitat improvement programs to the extent that these programs complement other County interests. The County supports rangeland improvement programs that allocate forage increases evenly between wildlife and livestock interests. The County also supports the re-introduction of additional wildlife species as long as doing so does not jeopardize other types of resource use and development. The County feels that local government leaders and interested citizens should be advised of wildlife management issues and invited to provide input to the process before decisions are made and plans implemented. The County feels that Animal Unit Months (AUMs) should be based on, and maintained at, current livestock/big game ratios. The County feels that agency-determined increases in wildlife numbers and/or expanded habitat areas (including reintroduction areas) should not come as a result of decreases in livestock numbers and/or grazing allotments. In areas where wildlife and livestock interests are in direct conflict, the County feels that livestock interests should take priority. The County continues to support responsible management of its nationally renowned fishery resources. <u>BLM Response:</u> Grazing decisions carried forward into the Proposed RMP are considered by BLM to be consistent with Utah Code 63j-4-401. Proposed RMP		X	

	decisions on public lands would continue to promote a healthy, active grazing industry. Forage allocations for livestock and wildlife are fully allocated on public lands. Numerous RMP decisions under other identified resources allow for the restoration and maintenance of rangeland and watershed health. For example, the Proposed RMP provides the umbrella to allow implementation-level actions for hazardous fuel reductions, fire rehabilitation, vegetation treatments, riparian improvements, range and wildlife habitat improvements, UPCD projects—including Healthy Lands Initiative projects, seed collection, etc. Minor, if any, adjustments to current permitted livestock AUMs are made in the Proposed RMP. Prior voluntary relinquishments and/or retirements have been recognized.			
General Plan for the Community of Dutch John (2001)				
Discussion		Consistent	Partially Consistent	Not Consistent
Historical Values	The Dutch John Community promotes the preservation of historical documents, markers, monuments, sites and eventually buildings.	X		
Recreation	<p>Trails and walkways outside of the general boundaries of the community which lead to the mountains and hills, the waterfront, and the horse corrals are desired by the Community.</p> <p>Other recreational facilities such as a community waterfront park located on the lake to the west of Dutch John and an equestrian center located in the same area as the existing corrals. The waterfront park will have to be coordinated with the appropriate public agencies since the site is located on public lands. Winter trails for skiing and snowmobiling should also be a part of this effort.</p> <p><u>BLM Response:</u> For those lands within the scope of the RMP, BLM is consistent with the General Plan for the Community of Dutch John.</p>	X		
Sensitive Lands	Certain areas within the community and within future expansion areas have characteristics which present special problems for development and which are valuable resources to the community. The loss of these areas will adversely affect the quality of life in the community and efforts must be made to preserve these resources. Vegetation removal must be minimized, as well as soil and slope instability, erosion and water runoff, and impairment of aesthetic qualities, including scenic vistas. There is also a need to maintain and provide recreational access corridors within, or along side of drainage ways.	X		

	<p>Sensitive lands include the following amenities: visual, natural resources, flood hazards, wetlands, drainages, open space, seismic, steep slopes, utility corridors, unstable soils, water recharge and culinary water zones.</p> <p><u>BLM Response:</u> For those lands within the scope of the RMP, BLM is consistent with the General Plan for the Community of Dutch John.</p>			
Transportation	<p>The community has a responsibility to ensure that new roads are developed correctly and that existing roads are used in ways to ensure safety for its citizens and efficiency of vehicular movement.</p> <p>All development proposals, large and small, should be required to provide for new roads as shown on the plan. Developments should dedicate rights-of-way and appropriately develop roads within each project consistent with this plan.</p> <p><u>BLM Response:</u> For those lands within the scope of the RMP, BLM is consistent with the General Plan for the Community of Dutch John.</p>	X		
Duchesne County General Plan (1997)				
Discussion		Consistent	Partially Consistent	Not Consistent
Air Quality	<p>The County's air quality will be protected by standards described in the Utah State Implementation Plan approved by the EPA, whose authority is the Clean Air Act of 1990. High-level air quality is necessary to prevent restrictions on future economic development. Baseline air quality data must be established for the Uintah Basin with full participation of the County. Decisions must be based on this data. Air in the County must be protected from degradation by outside sources.</p>	X		
Cultural & Historical	<p>Cultural resources shall be protected and preserved. Cultural identity includes traditional ways of life such as harvesting cedar posts, livestock grazing, agriculture and access which must be protected. Any alteration of landforms, waterways, closure of roads and other such matters shall be carried out only after full consideration of the County's prehistoric and historical cultural heritage.</p> <p>Where significant prehistoric and historic sites and constructs can be protected, they may be developed for education and tourism.</p>	X		

	<p>The National Historic Preservation Act (NHPA) is the basis for cultural and historical preservation and defines the responsibility of federal agencies for protection and preservation of cultural and heritage resources.</p> <p><u>BLM Response:</u> The Proposed RMP takes into account the identified permitted and non-permitted traditional uses of public lands.</p>			
<p>Energy and Mineral Resources</p>	<p>Access to public lands for mineral development must be increased in the economic interest of the county citizens and government.</p> <p>Mineral exploration and development are consistent with the multiple use philosophy for management of public lands. These activities constitute a temporary use of the land that will not impair its use for other purposes in the future. All oil and mineral exploration activities shall comply with appropriate laws and regulations. Identification of energy and mineral potential and location is important for planning future energy needs and resource management. Agencies shall plan, fund, and encourage by way of policy management decisions relative to energy resources. All management plans must address and analyze the possibility for the development of minerals where there is a reasonable expectation of their occurrence within the planning area.</p> <p>After environmental analysis, and as provided for in the governing resource management plan, all tracts will be available and offered for lease or open to be claimed as provided by law. The County recognizes that, while all BLM administered land within the county is currently available for lease, decisions are made regarding oil and gas leases through the land-use planning process. Alternatives identify areas where leasing may occur with standard lease terms, timing and controlled surface use stipulations or no surface occupancy. Additionally, some areas may be considered for no leasing in the future.</p> <p>All permits and applications must be processed on a timely basis, in accordance with Onshore Oil and Gas Order Number 1. Procedures and required contents of application must be provided by the applicant at the time of application.</p> <p>Development of the solid, fluid, and gaseous mineral resources of the state should be encouraged. The waste of fluid and gaseous minerals within developed areas should be prohibited. Requirements to mitigate or reclaim mineral development</p>	<p>X</p>		

	<p>projects should be based on credible evidence of significant impacts to natural or cultural resources.</p>			
Feral or Wild Horses	<p>No forage allocations or permits shall be provided for wild or fugitive horses on public lands in the County.</p> <p>All feral or fugitive horses found roaming on public lands in Duchesne County are trespassing and shall be removed.</p>	X		
Fishing	<p>Land management agencies shall make every effort to provide additional opportunities for fishing on public lands in the County.</p>	X		
Geological, Paleontological, and Archeological Resources	<p>All significant artifacts found in the area should remain in the County. The County recognizes that vertebrate fossils may be collected from BLM administered lands under a permit issued to qualified individuals and that such fossils remain the property of the federal government and must be placed in a suitable repository (such as a museum or university) identified at the time of permit issuance. Recreational collectors may collect and retain reasonable amounts of common invertebrate and plant fossils for personal, non-commercial use.</p> <p>Resource management plans must provide opportunity for amateur collectors and students of these sciences to study, explore and collect related items as provided by law.</p> <p>Public land management agencies should promote these resources with educational material, signage, and information centers where appropriate.</p>	X		
Introduced, Sensitive, Threatened and Endangered Species	<p>No threatened and endangered species shall be proposed for listing in the County until verifiable scientific data has been available to the public that there is a need for the designation, that protections cannot be provided by other methods, and the area in question is truly unique compared to other area lands.</p> <p>Buffer zones for the protection of threatened and endangered species or other special designations are not acceptable.</p> <p>The County does not believe that it is the intention of the Act to restore all original habitats once occupied by a specific species, but only the amount needed to protect the species from extinction.</p> <p>These designations or reintroduction often grow beyond the stated boundaries and</p>		X	

	<p>scope and result in detrimental effects on the area economy, life style, culture and heritage. The Fish and Wildlife Service shall exclude areas from critical habitat designation if the economic damage is considered too great.</p> <p>Designation or reintroduction plans, guidelines, and protocols must not be developed or implemented without full County involvement and public disclosure. Any analysis of proposed designations or reintroductions must be inclusive and analyze needed actions associated with the proposal to prevent growth beyond the scope and boundaries.</p> <p>Recovery plans must provide for indicators to track the effectiveness of the plan and identify at the point recovery has been accomplished. Such designations shall provide access for reservoirs, maintenance of irrigation facilities, fire, and weed and pest control.</p> <p>Devaluation of private property by the Endangered Species Act is a "taking" under the 5th Amendment of the U.S. Constitution and compensation must be paid.</p> <p><u>BLM Response:</u> The BLM is required to follow existing laws, such as the Endangered Species Act and NEPA.</p>			
<p>Land Exchanges, Acquisitions, and Sales</p>	<p>Private property shall be protected from coerced acquisition by federal, state and local governments.</p> <p>The County shall be compensated for loss of private lands or tax revenues due to land exchanges.</p> <p>Private lands shall not be converted to state or federal ownership in order to compensate for government activities outside of the County.</p> <p>Any conversion from private property to public lands shall result in no net loss of private property. No net loss shall be measured both in terms of acreage and fair market value.</p> <p>A private property owner has a right to dispose of or exchange property as he/she sees fit within applicable law.</p> <p><u>BLM Response:</u> Land exchanges, acquisitions, disposal, and sales, etc., are regulated by FLPMA.</p>		<p>X</p>	

<p>Livestock Grazing & Forage Allocations</p>	<p>Public land agencies shall maintain livestock grazing permits and grazing allocations at present levels until a study of rangeland improvement justifies increased or decreased grazing.</p> <p>The County recognizes grazing permits on public lands as an asset, which may be transferred by the permit owner.</p> <p>When grazing permits are withdrawn from a livestock operator due to grazing violations, the permit shall not be reallocated to other uses and shall be made available for continued livestock use before the commencement of the next grazing season.</p> <p>Access shall be maintained and improved as management needs require.</p> <p>Livestock allocations shall not be converted to wildlife allocations as long as the land supports the grazing Animal Unit Months (AUM's) assigned to the allotment.</p> <p>Management decisions shall be based on the individual range allotment condition and not on the overall condition of surrounding lands. Increases in available forage resulting from the conservation practices of livestock permit-holders shall not be allocated or credited to other uses.</p> <p>Forage allocation reductions resulting from forage studies, drought, or natural disasters shall be implemented on an allotment basis. Reductions shall be applied proportionately to all allocations unless it can be proven that a specific type of grazing animal is causing the land health degradation. The County recognizes that, in the event of fire, drought or natural disaster, a variety of emergency or interim actions may be necessary to minimize land health degradation, such as temporary reduced forage allocation for livestock and wildlife.</p> <p>Weed control efforts that affect forage allocations shall be discussed by the land management agency with livestock representatives, neighboring landowners, and the County weed specialist.</p> <p>Public land management agencies shall endeavor to inspect riparian and sensitive areas with livestock permittees approximately one week before livestock are admitted to the grazing allotment. If riparian areas are damaged or degraded</p>		<p>X</p>	
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	<p>before the livestock enter the grazing allotment, the management agency and representatives shall make a record of the condition and appropriate mitigation shall be acceptable to all parties. A copy of the signed report shall be filed with the agency and provided to the permit-holder.</p> <p>Increases in available forage resulting from practices or improvements implemented by managing agency will be allocated proportionately to all forage allocations, unless the funding source specifies the benefactor.</p> <p>Changes in season of use or forage allocation must not be made without full and meaningful consultation with permittee.</p> <p>The continued viability of livestock operations and the livestock industry shall be supported on federal and state lands within the County by management of the lands and forage resources and the optimization of animal unit months for livestock in accordance with the multiple-use provisions of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1701 et seq., the provisions of the Taylor Grazing Act of 1934, 43 U.S.C. 315 et seq., and the provisions of the Public Rangelands Improvement Act of 1978, 43 U.S.C. 1901 et seq.</p> <p><u>BLM Response:</u> See response to Wildlife and Fisheries of the Daggett County General Plan.</p>			
Multiple Use	<p>It is the County's position that public lands be managed for multiple use, sustained yields, prevention of waste of natural resources, and to protect the health and welfare of the public.</p> <p>It is important to the County economy that public lands be properly managed for fish, wildlife, livestock production, timber harvest, recreation, energy production, mineral extraction and the preservation of natural scenic, scientific and historical values.</p>	X		
Noxious Weeds	<p>Farmers, ranchers, land management agencies and governments work together in a coordinated effort to control noxious weeds in Duchesne County. These interests shall develop common management goals, facilitate effective treatment, and coordinate efforts along logical geographic boundaries.</p> <p>An integrated weed management plan shall be implemented for preventing, containing, or controlling undesirable plant species or groups of species using all available strategies and techniques prescribed by the State Noxious Weed Act.</p>	X		

