

Appendix G

Public Comments and Responses

Public comments are organized by issue, name of the organization or individual who provided comments, and response (see below). Comments in common to several groups or individuals were combined into one comment, where applicable; and subsequently addressed in one response. Some comments identified errors and issues in the document that were corrected in the final document, but did not receive a formal response (e.g. a sage grouse habitat legal location error, clarifying language in the weeds section, listing cooperating agencies). Comments that were not considered substantive (e.g. opinions or preferences) did not receive a formal response, but were considered in the BLM decision-making process.

Comment Issue	Comment	BLM Response
<p>Animal/Vehicle Collisions and Fencing</p> <p>This comment was shared by the following groups and one individual: Book Cliffs Landowner Association, Southern Utah Wilderness Alliance, Sportsmen for Fish and Wildlife, State of Utah, Theodore Roosevelt Conservation Partnership, U.S. Fish and Wildlife Service, and William Stroh.</p>	<p>“Effects from increased animal/vehicle collisions were not adequately addressed in the Seep Ridge Road EA, including the lack of fencing and over/underpasses to promote safe animal movement across the right of way.”</p>	<p>This issue was initially addressed in Section 2.1.4 of the Environmental Assessment (EA). Several comments were received that demonstrated the need to clarify Section 2.1.4. Since the public review, Uintah County and UDWR have entered into a cooperative agreement (Appendix H). It is more appropriate to include a response to the comments as an applicant-committed protection measure rather than in the original Section 2.1.4. The revised wording in section 2.1.5.5 now reads: :</p> <p>In October 2009, Uintah County and UDWR signed an interlocal cooperative agreement (refer to Appendix H). The agreement is the culmination of several meetings among local, state and federal entities. The purpose of the agreement is to assure that improvements to the Seep Ridge Road in Uintah County does not negatively impact the resident deer herd. As a product of the agreement, the county and UDWR committed to conduct a five-year study (begun in November 2009) to determine an estimate of deer road kills along the entire portion of the road. UDWR and the county will reach an agreement as to an acceptable loss limit as a baseline. If the study reveals the number of deer road kills exceeds the agreed-upon acceptable loss limit, then the county agrees to provide mutually agreed-upon mitigation measures. The specific mitigation measures will be determined by the BLM, UDWR, the county, and other experts, as needed, and may include</p>

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		<p>speed reduction, seasonal adjustments, fencing, crossing structures or other appropriate measures. The county also agrees to plan and install six mule deer crossing structures for deer along the Seep Ridge Road at locations determined in coordination with the UDWR.</p> <p>Data from the first year of the study (2009-2010) is being used to establish a baseline mortality rate for the deer in the project area.</p>
<p>Wildlife Habitat Loss</p> <p>This comment was shared by the following groups and one individual: Southern Utah Wilderness Alliance, State of Utah, Theodore Roosevelt Conservation Partnership, and William Stroh.</p>	<p>“The Seep Ridge Road EA did not identify mitigation for direct and indirect wildlife habitat losses from widening the right of way and paving the road. The Vernal Field Office EIS for the RMP states that for every acre of disturbance, BLM would require the proponent to enhance 1.5 acres as mitigation.”</p>	<p>Direct impacts to wildlife habitat are addressed in the final version of the Seep Ridge Road EA as referred to above. Any further impacts would be addressed following the study on fencing.</p> <p>The Vernal Field Office EIS for the RMP did discuss wildlife habitat mitigation on a 1:1.5 acre basis, however; the record of decision for the Vernal RMP did not carry this requirement forward. Consequently, direct impacts to wildlife habitat would be addressed on a “case-by-case” basis depending on the impacts of a given project. Since the Seep Ridge Road already exists, any reduction in habitat would be thought of as negligible and no further analysis is needed.</p>
<p>Purpose and Need</p> <p>This comment was shared by Southern Utah Wilderness Alliance, State of Utah, Theodore Roosevelt Conservation Partnership, and William Stroh.</p>	<p>“The purpose and need statement is not an adequate explanation for why this project has been proposed.”</p>	<p>According to the BLM NEPA Handbook (H-1790-1, pg. 35.) “The purpose and need statement for externally generated action must describe the BLM purpose and need, not an applicant’s or external proponent’s (40 CFR 1502.13). The applicant’s purpose and need may provide useful background information, but this description must not be confused with the BLM purpose and need.”</p> <p>The Seep Ridge Road EA outlines the purpose and need for Uintah County in the Background section of the document, found in section 1.2.</p>
<p>Air Quality (Fugitive Dust)</p> <p>This comment was provided by the State of Utah.</p>	<p>“The Seep Ridge Road Project is subject to Utah Air Quality Rules that govern fugitive dust abatement at construction sites.”</p>	<p>The Seep Ridge Road is located in Indian Country and is not subject to Utah Air Quality Rules, but falls under the Environmental Protection Agency Air Quality rules and regulations.</p>