<p>Off Highway Vehicles (OHV)</p>	<p>Public land agencies shall limit OHV's to trails, roads, or areas specifically designated by the agency for that purpose. Public land agencies shall accommodate livestock permit holders, resource developers and managers who have a legitimate need to enter a specific area on public lands by making OHV licenses available.</p>	<p>X</p>		
<p>Public Access and RS 2477 Roads</p>	<p>Access to and across public lands, including RS2477 Roads and rights-of-way should remain open.</p> <p>Access and transportation needs shall be considered, evaluated and analyzed in the land-use planning process (in order to accommodate and be consistent with other uses).</p> <p>No roads, trails, rights-of-way, easements or other traditional access for the transportation of people, products, recreation, energy or livestock may be closed, abandoned, withdrawn, or have a change of use without full public disclosure and analysis.</p> <p>Future access must be planned and analyzed to determine its disposition at the completion of its intended life.</p> <p>Access to all water related facilities such as dams, reservoirs, delivery systems, monitoring facilities, livestock water and handling facilities, etc., must be maintained. This access must be economically feasible with respect to the method and timing of such access.</p> <p>The County has undertaken efforts over the past several years to identify and plot the location of all Class B and Class D roads that are legitimately part of the County's transportation system. The County has prepared a map of its current transportation system in areas within the stewardship of the Bureau of Land Management, setting forth all roads claimed by the County as part of its transportation system. That map is expressly adopted and incorporated into this policy document by this reference as though fully set forth herein.</p> <p>The map includes but is not limited to all roads claimed by Duchesne County pursuant to RS-2477.</p> <p>Title V rights of way on public lands are granted in perpetuity and do not diminish any RS 2477 claim or right of way.</p>	<p>X</p>		

<p>Recreation and Tourism</p>	<p>Public land agencies shall evaluate proposed plans and actions for impacts on existing recreational activities.</p> <p>Public land agencies shall evaluate their plans and actions for potential future recreational activities.</p> <p>Public land agencies shall support the County in developing desirable recreation facilities.</p> <p>Recreational activities are compatible with resource development if properly planned and managed.</p> <p><u>BLM Response:</u> The Proposed RMP makes no commitments to respect to any valid existing rights, particularly those concerning RS-2477.</p>	<p>X</p>		
<p>Soils</p>	<p>Apply scientifically effective practices to maintain and improve the quality and quantity desirable plant cover to protect watersheds, timber, and rangelands from soil erosion.</p> <p>Install structural measures to prevent soil erosion, as needed.</p>	<p>X</p>		
<p>Special Designations</p>	<p>The objectives of special designations can be met by well-planned and managed development of natural resources.</p> <p>No special designations shall be proposed until the need has been determined and substantiated by verifiable scientific data available to the public. It must be demonstrated that protection cannot be provided by other means and that the area in question is truly unique.</p> <p>Special designations can be detrimental to the County's economy, life style, culture, and heritage. Special designations must be made in accordance with the spirit and direction of the laws and regulations that created them.</p> <p>County support for the addition of a river segment to the Wild and Scenic Rivers System shall be withheld until:</p> <ul style="list-style-type: none"> (i) It is clearly demonstrated that water is present and flowing at all times; (ii) It is clearly demonstrated that the required water-related value is considered outstandingly remarkable within a region of comparison consisting of one of the three physiographic provinces in the state. The rationale and justification for the 	<p>X</p>		

	<p>conclusions shall be disclosed;</p> <p>(iii) The effects of the addition on the local and state economies, private property rights, agricultural and industrial operations and interests, tourism, water rights, water quality, water resource planning, and access to and across river corridors in both upstream and downstream directions from the proposed river segment have been evaluated in detail by the relevant federal agency;</p> <p>(iv) It is clearly demonstrated that the provisions and terms of the process for review of potential additions have been applied in a consistent manner by all federal agencies; and (v) The rationale and justification for the proposed addition, including a comparison with protections offered by other management tools, is clearly analyzed within the multiple-use mandate, and the results disclosed. All valid existing rights, including grazing leases and permits shall not be affected.</p> <p>County support for the designation of an Area of Critical Environmental Concern shall be withheld until:</p> <p>(i) It is clearly demonstrated that the proposed area contains historic, cultural or scenic values, fish or wildlife resources, or natural processes, which are unique or substantially significant;</p> <p>(ii) The regional values, resources, processes, or hazards have been analyzed by the federal agency for impacts resulting from potential actions which are consistent with the multiple-use, sustained-yield principles, and that this analysis describes the rationale for any special management attention required to protect, or prevent irreparable damage to the values, resources, processes, or hazards;</p> <p>(iii) The difference between special management attention required for an ACEC and normal multiple-use management has been identified and justified, and that any determination of irreparable damage has been analyzed and justified for short and long-term horizons; (iv) It is clearly demonstrated that the proposed designation is not a substitute for a wilderness suitability recommendation; and (v) The conclusions of all studies are submitted to the county for review, and the results, in support of or in opposition to, are included in all planning documents.</p> <p>(vi) Any impacts on private property rights are evaluated and mitigated.</p>			
<p>Forest Resources and Woodlands</p>	<p>All forestlands shall be managed for multiple use and sustained yield. Forest management plans shall be written and effective management techniques adopted to promote a stable forest economy and enhanced forest health, in accordance with the National Healthy Forest Initiative.</p> <p>Opportunities for harvesting forest products shall be promoted. Management strategies shall protect timber resources from fire (in accordance with the National</p>	<p>X</p>		

	<p>Fire Plan), insects, and disease.</p> <p>Harvesting techniques shall be employed that will prevent waste of forest products. Sound fuel load management techniques shall be used to minimize fire potential at the urban interface and prevent catastrophic events. Forest management techniques shall be implemented that will increase watershed health and long-term water quantity yield and quality. Management programs must provide opportunities for citizens to harvest forest products for personal needs, economic value and forest health.</p>			
<p>Water Resources</p>	<p>Any proposed action must include an analysis of the effects on water quality, stream flow, the amount of water yields, and the timing of those yields.</p> <p>Privately held water rights shall be protected from federal and/or state encroachment or coerced acquisition. Duchesne County shall oppose any movement toward nationalization or federal control of Utah water rights and resources.</p> <p>Potential reservoir sites and delivery system corridors shall be identified in land-use plans and protected from federal or state action that would prohibit or restrict future use for those purposes. Said plans would include provisions for adding or deleting potential reservoir sites and delivery system corridors when deemed appropriate.</p> <p>Any proposed sale, lease or exchange of water rights involving a public land management agency shall address the interests of Duchesne County, and such a sale must include appropriate mitigation.</p> <p>Agency actions shall recognize all legal canal, lateral, and ditch easements and rights-of way.</p> <p>Livestock grazing and other multiple uses are compatible with watershed management.</p> <p>All reasonable water conservation efforts shall be supported. Water conserved as a result of these efforts shall be allocated to those persons or entities whose efforts created savings, within the limits of their water rights.</p>	<p>X</p>		

	<p>Many wetlands are created by fugitive water from irrigation systems. When law requires mitigation of impacts from conservation and other projects, the creation of artificial wetlands shall be considered only after all other mitigation possibilities have been exhausted.</p> <p>Creation or maintenance of an artificial wetland is contrary to the intent of conservation.</p> <p>The management of the watershed should allow for continued multiple use. It should preserve the quality and quantity of water as well as environmental values.</p>			
<p>Wilderness Designations</p>	<p>Wilderness designation is inconsistent with the multiple use mandate. Additional wilderness designation shall be opposed. Such designations shall provide access for reservoirs, maintenance of irrigation facilities, fire, and weed and pest control. Valid existing rights are to be protected in wilderness areas.</p> <p>Proper monitoring of the affect of a wilderness area on the community and economic stability of the county shall be required.</p> <p><u>BLM Response:</u> The BLM must follow Section 201 of FLPMA.</p>		<p>X</p>	
<p>Wildlife</p>	<p>Wildlife management agencies, public land management agencies and the County shall work together to manage big game populations.</p> <p>Wildlife populations shall not be increased nor shall new species be introduced until forage allocations have been provided and an impact analysis completed for the effects on other wildlife species and livestock.</p> <p>Increases or reduction in forage allocation resulting from forage studies, drought/natural disasters or improvements will be shared proportionately by wildlife, livestock and other uses.</p> <p>Wildlife target levels and/or populations must not exceed the forage assigned in the RMP forage allocations.</p> <p>Predator and wildlife numbers must be controlled to protect livestock and other private property and to prevent population decline in other wildlife species.</p>	<p>X</p>		

	Resource-use and management decisions by federal land management and regulatory agencies should support state-sponsored initiatives or programs designed to stabilize wildlife populations that may be experiencing a scientifically proven decline in numbers.			
Duchesne County General Plan (1997) Resolution # 07-15				
Discussion		Consistent	Partially Consistent	Not Consistent
The County General Plan be amended at the end of the public lands section for the following area: Twin Knolls & Wrinkles Road	<p>The County goals are to achieve and maintain a continuing yield of mineral resources; livestock grazing; water resources; traditional access to outdoor recreational opportunities; open all roads that appear on the County's most recent transportation map, and provide for such additional roads and trails as may be necessary from time to time; protect prehistoric rock art, three dimensional structures and other artifacts and sites recognized as culturally important and significant by the State Historic Preservation Officer; manage so as to not interfere with the property rights of private landowners located in these regions; manage the regions so as to not interfere with the fiduciary responsibility of the State School And Institutional Trust Lands Administration ("SITLA") with respect to trust lands located in that region; managing part or all of the regions for wilderness characteristics would violate FLPMA, contradict the state's public land policy and contradict the foregoing County plans of regions; imposing any of the area of critical environmental concern (ACEC) designation alternatives currently under consideration in the price resource management plan revision process, would contradict the County's plan for managing the regions; including any river segment in the national wild and scenic river system would violate the National Wild And Scenic Rivers Act and related regulations, contradict the state's public land policy, and contradict the County's plan for managing the regions; a visual resource management class I or II rating for any part of the regions would contradict the state's public land policy and contradict the County's plan for managing the regions.</p> <p><u>BLM Response:</u> Duchesne County has cooperating agency status in the development of the Proposed RMP. The BLM is bound by applicable laws and regulations for the resources cited.</p>		X	

Uintah County General Plan (10/2005)				
Uintah County General Plan (10/2005) Discussion		Consistent	Partially Consistent	Not Consistent
Agriculture	<p>Encourage, create and maintain an environment that is conducive to owner-operator agricultural businesses. Development guidelines should include home occupation provisions appropriate for residential areas.</p> <p>Encourage responsible natural resource use and development.</p> <p>Maintain County land-use plans and regulations that complement the County's agricultural economic development interests and objectives.</p>	X		
Economic Development	<p>Encourage communities to pursue economic development initiatives and activities that are compatible with the interests of neighboring communities and complement the economic development efforts and objectives of the County.</p> <p>Explore additional transportation options (including air, rail, pipeline and interstate roadway system) to expand economic development opportunities and markets.</p>	X		
Forage Allocation/Livestock Grazing	<p>The proper management and allocation of forage on public lands is critical to the viability of the Basin's agriculture, recreation and tourism industry. The viability of a large number of the Basin's agriculture and livestock operation is dependent on access to grazing on public lands. Management of forage resources directly affects water quality and water supplies.</p> <p>Forage allocated to livestock may not be reduced for allocation to other uses. Current livestock allocation will be maintained.</p> <p>Increases in available forage resulting from conservation practice, improved range condition, or development of improvements by the livestock permittee or other allocated use will be credited to that use. Increases in available forage resulting from practices or improvements implemented by managing agency will be allocated proportionately to all forage allocations, unless the funding source specifies the benefactor.</p> <p>Upon termination of a permit, livestock permittee will be compensated for the remaining value of improvements or be allowed to remove such improvements that</p>		X	

	<p>permittee made on his/her allotment.</p> <p>Forage reductions resulting from forage studies, fire, drought, or other natural disasters will be implemented on an allotment basis and applied proportionately based on the respective allocations.</p> <p>Permittee may sell or exchange permits. Such transaction shall be promptly processed. Changes in season of use or forage allocation must not be made without full and meaningful consultation with permittee. The permittee must be the first point of contact. Livestock allocations must be protected from encroachment by wild horses and wildlife. Permanent increases or decreases in grazing allocations reflecting changes in available forage will be based on the vegetative type of that forage and applied proportionately to livestock or wildlife based on their respective dietary need.</p> <p><u>BLM Response:</u> See response to Wildlife and Fisheries of the Daggett County General Plan.</p>			
<p>Natural Resources</p>	<p>Encourage the responsible use and development of natural resources and support associated industries and businesses.</p> <p>Support the development of additional natural resources as opportunities arise and as new technology is available.</p> <p>Support continued natural resource research, exploration and development within the region. This includes encouraging associated industries and businesses to locate within the County.</p> <p>Promote and maintain adequate access to natural resources.</p> <p>Promote public interest and awareness of the County's dependence on natural resource(s) and the potential impacts of resource management decisions and associated regulations on the County's economy.</p> <p>Encourage and support cooperative planning processes among local, state and federal land and resource management agencies, and private land owners.</p> <p>Continue County participation in all relevant public land planning processes.</p>	<p>X</p>		

	<p>Promote agency awareness of County issues and interests. Secure and maintain "cooperating agency" status (and/or equivalent) and involvement as relevant resource issues and projects arise.</p> <p>Address public lands and resources in the County's land-use plan. Involve relevant public land management agencies in plan development and implementation activities.</p> <p>Evaluate all proposed developments and associated land uses to determine their potential effects on water quality, air quality, historic/cultural resources and recreation resources. In some cases, mitigation plans may be necessary. Approved projects should be closely monitored.</p> <p>Include the following site-specific natural resource/environmental considerations in County land-use planning and development application review activities:</p> <ul style="list-style-type: none"> (1) natural hazards (slopes, floodplains, etc.), (2) topography, (3) soil types, (4) wildfire interface, (5) depth to water table, (6) surface drainage patterns, (7) groundwater recharge/discharge areas (including springs), (8) the quantity and quality of surface and underground water resources, and (9) community culinary water sources and sewage/solid waste facilities. <p>Encourage industrial, commercial and residential land uses and development to locate in areas where impacts to air and water quality can be minimized.</p> <p>Consider protection of water resources (and sources) as a part of all County land use and development decisions. Adequate measures should be taken for watershed protection.</p> <p>Encourage the expansion of resource-based, value-added programs.</p> <p>Support small, owner-operated resource-related operations and businesses.</p>			
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	Continue support for the County's noxious weed program and participation in the Cooperative Weed Management Association.			
Natural Resource Exploration and Development	<p>Continue the County's progressive, proactive approach to economic growth and development through natural resource exploration and development.</p> <p>Recruit natural resource-based exploration and development businesses that are consistent with, and complementary to, the County's lifestyle and character.</p> <p>Encourage and support natural resource-based entrepreneurial opportunities in the private sector.</p> <p>Maintain County land-use plans and regulations that complement the County's natural resource exploration and development interests and objectives.</p> <p>Encourage responsible natural resource use and development.</p> <p>When deemed to be in the best interest of Uintah County, encourage natural resource exploration and development proposals that are sensitive to County outdoor recreation and open space preservation objectives.</p>	X		
Public Land General Policies	<p>Maintain and utilize the County's Public Lands Plan, County Resource Management Plan, County Transportation System Map, and subsequent resource and site-specific implementation plans and studies as dynamic documents. The County will work with federal and state agencies to ensure the County's positions and policies as adopted therein are understood and recognized as part of all relevant agency planning and decision-making processes.</p> <p>Continue active County participation in agency planning processes. Secure and maintain "cooperating agency" status (and/or equivalent) and involvement as relevant issues and projects arise.</p> <p>Promote local concerns and interests as an integral part of public land planning processes and public land management decisions.</p> <p>Encourage and support public land uses consistent with responsible development and efficient use of renewable and non-renewable resources.</p>	X		

	<p>Provide County-prepared positions and/or responses on all relevant federal and state land and resource planning and decision making processes.</p> <p>Continue to utilize the County's Public Lands Committee as an advisory group regarding public land and resource issues.</p>			
Public and Tribal Land Access	<p>Coordinate with the Ute Tribe and federal and state public land and resource management agencies to complete the County's access management plan. Specific elements to be incorporated in this plan include the County's transportation system map, goals and policies regarding public lands access routes, and specific guidelines regarding motorized/non-motorized uses.</p> <p>Encourage continued cooperation among public land agencies, the Ute Tribe, business interests, property owners and Uintah County to address access, right-of-way and road maintenance issues.</p> <p>Prepare a public lands-specific transportation/access plan to complement the County's Transportation System Map.</p>	X		
Recreation and Tourism	<p>Encourage responsible natural resource use and development.</p> <p>Encourage land-use planning and mapping activities designed to identify appropriate locations for (indoor and outdoor, public and private) recreation sites and facilities.</p> <p>Facilities should be designed in a manner conducive to active and passive recreational activities and should provide opportunities for visitors and County residents alike.</p> <p>When deemed to be in the best interest of the County, encourage development proposals that are sensitive to County outdoor recreation and open space preservation objectives.</p>	X		

<p>Recreation Trails</p>	<p>Partner with interested communities, agencies and organizations to prepare and adopt a County/community-level recreation trails and alternative transportation corridor plan.</p> <p>Encourage public/private and County/agency partnerships in the development and implementation of site-specific trail and associated recreation plans. An example of this type of effort is the Buckskin Hills Recreation and Trails Plan.</p> <p>Explore alternative trail corridor acquisition and trail construction funding strategies.</p> <p>Encourage and support public outreach efforts designed to educate the public and property owners regarding the pros and cons of developing recreational trails and public access corridors.</p> <p>Develop and adopt adequate trail and public access corridor use guidelines. Once trails are developed, monitor uses and users to ensure adjacent properties are not adversely affected.</p>	<p>X</p>		
<p>Roads and Transportation Planning</p>	<p>Develop and maintain a master transportation plan to identify and accommodate the current and future transportation needs of the County.</p> <p>Review all development proposals to determine conformity and consistency with the County's adopted transportation plan and related land dedication and roadway construction regulations and standards.</p> <p>Require all new roads and streets to be consistent with the approved County transportation plan with regard to classification, right-of-way, design and construction.</p> <p>Develop, maintain and enforce standards for dedicated County roads. This may include categories for road maintenance and service (e.g., low maintenance, winter maintenance and full maintenance.)</p> <p>Require County approval prior to the construction of all (private and/or public) access points onto County roads. Conditions of approval include, but are not limited to, appropriate design, compatible grades, adequate drainage, number and location of access points, and adequate sight distances.</p>	<p>X</p>		

	<p>Require all development proposals and site plans to demonstrate compliance with the following County transportation design guidelines:</p> <p>(1) Controlled access from private property to County collector and arterial roadways will be discouraged.</p> <p>(2) Access to and from concentrated commercial/industrial land uses and residential subdivisions shall be designed to minimize interference with collector and arterial road traffic flow.</p> <p>(3) New development shall provide adequate off-street parking for their projected needs.</p> <p>(4) Shared use of appropriately designed and designated parking facilities among adjacent property owners will be encouraged.</p> <p>(5) Where commercial development is allowed along improved County roads, access to such development shall be encouraged via frontage/backage roads designed and improved at the expense of the developer.</p> <p>Require all private roads warranting dedication by the County as a County road to be built to County specifications prior to dedication. All such roads will then be formally identified/recognized by the County and dedicated as an official County road.</p>			
<p>Transportation</p>	<p>Explore additional transportation options (including air, rail and interstate roadway system) to expand economic development opportunities and markets.</p> <p>Encourage additional public transportation options and opportunities through private/public partnerships and programs.</p> <p>Encourage development of community/County partnership agreements to address community growth issues and related transportation needs.</p>	<p>X</p>		
<p>Water Resources</p>	<p>Continue County participation in all relevant water resource planning processes. Promote agency awareness of County issues and interests. Secure and maintain "cooperating agency" status (and/or equivalent) and involvement as relevant water resource issues and projects arise.</p> <p>Protect and enhance water quality and quantity by promoting the efficient management and use of water resources. Support water conservation programs and activities.</p>	<p>X</p>		

	<p>Encourage vegetation and resource management plans and programs that promote healthy water systems.</p> <p>Protect water rights and interests. It is the County's position that water available to the County should be used within the County.</p> <p>Continue to support wellhead, watershed and water source protection programs and activities as determined to be in the best interest of the County. The County is opposed to land use designations that are not compatible with water resource development and/or may limit hydro opportunities.</p> <p>Encourage the reuse of water. As feasible and deemed to be in the public's best interest, the County will continue to support and encourage water treatment and reclamation programs as utilized by the Ashley Valley Sewer Management Plant.</p> <p>Evaluate all proposed developments and associated land uses to determine their potential effects on water resources (and sources). Specific elements to consider include, but are not limited to, topography, soil type, vegetative cover, depth to water table, surface drainage patterns, groundwater recharge/discharge areas (including springs), and the quantity and quality of potentially affected surface and underground water resources (and sources). In some cases, mitigation plans may be necessary. Approved projects should be closely monitored.</p> <p>Require development proposals to identify potential impacts to existing irrigation systems.</p> <p>Require, as appropriate, all development and land use proposals to demonstrate the availability of an adequate, safe water supply and a safe, reliable method of sewage disposal. Discharge should not be detrimental to surface or underground water sources.</p> <p>Encourage large-scale industrial, commercial and residential land uses and development to locate in areas where impacts to water resources can be minimized.</p>			
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Uintah County Objectives (8/2003)				
Discussion		Consistent	Partially Consistent	Not Consistent
Air Quality	<p>Maintaining the Basin's air quality at its current level is critical to the health and well being of its residents. A high level of air quality is important to future economic development as it reduces the possibility of restrictions being placed on that development due to air quality standards being exceeded. Air quality baselines must be established for the Basin with the full participation of the County. All air quality related plans and decisions must be based on deviation from a baseline standard established for the Uintah Basin. To maintain high air quality the County must protect the Basin's air from degradation from non-Basin sources.</p> <p>The County will take any actions necessary to protect Basin air quality from degradation by non-Basin sources.</p>	X		
Cultural and Heritage Resources	<p>It is the County's position that:</p> <p>Many sites represent a unique culture and are closely related to early religious settlement of the area. They continue to have historical significance and are held by many residents as reverent or consecrated sites and are the essence of their entity. These sites must remain accessible and be preserved. The preservation and perpetuation of heritage and culture is important to the area economy as well as to the life styles and quality of life of the Basin residents. The maintenance of these resources and their physical attributes such as trails, cabins, livestock facilities, etc., is critical to present and future tourism development. The land, its people, and their heritage form an inseparable trinity for the majority of the area residents and this relationship must be considered in all proposed actions. Livestock grazing, the resulting lifestyles, and the resulting imprint on the landscapes of the west is one of the oldest enduring and economically important cultural and heritage resources in the west and must be preserved and perpetuated.</p> <p>It is the County's position that the National Historic Preservation Act (NHPA) is the basis for cultural and historical preservation and defines federal agency's responsibility for protection and preservation of cultural and heritage resources and the agency's responsibility to the County.</p>	X		

<p>Energy and Mineral Resource</p>	<p>Continued access to energy and mineral resources associated with public lands is paramount to the well being of County residents and its economy, the state of Utah and national security.</p> <p>Any proposal or action taken by state or federal agencies that will result in restriction on reasonable and economical access to these resources shall/will be opposed.</p> <p>Identification of energy and mineral potential and location is important to planning for future energy needs and resource management planning. The County supports such activity and requests that appropriate agencies plan, fund, and encourage by way of policy, management decisions for such activity.</p> <p>All management plans must address and analyze the possibility for the development of minerals where there is a reasonable expectation of their occurrence within the planning area. After environmental analysis, and as provided for in the governing resource management plan, all tracts will be available and offered for lease or open to be claimed as provided by law. All permits and applications must be processed on a timely basis.</p> <p>Procedures and required contents of application must be provided to the applicant at the time of application.</p>	<p>X</p>		
<p>Horses</p>	<p>The presence of uncontrolled and improperly managed Wild horses on public land within the County are cause for great concern. The possibility of the spread of equine diseases from uncontrolled and improperly managed wild horse herds on public lands are a threat to the Basin's domestic horse industry and other aspects of the Basin economy. Increases in wild horse numbers adversely affects the Basin economy by reducing forage available for wildlife and livestock.</p> <p>The only authorized herd management area in Uintah County is the Hill Creek Herd Management Area and the wild horse population of that area is not to exceed 195 head. Proposals for introduction of horses outside of the Hill Creek Herd Management Area must be fully analyzed in an RMP or by the NEPA process and must provide for full participation by the County.</p> <p>Wild Horses assigned to herd units must be identified in such a way as to insure that feral or fugitive horses are not assimilated into wild horse herds on public lands. All unauthorized feral horses are in trespass and must be</p>	<p>X</p>		

	<p>removed from public lands in the County. Any future herds legally established must consist of wild horses that are verified as to having Spanish barb characteristics and are not feral or fugitive horses.</p> <p>Horse Management Plans must include provisions for periodic gather of all horses in the unit to limit populations to planned levels, to remove trespass horses, and to test for equine diseases as prescribed by the Utah State veterinarian. Herd Management Plans must contain provisions to provide for the maintenance of the health of wild horses and the prevention of the spread of equine diseases.</p> <p>No herds will be located in areas that do not provide barriers, natural or otherwise, which would prevent herd movement from the herd area, trespass to private lands, or mingling with domestic herds.</p>			
<p>Introduced, Threatened, Endangered and Sensitive Species, Recovery Plans, Experimental Populations, and Related Guidelines and Protocols</p>	<p>These designations or reintroductions often grow beyond boundaries and scope and result in detrimental effects on the area economy, life styles, culture and heritage. No such designations or reintroductions should be made until it is determined and substantiated by verified scientific data that there is a need for such action, that protections cannot be provided by other methods and the area in question is truly unique when compared to other area lands.</p> <p>Designation or reintroduction plans, guidelines, and protocols must not be developed or implemented without the full involvement of the County and full public disclosure.</p> <p>Any analysis of such proposed designations or reintroductions must prevent growth beyond the scope and boundaries that were analyzed in the proposal.</p> <p>Recovery plans must provide for indicators to track the effectiveness of the plan and identify at what point recovery is accomplished.</p> <p><u>BLM Response:</u> The BLM is required to follow existing laws, such as the Endangered Species Act and NEPA.</p>	<p>X</p>		
<p>Land Exchanges, Acquisitions, and Sales</p>	<p>There shall be no net loss of the private land base and that the federal and state government holds a sufficient amount of land to protect public interest. No "net loss" should be measured, both in acreage and fair value, without approval of the County Commission.</p>		<p>X</p>	