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<p>Air Quality (Fugitive Dust)</p> <p>This comment was provided by the Environmental Protection Agency.</p>	<p>“If the Seep Ridge Road were to be paved, fugitive dust would increase in the project area from the formation of informal travel routes as there would be a likely increase in vehicular traffic.”</p>	<p>Section 4.10.1 and the Seep Ridge Road Reclamation Plan (Appendix C of the Seep Ridge Road EA) discuss mitigation that would limit the creation of additional informal routes. A reduction of informal routes would subsequently reduce the potential for increased fugitive dust.</p>
<p>Air Quality (Ozone)</p> <p>This comment was shared by the Environmental Protection Agency and the Southern Utah Wilderness Alliance.</p>	<p>“The Seep Ridge Road EA does not adequately address the impacts to air quality in terms of ambient ozone”</p>	<p>Ozone precursors would be emitted by construction related equipment and vehicles related to the paving of the road. Vehicles that would subsequently use the road because it would become a paved route would also emit ozone precursors.</p> <p>However, there is no substantial change anticipated in traffic volume or use patterns. Any increases in ozone levels from construction activities would be small in scale and cannot be meaningfully measured by modeling or monitoring. Ozone modeling and monitoring is typically conducted on a regional basis. Strategies which will be developed to manage ozone will be incorporated on a regional basis rather than on small scale projects. Therefore, BLM is not planning for any further analysis on ozone impacts.</p>
<p>Range Improvement Impacts</p> <p>This comment was provided by the Book Cliffs Landowner Association.</p>	<ul style="list-style-type: none"> • Several range improvements (e.g. corrals, stock watering ponds, cattleguards) would be affected by the Seep Ridge Road paving project. Cattleguards need to be constructed at the following locations: <ul style="list-style-type: none"> ○ T15S R23E Sec 36 (end of project) ○ T15S R23E Sec 26 approx. ○ T14S R22E Sec 14 approx. ○ T12S R22E Sec 31 approx. ○ T10S R20E Sec 11 approx. • Corrals need to be replaced at: <ul style="list-style-type: none"> ○ T15S R23E Sec 26 approx. ○ T14S R22E Sec 14 approx. ○ T13S R22E Sec 35 approx. 	<p>The EA initially described 3 cattleguards that would be upgraded in section 2.1.5.6. Although slight differences in legal location described in the public comment letter and the EA exist, the second, third, and fourth cattleguards listed in the comment are the same as those described in 2.1.5.6. The fifth cattleguard listed in the public comment, in T10S R20E Sec 11, has been added to the EA. The first cattleguard listed at left would not be improved, as there is no fence to tie it to or range allotment boundary where cattleguards have been placed in the past.</p> <p>The corrals listed at left would be avoided by the project except the first one, the Monument Ridge Pasture Corral. Section 2.1.5.6 outlines how this corral would be moved.</p> <p>Stock watering ponds are addressed in section 2.1.5.6.</p>