	<p>A private property owner has a right to dispose of or exchange his property as he/she sees fit within applicable law.</p> <p>A private property owner should be protected from federal, state and county encroachment and/or coerced acquisition.</p> <p>The County will be compensated for any net loss of private lands with public lands of equal value and compensated for any loss of tax base resulting from these exchanges by the appropriate acquiring agency.</p> <p><u>BLM Response:</u> Land exchanges, acquisitions, disposal, and sales, etc., are regulated by FLPMA.</p>			
<p>Off Highway Vehicles (OHV)</p>	<p>OHV's have become an important segment of the Basin recreation industry and is an important tool and mode of transportation for farmers, ranchers, and resource development.</p> <p>It supports the current policy of open recreation areas.</p> <p>Will support limiting of OHV to existing roads and trails and the development of designated trail system only in areas that demonstrate documented and substantiated adverse impacts.</p> <p>These designations must occur only in situations where it has been substantiated that adverse impacts cannot be mitigated by other management methods. When the necessity for a closure has been established, additional trails and areas must be opened to offset the loss of that recreational opportunity.</p> <p>Public Land Management agencies must implement and maintain an aggressive OHV program to educate users on how to reduce resource impacts. This is to be followed by an aggressive enforcement program.</p> <p>The non-recreational use of OHVs, such as development and livestock operations, must be provided for in all areas unless restricted by law.</p>	<p>X</p>		
<p>Paleontological Archeology Geology</p>	<p>Remnants of early life forms, geological history and cultures have evolved as an important segment of a local economy and has become the signature of the local tourism trade. Considerable investment has been made in museums and visitors centers to promote these important resources.</p>	<p>X</p>		

	<p>All significant artifacts found in the area remain here. Resource Management Plans must provide opportunity for amateur collectors and students of these sciences to study, explore for, and collect related items as provided for by law.</p> <p>Public land management agencies should promote these resources with educational material, sign age, and information centers where appropriate.</p>			
Public Access, RS-2477 Roads	<p>The access across and to public lands is critical to the use, management, and development of those lands and adjoining private lands.</p> <p>No roads, trails, rights-of-way, easements or other traditional access for the transportation of people, products, recreation, energy or livestock may be closed, abandoned, withdrawn, or have a change of use without full public disclosure and analysis.</p> <p>Future access must be planned and analyzed to determine its disposition at the completion of its intended life This is to insure needed access is maintained or that such access is removed and resulting disturbances are reclaimed.</p> <p>Roads covered by RS-2477 should remain open and the County will take any action needed to protect these rights. This includes identification, inventory, and participation in any legal process to protect them.</p> <p>Access to all water related facilities such as dams, reservoirs, delivery systems, monitoring facilities, livestock water and handling facilities, etc., must be maintained. This access must be economically feasible with respect to the method and timing of such access. Unreasonable restrictions may result in the loss of use of such facilities and property rights.</p> <p><u>BLM Response:</u> The Proposed RMP makes no commitments to respect to any valid existing rights, particularly those concerning RS-2477.</p>	X		
Public Lands Positions	<p>The County supports the wise use, conservation and protection of public lands and its resources including well-planned management prescriptions. It acknowledges the need, on occasion, to place strict requirements on the management of some resources in order to provide the needed protection.</p>	X		

	<p>To insure that the management is accomplished with the full participation of the County and is supported by tested and true scientific data and accomplished in a way that fully analyzed the impacts on the economy of the Uintah Basin, County tax base, culture, heritage, and life styles and rights of the area residents.</p> <p>That when a negative impact of a proposed action is unavoidable, the impacts on the County and/or its residents must be mitigated or compensated for. If action results in a taking, all applicable law must be applied.</p> <p>To insure that public access and rights-of-way for utilities and transportation of product must be maintained. This access must be provided for in the future when need is demonstrated.</p> <p>To insure that public lands are managed for multiple use and sustained yield and prevent the loss of resources and private property from catastrophic events and to protect the safety and health of the public.</p> <p>In support of our national energy needs and considering the nation's increasing dependency on foreign oil, all public lands must remain open to the greatest extent possible for the exploration and production of energy and other energy related products.</p> <p>All plans and management decisions must insure that special designations do not influence the use of resources on lands outside of those listed in the designation.</p> <p>The County opposes the use of a buffer zone management philosophy that dictates land use practices and influences decisions beyond the scope and boundaries of the designations.</p> <p>To support agriculture on private and public lands as part of our custom, culture, heritage, and as an important segment of our local economy, as well as providing for a secure national food supply.</p> <p>To provide policy, plans, and other documents for other governmental agencies</p>			
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	to use to insure that their resource management and planning is consistent with that of the County. Restrictions placed on any resource must be based on analysis of trends and only imposed after a complete analysis. Lands designated open for various specified uses should be available for such use on a timely basis. Proposed uses of such land must be promptly processed. If such use is not covered in a resource management plan, then these uses will be analyzed in a separate document or by amendment to the RMP. Extended delays or no action will not be used as a method to accomplish management goals.			
Recreation and Tourism	The area has outstanding potential for recreation and tourism. Resource development and recreation and tourism are compatible through proper planning and management. Potential developments should include family oriented activities and developments that are accessible to the general public, not limited to special interest groups. It supports cultivating recreational facility development and maintenance partnerships with other entities, agencies, and general special interest groups.	X		
Soils	Soil is the basic building block for virtually for all land uses. The protection of soils from wind and water erosion and maintaining its fertility is critical to sustaining a viable agricultural economy and maintaining high levels of air and water quality. The Natural Resource Conservation Service (NRCS) soil survey is the basis on which all public land soil related activities will be based. Soil related activities will be based on all available survey drafts until survey is published. Any deviation from this material or soil data developed outside of the survey must be coordinated with the NRCS.	X		
Special Designations	It is the County's position that: Special designations, such as wilderness, Areas of Critical Environmental Concern (ACEC), wild and scenic rivers, critical habitat, semi primitive and non-motorized travel, etc., result in single purpose or non-use and are detrimental to the area economy, life styles, culture, and heritage. Needed protections can be provided by well planned and managed development. No special designations should be proposed until it is determined and substantiated by verified scientific data, that there is a need for the designation, that protections cannot be provided by other methods, and the area in question is truly unique when compared to other area lands. Designations must be made in accordance with the spirit and direction of the acts and regulations that created them. Designations that are not properly planned or managed are inconsistent with	X		

	<p>the mandates that public lands be managed for multiple use and sustained yield.</p> <p><u>BLM Response:</u> Uintah County has cooperating agency status in the development of the Proposed RMP. The BLM is bound by applicable laws and regulations for the resources cited.</p>			
Forests	<p>All forested lands are to be managed for sustained yield and multiple use. Managers of public lands must protect watersheds with respect to water quality and to insure the water yield is not decreased or that it is improved. Fire, timber harvesting, and treatment programs must be managed as to prevent waste of forest products. Management programs must provide for fuel load management that will prevent catastrophic events and provide for reduced fire potential at the urban interface. Management programs must provide for citizens to harvest forest products for personal needs and provide harvesting opportunities for small businesses.</p>	X		
Water Resources	<p>Proper management of public land watershed, which supplies the majority of the agricultural, domestic, and industrial water use in this water-short area, is critical. An adequate supply of clean water is essential to the health of the County's residents and to the continued growth of the County's economy.</p> <p>Every aspect of the County's economy depends on a dependable and clean supply of water. Agencies must analyze the affect of their action on water quality, watershed yields and timing of those yields. Any action, lack of action, or permitted use that results in a significant or long term decrease in water quality or quantity will be opposed.</p> <p>It is important to protect water from significant long-term decreases in quality or quantity.</p> <p>Any agency action must analyze the impacts on facilities such as dams, reservoirs, delivery systems, monitoring facilities, etc., located on or downstream from land covered by the proposal. It will oppose any movement toward nationalization or federal control of Utah's water resources or rights.</p> <p>Privately held water rights should be protected from federal and/or state encroachment and/or coerced acquisition. It is imperative that the quality and quantity of water is not reduced below current levels.</p>	X		

	<p>It will support projects that will improve water quality and increase the amount and dependability of the water supply.</p> <p>All potential reservoir sites and delivery system corridors shall be protected from any federal or state action that would inhibit their future use for such purposes. Any proposed sale, lease or other exchange of water must adequately consider and satisfy the County's interest and concerns before the County will participate or support the proposal.</p> <p>It will not support any proposal that does not protect the County and compensate them for any losses to the County and/or its residents. It recognizes and will support the existence of all legal canals, laterals, or ditch rights-of- way.</p> <p>All federal and state mandates governing water or water systems should be funded by those agencies and developed in cooperation with the County.</p> <p>It supports livestock grazing and other managed uses of watersheds and holds that, if properly managed; multiple use is compatible with watershed management.</p> <p>It endorses the Utah State Water Laws as the legal basis for all water use within the County. Beneficial use is the basis for the appropriation of water in the state of Utah.</p> <p>It will support all reasonable water conservation efforts. Water saved as a result of these efforts should be allocated to those persons or entities whose efforts created the savings.</p> <p>Many wetlands are created by fugitive water from irrigation systems. When law requires mitigation of impacts from conservation and other projects, the creation of artificial wetlands should be considered only after all other mitigation possibilities have been measured. Creation of artificial wetland is contrary to the intent of conservation.</p>			
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<p>Wilderness Designations</p>	<p>The only legal designations of Wilderness Study Areas (WSA) are those designated under section 603 of the Federal Land Policy and Management Act (FLPMA) and the opportunity to create additional wilderness ended in 1991, except as authorized by Congress.</p> <p>That some or all of the WSA designations pending before congress are legally and/or technically flawed and will pursue that position when the WSAs go before Congress for approval.</p> <p>That the 1999 Wilderness Study Area Planning Project and the wilderness Inventory and Study Procedures H6310-1 were legally and technically flawed.</p> <p>Any new wilderness designation must be provided for by Congress and created in cooperation with the County and the State.</p> <p>That all WSAs pending before Congress, which were not recommended for wilderness designation by the Secretary of Interior; be released and managed under multiple use.</p> <p>That any new wilderness designations in the County be a collaborative process by federal, state and county officials. Additionally, the County believes that wilderness designation is not an appropriate, effective, efficient, economic or wise use of land. These lands can be adequately protected through mitigation, minimizing negative impacts and proper reclamation. The creation of wilderness limits access for the elderly and the physically impaired.</p> <p>All wilderness management plans must provide for access for these individuals to the fullest extent possible.</p> <p>Wilderness management must provide for continued and reasonable access for holders of property rights within the area and provide for full use and enjoyment of these rights.</p> <p>Wilderness Study Areas released by Congress must be managed based on the principles of multiple use and sustained yield. The RMP must be amended, in a timely manner, to reflect the change in status.</p>	<p>X</p>		
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Wildlife	<p>Properly managed wildlife populations are important to the Basin recreation and tourism economy and to the preservation of the culture and lifestyles of its residents. With proper management and planning, healthy wildlife population are not incompatible with other resource development. Wildlife numbers will remain at the allocated level until studies and analysis are completed to determine the ability of forage resources to support the increases and species population trends.</p> <p>No increases in wildlife numbers or the introduction of additional species may be made until the increase in forage or habitat has been provided for and the impacts on other wildlife species has been assessed. Reduction in forage allocation resulting from forage studies, drought, or other natural disasters will be shared proportionately by wildlife. Wildlife target levels and/or populations must not exceed the forage assigned to wildlife in the RMP forage allocations. In evaluating a proposed introduction of wildlife species, priority will be given to species that will provide for increased recreational activities.</p> <p>Predator and wildlife numbers must be controlled to a level that protects livestock and other private property from loss or damage and to prevent decline in populations of other wildlife species.</p> <p>That through wildlife habitat mitigation banking impacts of development can be mitigated in a more efficient and planned manner. When implemented, this system could provide much needed habitat for wildlife while providing for multiple use.</p>	X		
Public Lands Implementation Plan (8/2003)				
Discussion		Consistent	Partially Consistent	Not Consistent
ACEC	<p>Buffers established along any water course for the purpose of protecting scenic values must not exceed the maximum limits established in the Wild and Scenic Rivers section of this plan. ACEC must not be used for layering to achieve protections not provided for in the subject matter legislation or regulation. Example: extending protections for scenic values along a wild or scenic river that exceeds the limitations provided for in the WSA Act.</p> <p><u>BLM Response:</u> The potential ACECs brought forward for designation into the Proposed RMP have gone through a rigorous and stringent process. Appendix G of the Proposed RMP outlines this process.</p>		X	

<p>Forage Allocation/Livestock Grazing</p>	<p>All Resource Management Plans must analyze and define the methods and list the amounts of forage allocated to the respective uses of that forage. To prevent damage to forage and habitat resources allocation of forage must be based on the type of forage consumed by the species in question and the quantity the species consumes. No reduction of forage allocation to livestock or changes in forage allocations shall be made unless specifically provided for by law and analyzed in, or by modifications of, a resource management plan.</p> <p>The retirement or relinquishment of grazing allocations is clearly discussed in a memorandum by the Department of Interior solicitor William Myers III on October 4, 2002. Based on this document the County requires that: There can be no permanent retirement or relinquishment of grazing permits absent congressional action.</p> <p>When such proposed actions cover land within a grazing district the BLM must analyze whether the lands are still "chiefly valuable for grazing and raising of other forage crops". 43 U.S.C. 315. If the BLM concludes the lands still remain chiefly valuable for these purposes, the lands must remain in the grazing district. As such, they would remain subject to application from other permittees. If the BLM determines that the lands are no longer chiefly valuable for grazing, BLM must express this determination and support it by proper findings in the record of decision that concludes the land-use planning process. The land use process must consider whether discontinuing livestock grazing would implicate congressional reporting requirements. Sec. 43 U.S.C. 1712(e)(2).</p> <p>Unless provided for by congressional action, any relinquishments or retirements of grazing permits provided for in a land-use plan must be identified as temporary unless provided for by congressional action. The plan and the record of decision must state that the action is subject to reconsideration, modification, and reversal.</p> <p>When such actions are proposed in a resource plan or in a management decision it must analyze the fact that once the secretary has established a grazing district under the Taylor Grazing Act the primary use of that land should be grazing. Any reductions in forage allocation or changes in season of use must be supported by proper findings and documentation of the need for the reduction or change. These findings must be specific to the permit in question.</p>	<p>X</p>		
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	<p>The permittee must be the first point of contact when increases, reductions, or change in season of use are proposed. The County must be notified of such proposed changes. Land Management agencies must protect livestock allocations from encroachment from other consumption of that forage and act promptly when such encroachment exists.</p>			
<p>Horses</p>	<p>Plans that provide for the management or reintroduction of wild horses must fully analyze the agency's ability to prevent the movement of horses out of the assigned area, to control diseases and populations, and to prevent co-mingling with domestic horses. Wild horse characteristics should be maintained and not altered by breeding programs intended to make them more adoptable. Horses on public land must be of a color and conformation characteristics consistent with that of their Spanish Barb ancestors or the areas original wild horses. Public Land Management agencies must promptly remove feral and stray horses, as well as wild horses that are outside of their HMA boundaries, from public lands to prevent the spread of disease, inbreeding with managed wild horses and to protect forage allocated to wild horses, wildlife and livestock. Wild horses must be gathered every four years to provide for disease and population control. More frequent gathers must be provided for when the Utah State Veterinarian advises a gather is needed to control disease or when drought condition exist and a reduction in stocking rate is needed to protect forage resource or to prevent horses from exceeding their forage allocation. When gathered, or prior to the release of introduced horses, all horses must be marked or recorded by such method that will identify it as a wild horse when future gathers are conducted. The number of horses released after a gather will be at a number that will insure their populations do not exceed their forage allocation and/or target populations before the next planned gather date.</p>	<p>X</p>		
<p>Management of Natural Resources on Public Land</p>	<p>Natural resources on public lands must be available for development while at the same time providing reasonable protection and use of other resource values. Management strategies for renewable resources, such as wildlife, must not have absolute veto power over resource development. Uintah County's economy is based upon extractive mineral industries and agriculture and will continue to be in the foreseeable future. The County supports multiple use but because of its importance the minerals and agricultural industry should be given the highest priority possible. By utilizing proper management practices it has been demonstrated that minerals development is compatible with the use and development of other resources and that renewable resources can thrive at the same time. However, unwarranted overprotection of renewable resources at the expense of the agriculture and minerals industry is contrary to the best interest of its residents, Uintah County, and the nation.</p>	<p>X</p>		

<p>Mineral Development in Crucial Habitat</p>	<p>Protection will be provided for crucial habitat by controlling development activities during crucial periods. These periods will be established based on that species needs. In order to protect crucial habitat from permitted surface disturbance no more than 10% of such habitat will be subject to surface disturbance and remain unreclaimed at any given time.</p> <p>Activities that exceed the thresholds above will be approved by analysis in separate NEPA documents when environmental protection can be accomplished by avoidance or mitigation.</p> <p>Reclamation will be mutually discussed between the Authorized Officer and the lessee, operator, or permittee to consider a variety of options. Annual monitoring of the actual reclamation results will be an important component of this stipulation to insure compliance.</p>	<p>X</p>		
<p>Range and Wildlife Habitat Improvement Initiative and Mitigation Bank</p>	<p>The need exists and there are tremendous opportunities to improve range and wildlife habitats on public lands in Uintah County. Improvement of these important resources benefits all public land users and is crucial when a multiple use management concept is applied to these lands. Creating healthy ecosystems reduces conflict between public land users, restrictions on development, the need for expensive recovery and protection programs, and thus are economically feasible. Accomplishing the needed improvements will require public land management agencies, local governments, and users to work as partners to accomplish the goals. To achieve the above and to provide a system to provide for range and wildlife habitat improvement, as well as coordinate programs to provide for mitigation for impacts to these resources, the following programs will be implemented by Uintah County.</p>	<p>X</p>		
<p>Riparian</p>	<p>Standards for the management of riparian areas must be definitive and objective in nature. When standards for management provide for variances for a percentage of these areas accommodate stock crossings and watering areas, etc., these percentages will be applied to each segment of the riparian area within each grazing permit or stream segment, whichever is most appropriate.</p>	<p>X</p>		
<p>Soils</p>	<p>Due to the lack of definitive scientific data, at this time any protection provided to microbiotic crust is premature. Until such a time that substantiated scientific data indicates the need for such protection none will be applied. Avoidance of sensitive areas is recommended when it has be demonstrate that such areas are unique with respect to crust composition and area ecology. Such avoidance must be economically feasible, must not be detrimental to the outcome of the proposed activity and agreed upon by the project proponent. Any protections or</p>	<p>X</p>		

	<p>restrictions related to microbiotic crust or which the need is based on soils must be coordinated with the Natural Resources Conservation Services and be based on their standards and guidelines.</p>			
<p>Travel/ Transportation</p>	<p>Prior to taking any action that will result in changing the nature of use or closing roads, trails, ways, and/or open ATV areas, agencies must fully analyze the impacts of such actions.</p> <p>Determination of legal status with respect to RS 2477, easements, right of way, user rights, and enabling statutes.</p> <p>Impacts on other roads, trails or ways. Impacts on other facilities, such as improved campgrounds, camping areas, boat launches, etc. Impact on fish and game management, such as the ability to control fish and game populations and the increase of fishing and hunting pressure on more accessible areas and the affect on the quality of the outdoor experience in the more accessible areas. Impacts from loss of access on management capabilities including, but not limited to, fire protection, timber harvest, weed control, watershed management, the ability to use fire wood and other forest product permits for thinning and fuels reduction and wildlife.</p> <p>Any acknowledgment of existing rights, or granting of a rights of way or easements, must provide for a width adequate to allow for maintenance and to accommodate design dimension needed to provide for safe and efficient enjoyment of such grant.</p> <p>The width dictated by state and/or federal design standards as necessary to accommodate proposed uses shall determine the width provided by such grants or acknowledgments.</p> <p>Restriction placed on the use of Off Highway Vehicles (OHV) must provide for the following: Accesses by OHV for permitted users to conduct operation, such as livestock and development activities. Access by OHV for individuals who are physically impaired. Access for retrieval of big game within 24 hours of a kill, where a kill has been verified by a record on a license and the animal remains in the field.</p> <p>Uintah County does not recognize the authority of any federal or state agencies</p>	<p>X</p>		

	to close any roads designated on Uintah County's RS 2477 map, as well as any Class B or D roads. Uintah County reserves the sole right to open, close, grant rights of ways, and/or restrict access or the time frame of access on any roads described or depicted on the appropriate Uintah County road maps.			
Water/Watersheds	<p>Any proposed action or resource management plan that will affect watersheds, either by direct action or non-action, must analyze the impact on the watersheds with respect to water yields and water quality. This is to insure that the proposed action does not reduce watershed yields, change or negatively impact the timing of yields, or reduce water quality.</p> <p>Resource plans must provide for manipulation of plant cover, such as sage brush and timber, that will reduce such cover to levels that existed before protective action or management allowed increases beyond their natural occurrences.</p> <p>Watersheds must be evaluated to determine their present function compared to their historical functionality. Treatments must then be prescribed to provide for soil stabilization or bio mass manipulation required to return them to their historical conditions with respect to vegetative type, water yield, and water quality. Protective measures designed to protect water quality must be based on deviation from baseline levels. When waters are determined to be in the need of protection because conditions are exceeding quality standards or are approaching maximum allowable standards, protective actions will be based on scientific and verifiable data. Any public land management agency proposing action involving water or watersheds must seek County involvement.</p> <p>All water quality related management actions must be based on the Utah State Water Quality Standards and Utah's Non-Point Source Management Plan.</p> <p>Public Land Management agencies must consider all less restrictive management options before invoking closures or other actions that restrict access to public lands, inhibit their development, restrict livestock grazing, or other use.</p>	X		
Wildlife	Wildlife species, populations, introductions, reintroductions, predators, hybrids, crucial habitats, increases, strategic management plans, guidelines, avoidance, restriction, threatened & endangered components were discussed by the County and specifically their impacts on local economies, including threats to livestock or other wildlife, compensation, protection and recreational opportunities.	X		
Wild and Scenic	WSR classifications must be appropriate and reflect the existing conditions and	X		

<p>Rivers (WSR)</p>	<p>uses of bordering lands and the definitions contained in Sec.2(b)(1)(2)(3) of the Act.</p> <p>The County must be provided an opportunity to participate in the preservation and/or administration of any river proposed or designated in the WSR system (Sec. 5(c) of the Act). Such designations must be provided for protections of water rights and access to water contained in that right. No WSA may be designated that have the effect of reducing water rights or access to those rights. Boundaries or buffers for designated water courses shall not exceed 320 acres/mile measured from the ordinary high water mark [Sec. 3(b)] and 1/4 mile from the ordinary high water mark on each side of the river [Sec. 4(d), Sec. 8(b), Sec. 9(a)(iii)]. In addition to the boundary limitation provided in the Wild and Scenic Rivers Act, Congress and the Department of Interior have found these limitations to be adequate on sections of the lower Green River where protection of scenic value was requested by them [Cooperative Government to Government Agreement Concerning Transfer of Naval Oil Shale Reserve Number 2, Public Law 106-398 Sec. 3405 (2)(c)]. Any protection applied to streams or rivers must provide that such protections will in no manner affect, impair, or limit the ability of holders of water rights to utilize their water rights. This is consistent with Department of Interior and congressional actions where similar protections were requested by them. [Cooperative Government to Government Agreement Concerning Transfer of Naval Oil Shale Reserve Number 2, Public Law 106-398 Sec. 3405 (2)(c)].</p>			
<p>Amendment to Clarify Uintah County's Ongoing Plan for Managing Certain Non Wilderness Study Area Lands in Uintah County (6/11)</p>				
<p>Discussion</p>		<p>Consistent</p>	<p>Partially Consistent</p>	<p>Not Consistent</p>
<p>The Uintah County General Plan be amended at the end of the public lands section for the following areas: Wild Mountain, Moonshine Draw, Desolation Canyon, Bull</p>	<p>The County goals are to achieve and maintain a continuing yield of mineral resources; livestock grazing; water resources; traditional access to outdoor recreational opportunities; open all roads that appear on the County's most recent transportation map, and provide for such additional roads and trails as may be necessary from time to time; protect prehistoric rock art, three dimensional structures and other artifacts and sites recognized as culturally important and significant by the State Historic Preservation Officer; manage so as to not interfere with the property rights of private landowners located in these regions; manage the regions so as to not interfere with the fiduciary responsibility of the State School And Institutional Trust Lands Administration ("SITLA") with respect to trust lands located in that region; managing part or all</p>	<p style="text-align: center;">X</p> <p>BLM Response: Uintah County has cooperating agency status in the developmen</p>		

<p>Canyon, White River, Desolation Canyon Unit 1, Cripple Cowboy, Diamond Mountain, Stone Bridge Draw, Split Mountain Benches & South, Beach Draw, Vivas Cake Hill, Stuntz Draw, Bourdette Draw, Lower Bitter Creek, Sunday School Canyon, Dragon Canyon, Seep Canyon, Bitter Creek, Rat Hole, Wolf Point, Cliff Dweller, Sweet Water, Hideout Canyon, Hells Hole</p>	<p>of the regions for wilderness characteristics would violate FLPMA, contradict the state's public land policy and contradict the foregoing County plans of regions; imposing any of the area of critical environmental concern (ACEC) designation alternatives currently under consideration in the price resource management plan revision process, would contradict the County's plan for managing the regions; including any river segment in the national wild and scenic river system would violate the National Wild And Scenic Rivers Act and related regulations, contradict the state's public land policy, and contradict the County's plan for managing the regions; a visual resource management class I or II rating for any part of the regions would contradict the state's public land policy and contradict the County's plan for managing the regions.</p>	<p>t of the Proposed RMP. The BLM is bound by applicable laws and regulations for the resources cited.</p>		
<p>Consistency with State of Utah Code 63j-4-401</p>				
<p>ACECs</p>	<p>State of Utah: It is the policy of the State of Utah to withhold support for ACEC designation unless or until relevant and important values or significant natural hazards are clearly identified and the area requires special management protections not afforded by normal multiple-use management. ACECs should be no larger than necessary and management should be no more restrictive than necessary to prevent irreparable damage to relevant and important values or protect human safety. To the extent allowed by federal law, management prescriptions should comport with the plans and policies of the State and of the county where the proposed designation is located. These prescriptions should not result in management equivalent to that afforded congressionally designated wilderness areas.</p>	<p>BLM: The potential ACECs brought forward for designation into the Proposed RMP have gone through a rigorous and stringent process in accordance with FLPMA, the planning regulations at 43 CFR 1600, Land-use planning Handbook (H- 1601-1), and in accordance with BLM Manual 1613 and ACEC Policy and Procedures Guidelines (45 FR 57318). Appendix G outlines the process the interdisciplinary team underwent to determine whether a nominated ACEC had relevance and/or importance values. The size of the proposed ACECs is limited only to the area(s) of geography where the relevance and importance values are manageable to protect and prevent irreparable damage. In the Proposed RMP, the potential ACECs generally do not have redundant special designations</p>		