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	<ul style="list-style-type: none"> • Stock watering ponds along the road need to be addressed in the EA. 	
<p>Comment Period Length</p> <p>This comment was expressed by the Theodore Roosevelt Conservation Partnership.</p>	<p>“The length of the comment period was inadequate for the project.”</p>	<p>Given the public interest in the project, BLM initially determined that a 15-day comment period would allow the public to comment. Any groups or individuals that requested additional time to submit their comments were accommodated by BLM. However, with the additional Alternative C being added, BLM has determined that a 30-day comment period will be offered.</p>
<p>Mule Deer Migration</p> <p>This comment was expressed by the Theodore Roosevelt Conservation Partnership.</p>	<p>“Mule deer migration, centered in the Monument Ridge Area, would be adversely affected by the paving of the road. The EA does not analyze the impacts to mule deer migration patterns.”</p>	<p>The Seep Ridge EA did not initially analyze migration patterns although the EA did consider and recommend a timing limitation in the migration corridor on affected BLM and SITLA lands during road construction (see section 4.9.4). In addition, the proposed animal/vehicle collision study would address animal/vehicle impacts within the mule deer migration corridor (see above).</p>
<p>Environmental Impact Statement Needed</p> <p>This comment was expressed by the Theodore Roosevelt Conservation Partnership.</p>	<p>“The impacts to wildlife, should the Seep Ridge Road be paved, are significant enough to warrant the preparation of an Environmental Impact Statement rather than an EA.”</p>	<p>The EA itself does not determine significance in terms of the NEPA process. The BLM authorized officer, however, uses the EA in making a finding of no significant impact (FONSI) in conjunction with a decision record following the preparation of the EA. Should the authorized officer determine that there are significant impacts an EIS would be prepared.</p>
<p>Socioeconomics</p> <p>This comment was shared by William Stroh and Audrey Graham-Grand County Council Member.</p>	<p>“Socioeconomic values were not adequately addressed in the EA due to the amount of funding that could affect the local economy. In addition, cumulative effects of the project could affect road maintenance costs for Grand County to the south of the project area.”</p>	<p>The final version of the EA analyzes socioeconomic impacts in Chapter 4 of the document.</p>
<p>Safety</p> <p>This comment was provided by William Stroh.</p>	<p>“Safety was not adequately analyzed in the document.”</p>	<p>The Seep Ridge Road EA does not analyze safety as an issue because the road, as proposed, would be constructed to federal highway standards (Section 2.1.1). A road built to these standards would enhance the safety of the road when compared with existing conditions.</p>

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<p data-bbox="178 228 548 285">Segmenting the Seep Ridge Road</p> <p data-bbox="178 321 548 467">This comment was expressed by the Theodore Roosevelt Conservation Partnership, the Environmental Protection Agency, and William Stroh.</p>	<p data-bbox="548 228 1209 345">“Although the proposed action in the Seep Ridge Road EA is entirely within Uintah County, it is believed that the intention is to segment a larger connected action/project that would eventually extend the road to I-70.”</p>	<p data-bbox="1209 228 1860 407">According to the BLM NEPA Handbook (H-1790-1), “Connected actions are limited to actions that are currently proposed (ripe for decision). Actions that are not yet proposed are not connected actions, but may need to be analyzed in cumulative effects analysis if they are reasonably foreseeable.”</p> <p data-bbox="1209 443 1860 560">Neither the BLM Vernal Field Office nor the BLM Moab BLM Field Office has received right-of-way applications from Grand County, to improve connecting roads that would extend the proposed project to I-70.</p> <p data-bbox="1209 626 1860 865">The BLM NEPA Handbook states “reasonably foreseeable future actions are those for which there are existing decisions, funding, formal proposals,” BLM believes that paving the road to I-70 does not fall under this designation of reasonably foreseeable. Absent a proposal, funding, or an existing decision, BLM, therefore, could not consider paving the road to I-70 and thus limited the scope of the project.</p>