		<p>and/or other existing protections applied.</p> <p>The potential ACECs carried forward into the Proposed RMP necessitate an ACEC designation because special management protection is necessary (outside of normal multiple-use management) to specifically protect the relevance and importance values within the areas identified. The special management prescriptions that have been proposed are narrowly tailored to protect the identified relevant and important values; none of which are recognized as wilderness resources. For these reasons, the potential ACEC decisions carried forward into the Proposed RMP are considered by BLM to be consistent with Utah Code 63j-4-401.</p>
<p>Wild and Scenic Rivers</p>	<p>State of Utah: It is the policy of the State of Utah that federal land managers should refrain from applying a non-impairment management standard to river segments inventoried as "eligible" for inclusions in the national Wild and Scenic Rivers and all eligible segments should promptly be evaluated for suitability. The State of Utah will work with federal land managers to identify suitable segments and work towards a recommendation to congress for designation where careful analysis: (1) identifies and evaluates regionally significant segments, (2) addresses the impact designation will have on physical, biological, and economic resources, (3) demonstrates that suitable segments have water present and flowing at all times, and (4) not interfere with water resources development.</p> <p>Interim management of suitable segments should not interfere with development of valid existing water rights, including development of waters apportioned to the State under all interstate compacts or agreements, including the Bear River Compact and the Upper Colorado River Compact. To the extent allowable by federal law and where not in conflict with state law or policy, interim management of suitable segments and congressional recommendations for designation should be consistent with plans and policies of the county or counties where the river segment is located.</p>	<p>BLM: The State of Utah has worked as a Cooperating Agency throughout this planning process and has been intimately involved with the BLM's wild and scenic river planning process. The State has assisted Field Office specialists to help determine eligibility findings for each of the river segments, and has provided social and economic expertise and advice as the BLM determined which eligible segments to carry forward as suitable into the Proposed RMP. BLM has committed to working cooperatively among Federal, State, and local governments and communities during the post-planning wild and scenic river study phase when statewide recommendations for inclusion of river segments into the National Wild and Scenic Rivers System would go forward to Congress. Prior to this post-planning phase, BLM would work with affected partners to help identify in-stream flows necessary to protect the outstandingly remarkable values for which the subject river segments were found suitable via this planning process. Thus, because there are no effects of this planning decision on valid existing rights, and because suitability findings in this planning process do not create new water rights for the BLM, the land-use planning wild and scenic river suitability determinations are found by BLM to be</p>

<p>Grazing</p>	<p>State of Utah: It is the policy of the State of Utah that the citizens of the state are best served by applying multiple-use and sustained-yield principles in public land-use planning and management. Public lands should continue to produce food and fiber, and the rural character and landscape should be preserved through a healthy and active agricultural and grazing industry. Land management plans should maximize forage availability for domestic livestock and wildlife use. The State favors active management to restore and maintain rangeland health, increase forage, and improve watershed for the mutual benefit of local communities, domestic livestock, and wildlife.</p> <p>Adjustments in AUM levels may occur as required by range and watershed conditions, based on scientific, on-the-ground analysis. Grazing AUMs should be placed in suspension where range conditions will not sustain the current level of AUMs or where necessary to protect range and watershed health. Any suspended AUMs should be returned to active use when range conditions improve. The State generally opposes forced relinquishment or forced retirement of grazing AUMs but will continue to recognize voluntary relinquishments and retirements agreed to prior to RMP revisions.</p>	<p>consistent with the Utah Code 63j-4-401.</p> <p>BLM: Grazing decisions carried forward into the Proposed RMP are considered by BLM to be consistent with Utah Code 63j-4-401. Proposed RMP decisions on public lands would continue to promote a healthy active grazing industry. Forage allocations for livestock and wildlife are fully allocated on public lands. Numerous RMP decisions under other identified resources allow for the restoration and maintenance of rangeland and watershed health. For example, the Proposed RMP provides the umbrella to allow implementation-level actions for hazardous fuel reductions, fire rehabilitation, vegetation treatments, riparian improvements, range and wildlife habitat improvements, UPCD projects – including Healthy Lands Initiative projects, seed collection, etc. Minor, if any, adjustments to current permitted livestock AUMs are made in the Proposed RMP. Prior voluntary relinquishments and/or retirements have been recognized.</p>
<p>Wilderness Characteristics</p>	<p>State of Utah: It is the policy of the State of Utah to oppose management of public lands as wilderness except where congress designates lands as wilderness. Under State policy and FLPMA's multiple-use mandate, BLM ascribed management prescriptions for non-WSA lands inventoried as possessing wilderness characteristics should take into account the long-term needs of future generations for renewable and non-renewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife, and fish. Designation as VRM Class I, closure to oil and gas leasing, withdrawal from mineral entry, and closure to motorized and mechanized use affords protections comparable to those associated with formal wilderness designation and should be avoided for non-WSA lands with wilderness characteristics. Non-WSA lands with wilderness characteristics should be managed in a manner consistent with the multiple-use, sustained yield standard that applies to BLM</p>	<p>BLM: The Proposed RMP identifies certain "non-WSA lands with wilderness characteristics" in order to protect, preserve, and maintain their wilderness characteristics. BLM recognizes that it cannot, through the planning process, designate these lands as WSAs nor is it possible to manage them in accordance with IMP. For example, there is no provision to meet the "non-impairment criteria" mandated in IMP for WSA management. However, in following Section 201 of FLPMA, BLM has maintained its wilderness inventory and has determined that lands previously found not to possess wilderness characteristics during the FLPMA Section 603 inventory process in the late 1970's and early 1980's, now have been determined to possess them. The focus of management in the areas carried forward in the Proposed RMP is to primarily provide for</p>

	<p>lands other than congressionally designated wilderness or WSAs.</p>	<p>an experience of solitude and primitive recreation. This is enhanced by maintaining the naturalness of the geographic areas. However, management prescriptions do not mirror those for WSAs or designated wilderness since these two management objectives are sufficiently dissimilar that imposing similar prescriptions would not allow BLM to meet the planning objectives outlined in the Draft RMP/Draft EIS. WSAs and designated wilderness are rights-of-way exclusion areas, closed to fluid mineral leasing by law, and do not allow for surface-disturbing activities. In comparison, lands with wilderness characteristics have no set management by either law, rule, regulation, or policy. The Proposed RMP would allow for surface-disturbing activities where and when they are compatible with enhancing management objectives identified in the Proposed RMP.</p> <p>In order to ensure that BLM's planning decisions regarding the management of wilderness characteristics are consistent with Utah law, potential adjustments may be made in the Record of Decision to nomenclature. This editorial change would not affect management or goals and objectives.</p>
<p>RS-2477 Assertions</p>	<p>State of Utah: The State of Utah will defend its interest, and that of its political subdivisions, in rights-of-way accepted under the self-effectuating grant process set forth in Revised Statute 2477 (repealed by the Federal Land Policy and Management Act of 1976) and <i>SUWA v. BLM</i>, 425 F.3d 735 (10th Cir. 2005). The State of Utah expects and requests the BLM to fully consider all information concerning individual rights-of-way submitted to BLM. Further, the State of Utah expects and requests BLM's consideration of this information as part of the preparation and implementation of Resource Management or Management Framework Plans, and preparation or implementation of Transportation Plans as part of the ongoing inventory of resources on the public lands.</p>	<p>BLM: The Proposed RMP makes no commitments with respect to any valid existing rights, particularly those concerning RS-2477. Chapter 1 of this land-use plan states that resolution of this issue is outside the purview and scope of public lands planning efforts and must be adjudicated by a court of law or other legal means. Therefore, nothing in this plan extinguishes any valid rights-of-way or alters, in any way, the legal rights of the State of Utah to assert RS-2477 rights or to challenge any use restrictions imposed by the RMP that they believe are inconsistent with their rights.</p>

5.4. PUBLIC OUTREACH AND PARTICIPATION

The public participation process for the RMP/EIS has been ongoing throughout the development of the RMP/EIS and will continue to the Record of Decision. It includes a variety of efforts to identify and address public concerns and needs. In addition to formal public participation activities, informal contacts occur frequently with public land users, industry, and interested persons through meetings, field trips, telephone calls, or letters. All public participation applicable to the RMP/EIS has been documented and analyzed as part of the planning process and kept on file in the Vernal Field Office.

5.4.1. SCOPING AND NOTICE OF INTENT TO PLAN (NOI)

This planning process began in March 2001 with the publication in the Federal Register of a Notice of Intent to plan (NOI). The NOI announced the BLM's intent to conduct land-use planning for the public lands administered by the Vernal Field Office by preparing an RMP and associated EIS. The NOI began what is known as the scoping process and invited the general public as well as Federal, State, and local government agencies and Indian tribes to identify potential issues and submit concerns regarding the intended planning effort.

The scoping period began on March 12, 2001 and ended December 31, 2001. In order to solicit public input regarding the development and scope of RMP/EIS alternatives, five scoping meetings were held throughout Utah in late October and early November 2001. Information obtained during the public scoping and information obtained by BLM and submitted by cooperating agencies, other federal, state and local agencies, and Indian tribes is utilized to form the scope of the RMP/EIS. Scoping meetings were held at the following locations: in Duchesne, Utah, on October 17, 2001; in Vernal, Utah, on October 18, 2001; in Salt Lake City, Utah, on October 25, 2001; in Manila, Utah, on November 1, 2001; and in Green River, Utah, on November 8, 2001.

In addition to the NOI, BLM conducted additional outreach for specific program information, including by mailing directly to a BLM-maintained mailing list several planning bulletins to solicit specific information regarding issues such as public meetings, dates, travel planning, fluid mineral leasing, areas of critical environmental concern (ACECs), wild and scenic river segments (W&SR), and wilderness characteristics. The BLM-maintained mailing list for this planning effort has been and will continue to be reviewed and updated until the BLM issues the PRMP/FEIS and ROD.

5.4.2. NOTICE OF AVAILABILITY (NOA) OF DRAFT RMP/EIS

In January 2005, the BLM filed with the U.S. Environmental Protection Agency (EPA) its Draft RMP/EIS for the Vernal Field Office. On January 14, 2005 the BLM and EPA published a Notice of Availability in the *Federal Register*; the later date marked the beginning of the formal 90-day public review comment period. The DRMP/EIS states that BLM is revising its current land-use plan and proposes several alternative ways of managing public lands within the Moab Planning Area. The DEIS was designed to provide a comprehensive look at the impacts to natural and cultural resources from various planning alternatives. The formal 90-day public comment period ended on April 4, 2005. The BLM notified approximately 990 individuals regarding the release of the DRMP/EIS. Also, provided hard copies and CDs of the DRMP/EIS

directly to cooperating agencies, other federal, state, and local agencies, tribal representatives, the Utah BLM Resource Advisory Committee members. Hard copies and CDs also were made available to the public, and the DRMP/EIS was placed on the BLM's website. The Vernal FO received approximately 360 letters, emails and faxes on the DRMP/FEIS.

On December 13, 2005, the BLM published in the Federal Register a Notice of Availability of the Draft RMP/EIS to list proposed Areas of Critical Environmental Concern and specific associated resource use limitations for public lands in Daggett, Duchesne, Uintah and Grand Counties, UT. They provided a sixty-day comment period on the potential ACECs. The comment period ended February 11, 2006. The Vernal FO received approximately 2094 letters, emails and faxes on the ACEC NOA.

On May 24, 2007 the BLM published a Notice of Intent (NOI) to prepare a Supplemental Draft RMP/EIS. Supplement to the DRMP/DEIS presents an analysis of the effects of managing non-Wilderness Study Area (WSA) lands with wilderness characteristics in a protective manner. On October 5, 2007 the BLM and EPA published a Notice of Availability in the *Federal Register*; for the Supplement to the DRMP/DEIS the date marked the beginning of the formal 90-day public review comment period. The comment period ended on January 3, 2008. The Vernal FO received approximately 191 letters, emails and faxes on the SEIS.

5.4.3. MAILING LIST

As directed by 43 CFR 1610.2(d), the BLM has established and maintained a list of "individuals and groups known to be interested in or affected by a resource management plan." This list was initially developed by the Vernal Field Office mailing list and supplemented/updated throughout the planning process. Scoping meeting participants were given the option to be added to the mailing list. In addition, individuals were able to add themselves to the project mailing list by registering on the project website, as well as through requests to be placed on the mailing list by contacting the BLM.

The mailing list was used during the distribution of postcards and updates throughout the planning process. Postcards were mailed to the entire list, announcing the availability of the Draft RMP/EIS, Supplemental DRMP/EIS, and the Proposed RMP/Final EIS. There are currently over 1,400 individuals, organizations, and agencies included on the mailing list.

5.4.4. WEBSITE

Information regarding the Vernal land-use plan was made available to the public on a website found at <http://www.blm.gov/ut/st/en/fo/vernal/planning.html/>. The website serves as a virtual repository for documents related to development of the Vernal RMP including news releases and bulletins, background documents, schedule, the land-use planning process, preliminary issues, maps, photos, and the draft and final RMP/EIS. The documents are available in pdf format to ensure that they are available to the widest range of users. During the scoping period, the website allowed members of the public to add themselves to the project mailing list or to submit comments/concerns to be considered in the scoping process. In addition, during the public comment period on the DRMP/EIS, the website served as one of the ways in which the public could submit comments.

5.4.5. PUBLIC MEETINGS

During the 90-day public comment period, the BLM held public meetings in five cities in two states in an effort to inform the interested and affected public about the DRMP/EIS. Table 5.8 lists the open house locations and dates. The open houses were geared to provide information to the public on the content of the Draft RMP/EIS as well as to provide guidance on commenting on the document and answer questions. Each open house included a visual presentation that provided an overview of the planning process and a comparison of major elements contained in the alternatives. Attendees were then encouraged to visit with BLM representatives and managers regarding questions or concerns about the Draft RMP/EIS. The public was provided with the opportunity to submit written comments at the open houses.

Table 5.8. DRMP/EIS Open House Locations and Dates

Location	Date
Vernal, Utah	February 8, 2005
Duchesne, Utah	February 9, 2005
Manila, Utah	February 10, 2005
Grand Junction, Colorado	February 22, 2005
Salt Lake City, Utah	February 25, 2005

Public meetings were not held on the release of the ACEC NOA or Supplemental DRMP/EIS.

5.5. PUBLIC COMMENTS ON THE VERNAL DRMP/EIS AND SUPPLEMENTAL DRMP/EIS

5.5.1. PROCESS AND METHODOLOGY

According to NEPA, the BLM is required to identify and formally respond to all substantive public comments. The BLM developed a systematic process for responding to comments to ensure all substantive comments were tracked and the content seriously considered. A description of this system follows.

First, BLM developed a **coding structure** to help sort comments into logical groups by topics and issues. Codes were derived from resources covered in the DEIS or by common issues. Submissions (letters, emails, faxes, etc) were given a unique identifier for tracking purposes and then each submission was carefully reviewed to capture all comments, if substantive (more description of this process is set forth below). All comments received can be tracked to the original submission.

Second, BLM created a **Comment Database**. For each comment in a unique submission, BLM captured the name and address of the commenter, assigned a code to the comment, and captured the text of all substantive comments.

The coding and comment database processes aimed at assisting the ID-team in determining if the substantive issues raised by the public warranted modification of one or more of the alternatives or further analysis of issues and impacts. With the information provided through the public review process, the BLM reconsidered the draft alternatives, made changes as appropriate, and

developed the Proposed Resource Management Plan and Final EIS (PRMP/FEIS). Factual or grammatical errors which led to a change in text are not summarized but were incorporated into the PRMP/FEIS.

Finally, BLM used the comment database to prepare a narrative summary of the substantive comments. Opinions, feelings, and preferences for one element or one alternative over another, and comments of a personal and/or philosophical nature were all read, analyzed, and considered, but because such comments are not substantive in nature, BLM did not respond to them.

5.5.2. COMMENT ANALYSIS

During the 90-day formal DRMP/EIS public comment period, the Vernal Field Office received approximately 360 submissions at public meetings, by fax, by email, and by regular mail from the public, cooperating agencies, other federal agencies, Indian tribes, organizations, and businesses. The BLM carefully compiled, reviewed and analyzed, and addressed all of these submissions.

The 60-day formal comment period for the ACEC Notice of Availability yielded 2094 submissions. Similar to the DRMP/EIS, the substantive comments were compiled, analyzed, and addressed by the BLM. A summary of the comments received and the subsequent responses are provided in the attached CD.

The 90-day formal comment period for the Supplemental DRMP/EIS Availability yielded 191 submissions. Similar to the DRMP/EIS, the substantive comments were compiled, analyzed and addressed by the BLM. A summary of the comments received and the subsequent responses are provided in the attached CD.

In addition to comments received during the formal public comment period, the Vernal Field Office received additional submissions after the close of the comment period which BLM maintained in its files.

A summary of the comments received and the subsequent responses is provided in the attached CD. In some cases, the BLM has chosen to respond to specific non-substantive comments to clarify for the public the rationale behind management actions in the PRMP/FEIS.

5.5.3. PUBLIC COMMENTS

During the DRMP/EIS public comment period, the Vernal Field Office received approximately 3,110 substantive comments. The comment period for the ACEC NOA yielded 37 unique substantive comments. The comment period for the Supplemental DRMP/EIS yielded 583 substantive comments.

Where warranted, the BLM responded to substantive comments by making revisions to the PRMP/FEIS (text changes). If no change was warranted, the BLM responded to the substantive comment in writing (See attached CD). The BLM considered every comment in the content analysis process, whether it came repeatedly from many people with the same message(s) or from a single person raising a technical or personal point. In analyzing comments, the BLM emphasized the content of the comment rather than the number of times a comment was received. The BLM responded to all substantive comments.

Respondents invested considerable time and effort to submit comments. Comments covered a wide spectrum of thoughts, opinions, ideas, and concerns. The most commonly addressed themes included: travel, special designations (ACECs, W&SRs) and wilderness values, recreation, and minerals/energy development.

While each person's viewpoint was diligently considered, the threshold analysis involved determining whether a comment was substantive or non-substantive in nature because NEPA requires that BLM respond only to substantive comments, BLM relied on the CEQ's regulations, to determine what constituted a substantive comment.

A **substantive comment** does one or more of the following:

- Questions, with a reasonable basis, the accuracy of the information and/or analysis in the EIS
- Questions, with a reasonable basis, the adequacy of the information and/or analysis in the EIS
- Presents reasonable alternatives other than those presented in the DEIS that meet the purpose and need of the proposed action and addresses significant issues
- Questions, with a reasonable basis, the merits of an alternative or alternatives
- Causes changes in or revisions to the proposed action.
- Questions, with a reasonable basis, the adequacy of the planning process itself.

The NEPA handbook identifies the following types of comments:

Comments on the Adequacy of the Analysis: Comments that express a professional disagreement with the conclusions of the analysis or assert that the analysis is inadequate are substantive in nature but may or may not lead to changes in the PRMP/FEIS. Interpretations of analyses should be based on professional expertise. Where there is disagreement within a professional discipline, a careful review of the various interpretations is warranted. In some cases, public comments may necessitate a reevaluation of analytical conclusions. If, after reevaluation, the BLM does not think that a change is warranted, the response should provide the rationale for that conclusion.

Comments Which Identify New Impacts, Alternatives, or Mitigation Measures: Public comments on a draft EIS that identify impacts, alternatives, or mitigation measures that were not addressed in the draft are substantive. This type of comment requires the AO to determine if it warrants further consideration. If it does, the AO must determine whether the new impacts, new alternatives, or new mitigation measures should be analyzed in either the FEIS; a supplement to the draft EIS; or a completely revised and recirculated draft EIS.

Disagreements with Significance Determinations: Comments that directly or indirectly question, with a reasonable basis, determinations regarding the significance or severity of impacts are substantive. A reevaluation of these determinations may be warranted and may lead to changes in the FEIS. If, after reevaluation, the AO does not think that a change is warranted, the response should provide the rationale for that conclusion.

Non-substantive Comments simply state a position in favor of, or against, an alternative or a management action proposed in an alternative; merely agree or disagree with BLM policy; provide information not directly related to issues or impact analyses, or otherwise express an

unsupported personal preference or opinion. For additional clarification, types of non-substantive comments are as follows:

Expressions of Personal Preferences or Opinion: Comments which express personal preferences or opinions on the proposals are non-substantive and thus do not require further agency action. This includes comments in favor of or against the proposed action or alternatives, comments that only agree or disagree with BLM policy, or comments that raise, debate, or question a point of fact or policy. However, such comments are summarized whenever possible and brought to the attention of the AO.

The BLM has reviewed and considered all non-substantive comments that generally supported or opposed certain aspects of the plan, but has not provided formal responses to such comments. Although personal preferences and opinions may be considered by the BLM as it chooses the final agency's preferred action, they generally will not affect the analysis.

Other. In addition to the categories of comments from the NEPA Handbook described above, a category named "other" was added for this PRMP/FEIS. Requests for copies of the DRMP/EIS, requests to be added to the project mailing list, and comments which are outside the scope of the project are classified as "other" comments. The comments are considered non-substantive and generally do not require further agency action, though BLM responded to such requests for copies of the DRMP/EIS by providing such copies wherever possible.

The results of the content analysis were important to the development of the PRMP/FEIS. From the total submissions that BLM received on the DRMP/EIS, it extracted approximately 2,750 individual substantive comments. As required by law, BLM has summarized these comments in this PRMP/FEIS, and has presented them, along with a response, according to the organizational outline of the PRMP/FEIS, i.e., by issue or resource topic, in the attached CD.

Table 5.9. List of Government Agencies and Organizations that Submitted Substantive Comments on the DRMP/EIS

Commenter Type	Organization	Individuals
G	Bureau of Indian Affairs, Uintah and Ouray Agency	Chester D. Mills
G	Bureau of Reclamation	
G	Carbon County	Steven D. Burge, Michael S. Milovich, William D. Krompel
G	Daggett County	Chad L. Reed, Craig W. Collett, Stewart Leith
G	Daggett County	Chad L. Reed, Craig W. Collett, Stewart Leith
G	Dept. of Agriculture and Food	Leonard Blackham
G	Duchesne County	Larry S. Ross, W.R. Harrison, Kent R. Peatross
G	Duchesne County Chamber of Commerce, Economic Development Office	Irene Hansen
G	National Park Service, Dinosaur National Monument	Mary Risser

Table 5.9. List of Government Agencies and Organizations that Submitted Substantive Comments on the DRMP/EIS

Commenter Type	Organization	Individuals
G	National Park Service, Intermountain Region	Cheryl Eckhardt
G	Regional Council on Workforce Services, Uintah Basin	Mark Raymond
G	School and Institutional Trust Lands Administration	LaVonne J. Garrison
G	State of Utah	John M. Huntsman
G	Town of Rangely	Ann Brady
G	U.S. Fish and Wildlife Service, Ecological Services, Utah Field Office	Diana Whittington, Betsy Herrmann
G	UBAOG	
G	Uintah County-Vernal City Economic Development	Bill Johnson
G	Uintah, Daggett, and Duchesne Counties	Uintah, Daggett, and Duchesne Counties
G	US EPA Region VIII	Larry Svoboda
G	USFS—Ashley National Forest	Kevin Elliot
G	Utah DEQ – Division of Air Quality	
G	Utah State Office of Education	Margaret R. Bird
G	Ute Tribe of the Uintah and Ouray Reservation	Maxine Natchees, Lynn Becker
G	Ute Tribe of the Uintah and Ouray Reservation	Lynn Becker
G	Vernal Area Chamber of Commerce	Steven R. Wallis
G	Wyoming Natural Gas Pipeline Authority	Carla Hubbard
O	American Rivers	Quinn McKew
O	Californians for Western Wilderness	Michael Painter
O	Center for Native Ecosystems, The Wilderness Society and Native Plant Society	Erin Robertson, Suzanne Jones, Tony Frates
O	Cliffs Mining Services Company	Mark D. Dryer
O	Cripple Cowboy Cow Outfit, Inc.	Jon D. Hill
O	Dominion Exploration & Production, Inc.	David B. Oshel
O	Duchesne County Water Conservancy District	Randy Crozier
O	Ecology Center of Southern California	Anna Harlowe
O	Enduring Resources	Alex Campbell
O	EOG Resources, Inc.	Kurt D. Doerr
O	Howard County Bird Club	Kurt Schwarz

Table 5.9. List of Government Agencies and Organizations that Submitted Substantive Comments on the DRMP/EIS

Commenter Type	Organization	Individuals
O	IPAMS	Andrew A. Bremner
O	James W. Bunger and Associates, Inc.	James W. Bunger
O	Julander Energy	Renee C. Taylor
O	Julander Energy Company	Fred Julander
O	Kerr-McGee Oil and Gas Onshore LLC	Carroll Estes
O	Lexco	James M. Lekas
O	Maryland Alliance for Greenway Improvement and Conservation	Robert DeGroot
O	National Outdoor Leadership School	Jennifer Lamb
O	National Trust for Historic Preservation	Michael Smith
O	Newfield Exploration Co.	Gary D. Packer
O	Orion Reserves Limited Partnership	Frederick A. Larson
O	Outdoor Industry Assoc., National Outdoor Leadership School, Southern Utah Wilderness Alliance, The Wilderness Society, National Resources Defense Council, Outward Bound West, Colorado Plateau River guides, Living Rivers, Wasatch Mountain Club Dinosaur Expeditions, Grand Canyon Trust, Utah Rivers Council, River Runners Transport, Adrift Adventures, Uinta Mountain Club, Desolation Canyon Outfitters, Inc., Wild Utah Project, Holiday Expeditions	Myrna Johnson, Jen Lamb, Scott, Steve Greene; Johanna Smith; Mike Wald; John DeHoff; Will Weisheit; Tim McCarvill; Bill Mertens; Merritt Fry Hedden; Ed Morrison; Robin Tierney; Chad Hamblin; Jeff Stag; Julia Grumper; Jim Catlin; Dee Holladay
O	Outdoor Industry Association	Myrna Johnson
O	PacifiCorp	Michael G. Jenkins
O	Questar	J. Paul Matheny
O	Ranges West	
O	Southern Utah Wilderness Alliance	Liz Thomas, Ray Bloxham
O	The Nature Conservancy, Moab Project Office	Joel S. Tuhy, Dave Livermore
O	The Piney Valley Ranches Trust	Dennis A. Winn
O	Trout Unlimited	Corey Fisher
O	Uintah County Farm Bureau Federation	Gawain Snow
O	Uintah Mountain Club	Chad Hamblin, Lorna Condon, Scott Harthsorn, Gary Mott
O	Utah Environmental Congress	Kevin Mueller
O	Utah Farm Bureau Federation	Randy N. Parker
O	Utah Petroleum Association	Lee J. Peacock
O	Utah Professional Paleontology Council c/o	Sue Ann Bilbey

Table 5.9. List of Government Agencies and Organizations that Submitted Substantive Comments on the DRMP/EIS

Commenter Type	Organization	Individuals
	Utah Geological Survey	
O	Utah Rivers Council	Merritt Frey
O	Utah Wildlife Federation	William R. Burbridge
O	Vermillion Ranch Limited Partnership	Constance E. Brooks
O	Western Gas Resources, Inc.	Krista Mutch
O	Westport Oil and Gas Co.	Raleen Weddle
O	Westport Oil and Gas Company, L.P.	Carroll Estes
O	Wilderness Society, Wild Utah Project, Center for Native Ecosystems	Suzanne Jones

Note: G=Government, O=Organization

Table 5.10. List of Businesses, Government Agencies, and Organizations that Submitted Substantive Comments on the ACEC NOA

Commenter Type	Organization	Individuals
B	IPAMS	Andrew Bremner
G	Uintah County Commission	Michael McKee
O	The Wilderness Society	Nada Culver
O	Center for Native Ecosystems	Erin Robertson

Note: B=Business, G=Government, I=Individual, O=Organization

Table 5.11. List of Businesses, Government Agencies, and Organizations that Submitted Substantive Comments on the Supplemental DRMP/EIS

Commenter Type	Organization	Individuals
B	Anadarko	Brooke Bell
B	Bjork Lindley Little PC	Kathleen Schroder
B	C.E. Brooks & Associates, P.C.	Constance E. Brooks
B	EOG Resources, Inc.	Bret A. Sumner, Bonnie Carson
B	FIML Natural Resources, LLC	Mark D. Bingham, Carol Millenger
B	Fulbright & Jaworski L.L.P.	Bret A. Sumner
B	Independent Petroleum Association of Mountain Stat	Kathleen M. Sgamma

Table 5.11. List of Businesses, Government Agencies, and Organizations that Submitted Substantive Comments on the Supplemental DRMP/EIS

Commenter Type	Organization	Individuals
B	Moon Ranch, LLC	Gordon L. Moon, Lamont W. Moon
B	Questar	J. Paul Matheny
B	Utah Farm Bureau Federation	Randy Parker
G	C.E. Brooks & Associates, P.C.	Amelia Pergl
G	Daggett County	Stewart Leith
G	Duchesne County Commission	Mike Hyde
G	State of Utah	John Harja
G	Sweetwater Country Conservation District	Mary Thoman
G	Uintah County	
G	United States Department of the Interior	
G	United States Environmental Protection Agency	Larry Svoboda
G	Utah State Office of Education, School Land Trust	Larry Shumway
G	Ute Tribe- Energy & Minerals Department	Mike James
O		Steven Manning
O	BCS Project	David Sucec
O	Capital Trail Vehicle Association (CTVA)	Don Gordon, Mike Hall
O	Coalition to Preserve Rock Art	Jon Gum
O	Comcast	John Carter
O	Howard County Bird Club	Kurt R. Schwarz
O	National Outdoor Leadership School	Aaron Bannon
O	National Wildlife Federation	Kathleen C. Zimmerman
O	Public Lands Advocacy	Claire M. Moseley
O	The Nature Conservancy	Chris Montague
O	The Wilderness Society	Nada Culver
O	Theodore Roosevelt Conservation Partnership	Joel Webster
O	Uinta Mountain Club	Tom Elder, Diane Ackerman
O	Utah Archeological Research Institute, Inc.	Steven Manning
O	Utah Rock Art Research Association	Troy Scotter
O	Wild Horse Observers Association	Patience O'Dowd

Note: B=Business, G=Government, O=Organization

5.5.4. SUMMARY OF COMMENTS

During the three public comment periods for the DRMP/EIS, comments were received from government agencies, organizations, businesses, and individuals. Commenters focused on their own definitions of "multiple use" and "balance among resource uses and natural resource values". Comments ranged from those urging the BLM to impose maximum restrictions on resource uses to those expressing dissatisfaction with the restrictions imposed in the Preferred Alternative of the DRMP/EIS.

Many Commenters addressed the impact analyses on various resources. Those Commenters who alleged deficiencies in the impact analysis often were comparing the preferred alternative not to the No Action alternative (as required by the Council on Environmental Quality), but rather to the Commenter's version of an ideal environment.

There was a lot of critique on a specific alternative to which the BLM responded that the CEQ requires a reasonable range of alternatives. The BLM chose its final PRMP/FEIS management actions from this range of alternatives, not choosing one alternative as a whole.

There were also many requests by Commenters for clarification, correction, or what the support for a resource decision or impact was. BLM responded by referencing where this was located in the document, and if necessary, made clarifications or revisions within the document.

The interest of the public in the management of BLM lands in the Vernal planning area was manifest in the number and complexity of the submissions received.

5.5.4.1. DEIS/RMP COMMENT PERIOD

The greatest number of comments on the DEIS/RMP concerned livestock grazing, wildlife and fisheries, special designations, minerals and energy, air quality, socioeconomic resources, and special status species:

Livestock grazing comments included that the RMP/EIS was in violation of the Taylor Grazing Act, PRIA, FLPMA, Utah Rangeland Health Standards, County plans, and multiple use mandates. The BLM responded that they were in compliance with all of the federal requirements and during the planning process had worked with the counties. Comments questioned how and under what circumstances the AUMs would be decreased or increased. The BLM responded that an increase or decrease would only be done based on the health and quantity of forage. There were many comments on resource's impacts on grazing and grazing's impacts on resources. The BLM replied by referencing the section that this was addressed in within the PRMP/FEIS.

Wildlife and fisheries comments included questions about the inclusion of current plans in the document, such as county, UDWR, and USFWS. The BLM stated that it had considered all of these plans, parts were incorporated into the final document, and there would be a continued cooperation with these groups for future management. There was a concern about the reintroduction of species into the planning area. The BLM responded that these would only be done with a site-specific NEPA and in coordination with UDWR.

Special designation comments included many concerns regarding protection or restriction of designating lands with wilderness characteristics. BLM responded by stating their authority for managing these lands comes from FLPMA Section 202 and BLM'S Land-use planning Handbook. There were also a considerable amount of comments about rivers and segments that

should or should not be included in the proposed PRMP/FEIS for Wild and Scenic designation. BLM replied by stating if it had been carried forward or not, referenced Appendix C where the process of suitability is documented, and explained that it was in conformance with both BLM and NEPA standards. Many Commenters questioned the ACEC designations and where the documentation for these decisions was. BLM responded that they followed the BLM Manual process, which is shown in Chapter 4 and Appendix G and the rationale for individual ACECs would be provided in the Record of Decision.

Minerals and energy comments included that the RMP/EIS was not complying with the Energy and Policy Conservation Act to reduce impediments to energy development. The BLM responded that this had been discussed in the document and they believed that the mandate was met. There were many comments on resource's impacts on minerals and energy and mineral's and energy's impacts on resources. The BLM replied by referencing the section that this was addressed in within the PRMP/FEIS.

Air quality comments included the request for maximum emissions and cumulative impact analysis and questioning the analysis that was done. The BLM responded by explaining that NEPA no longer requires a worst case scenario. References were given to the sections and appendices that further illustrate the analysis done on the planning area. If there was something missing from the document, it was added to the PRMP/FEIS.

Socioeconomic comments included mostly concerns about aspects of the analysis, such as agriculture, tourism, oil, gas and mining, and local economies, being overstated, understated, or not incorporated at all. The BLM responded in many cases by revising or rewriting the section and adding new or updated information referenced by the commenter.

Special status species comments included comments concerned about how the Special Status Species stipulations and restrictions would impact oil, gas, and mining. The BLM responded with an explanation of the management in the RMP/EIS and that there would also be site-specific studies and exceptions reviewed when oil, gas, and mining developments were proposed. Commenters also inquired about management, impacts, and protection of specific Special Status Species. The BLM responded by referencing where this was located in the document, and if necessary, made clarifications or revisions within the document.

5.5.4.2. ACEC COMMENT PERIOD

All comments in this comment period were addressing ACEC designations. Some Commenters stated that BLM was not adequately protecting ACECs. The BLM responded that there had been 35 nominations, 14 of which were found to meet the relevance and importance criteria, and were analyzed in the RMP/EIS. The BLM Manual 1613 provided the guidelines for this analysis which can be found in Chapter 4. Comments also questioned where the evaluation of the ACECs was in the document. The BLM referenced Chapter 4 of the PRMP/FEIS and the Record of Decision, where the rationale for the final decision to designate or not designate an ACEC can be found.

The overlapping of and difference between WSAs and ACECs was brought up by commenters for clarification. The BLM explained the difference between the two designations and that they were required to consider both policies for eligible lands. Furthermore, they could not designate WSAs as they do not have authority in the land-use planning process.

Commenters asked why the existing ACECs were carried forward without any communication to the public. The BLM answered that this is not required and that there was no change of circumstance with any of the existing ACECs.

Specific ACECs were discussed in comments as lacking protection because they were not carried forward as potential ACECs in the DRMP/EIS as well as lacking analysis of threats and impacts in the document. The BLM stated that protective measures of the specific ACECs and analysis of threats and impacts were added in Chapter 4.

5.5.4.3. SUPPLEMENT TO THE DEIS/RMP COMMENT PERIOD

The greatest number of comments on the DEIS/RMP concerned wilderness characteristics, grazing, cultural resources, process and procedure, and socioeconomics, in that order:

Wilderness characteristics comments primarily included concerns about how the non-WSA lands were determined, what right BLM had to do this, and what authority they had to manage these areas. The BLM responded that FLPMA Section 201 gives BLM the authority to inventory for wilderness characteristics. Section 302 of FLPMA gives BLM general management authority for the public lands. Section 202 of FLPMA gives BLM the authority for planning how the public lands are to be managed. Commenters also critiqued BLM's overlapping of ACECs. The BLM replied that layering is a planning tool required by FLPMA.

Grazing comments included concerns about the impacts of grazing on riparian areas. The BLM stated that Utah Rangeland Health Standards were met under all alternatives. Commenters questioned the grazing rights under Alternative E. The BLM responded that it did allow grazing as the BLM Policy for Wilderness Review includes grazing. Retirement of allocations was brought up by Commenters. The BLM explained that these would be handled on a case by case basis, how this process would proceed, and the retirements would not be permanent.

Cultural resource comments focused mainly on the analysis of risk to cultural resources within the planning area by OHV use, vandalism, and impacts of other resources. The BLM described that they had integrated the protection of resource values such as cultural resources with its responsibilities for land-use planning and resource management under FLPMA and IM-2007-030 to ensure that the affects of any activity or undertaking is taken into account. Any potential surface-disturbing activities based on future proposals will require compliance with Section 106 and site-specific NEPA documentation.

Process and procedure comments included requesting for justification of BLM's obligation to protect non-WSA lands with wilderness characteristics. The BLM responded that FLPMA Section 201 gives BLM the authority to inventory for wilderness characteristics. Section 302 of FLPMA gives BLM general management authority for the public lands. Section 202 of FLPMA gives BLM the authority for planning how the public lands are to be managed. The BLM also stated that although there were state laws in place and BLM had worked to comply, they are bound by the federal laws. Commenters were concerned about the negative impacts Alternative E would have on existing rights for oil and gas. The BLM clarified that all valid, existing rights would hold and that Alternative E was not the preferred alternative, but one of a range alternatives.

Socioeconomic comments mostly included concerns about the analysis of the impacts of the other resources on socioeconomics. From these many comments, the Proposed RMP/Final EIS

has an expanded discussion of the economic impacts of mineral decisions, socioeconomic benefits from protecting lands with wilderness characteristics, oil and gas development, and environmental justice.

5.5.5. PUBLIC COMMENTS AND RESPONSES

The following tables present a subset of the comments received by the Vernal BLM during the comment period. The first set of tables (Tables 5.12a through 5.12f) provides all the comments submitted by the three Cooperating Agencies – the State of Utah, Ute Indian Tribe, Duchesne County, Uintah County, and Daggett County. The three counties submitted some letters collaboratively. The comments from these letters can be found in table 5.12f. The tables are organized by which draft being commented on, commenter, comment number, the resource category being addressed, the comment, the BLM's response, and if it resulted in a change in document. The second set of tables (Tables 5.13a through 5.14dd) provides the comments that resulted in a change to the document. These tables include similar information to that provided in the first set of tables except they are grouped by resource category.

All comments received during the public comment period are available on a CD accompanying this document. This CD contains two tables in Adobe Portable Document Format (PDF). Both tables have the following columns: Commenter Name or Organization, Resource, Comment, Response. The first table is sorted and grouped by Commenter Name or Organization and the second table is sorted and grouped by resource.