

Table 2.1.7 Proposed RMP and Alternatives – Lands and Realty Management

PROPOSED RMP	Alternative A (Draft RMP/EIS Preferred Alternative)	Alternative B	Alternative C	Alternative D Current Management (No Action)	Alternative E
LANDS AND REALTY MANAGEMENT — MAP FIGURE 6					
<p>INTRODUCTION Federal public land laws and implementing regulations enable the BLM to engage in and complete realty actions involving acquisition, use, disposal, and adjustment of land resources and maintenance of historic records for these transactions.</p>					
<p>GOALS AND OBJECTIVES</p> <ul style="list-style-type: none"> • Accommodate community growth and development when it is determined that it is in compliance with other goals and objectives of the plan. • Improve management opportunities for resource protection, resource development, or administration of public lands. • Process applications, permits, operating plans, mineral exchanges, leases, and other use authorizations for public lands in accordance with policy and guidance. • Manage public lands to support goals and objectives of other resources programs, respond to public requests for land use authorizations, and acquire administrative and public access where necessary. • Dispose of lands that are effectively unmanageable due to size, location, etc. • Acquire lands that would enhance management objectives of this RMP. • Give land exchanges with the State of Utah priority consideration to resolve inholdings issues. • As per the State of Utah v. Andrus, October 1, 1979 (Cotter Decision), the BLM would grant the State of Utah reasonable access to state lands for economic purposes, on a case-by-case basis. 					
<p>MANAGEMENT COMMON TO THE PROPOSED RMP AND ALL ALTERNATIVES</p> <ul style="list-style-type: none"> • Consider new major communication sites on an as-needed basis. • Acquisitions, exchanges, easements, or disposals would be considered, using LTA criteria on a case-by-case basis, between willing buyers and sellers. • The BLM would retain lands within its administrative jurisdiction, except where necessary to accomplish one or more of the following objectives: <ul style="list-style-type: none"> ◦ Improve management of natural resources through consolidation of federal, state and private lands. ◦ Secure key property necessary to protect special status species, including threatened and endangered species, promote biological diversity, increase recreational opportunities, and preserve archaeological, paleontological and historical resources. • Implement specific acquisitions authorized by Acts of Congress by acquiring minimal non-federal lands or interest in lands. • When opportunities occur, acquire isolated tracts of non-federal land from willing sellers within special management areas to consolidate ownership and eliminate non-federal in-holdings. • The following criteria would be used when evaluating proposed land use authorizations: <ul style="list-style-type: none"> ◦ Land use authorizations would not be approved in any designated exclusion areas. ◦ Land use authorizations in avoidance areas may be authorized provided they are considered consistent with the current management objectives; those that are not would either be rejected or would necessitate a plan amendment prior to approval. ◦ Habitat for listed T&E species would be retained in federal ownership. Exceptions may be considered in exchanges with the State of Utah and others with consultation and concurrence with the USFWS. 					
<p>DISPOSALS</p> <ul style="list-style-type: none"> • Public lands within the VFO would be considered for disposal through methods such as sale, exchange, state indemnity selection Airport and Airway Improvement Act, Color-of-Title Act, State Selections under the Enabling Act, Recreation and Public Purpose Act patent, other lesser-used authorities, or as directed by special legislation. • All disposal actions would be coordinated with adjoining landowners, local governments, and current land users. Approximately 32,067 acres of public lands for disposal are identified in Map Figure 6. 					
<p>EASEMENTS</p> <p>Acquire public access to approximately 70,700 public acres for recreational purposes identified as follows:</p> <ul style="list-style-type: none"> • High Priority: Ashley Creek drainages, White River, Jackson Draw, Warren Draw, Allen Draw, Red Mountain, Wild Mountain-South Pot Creek, Spring Creek, Nine Mile, Red Mountain East and West, and Moon Shine area. • Moderate Priority: Horseshoe Bend, Argyle Ridge, Jensen Canyon, Little Sulfur Canyon, Ashley Creek Recreation Site, Hoy Mountain, Dead Horse Draw, and Blue Mountain. • Low Priority: Sears Canyon, Marshall Draw, West Little Mountain, and East Nine Mile Canyon. 					
<p>EXCHANGES/ACQUISITIONS</p> <ul style="list-style-type: none"> • Public lands would be considered for disposal by exchange provided the exchange would result in more efficient federal management of the public lands. Land exchanges would be based on fair market value determined for the federal and non-federal lands as defined in Uniform Appraisal Standards for Federal Acquisitions and by current BLM policy. • Non-federal lands would be considered for acquisition through exchange of suitable public land, on a case-by-case basis, where acquisition of the non-federal lands would contain resource values equal to or greater than the public lands being exchanged. • Exchanges with the State of Utah would be given a priority consideration. There are a significant number of state land sections administered by the School and Institutional Trust Lands Administration (SITLA) scattered throughout the RMP area. Many of these state lands are in-holdings located within designated resource management areas identified in this RMP. SITLA has indicated their desire to exchange SITLA lands within these BLM management areas for BLM-administered lands elsewhere in the RMP area. The BLM recognizes the opportunity for mutually beneficial land tenure adjustments and would apply the RMP Land Tenure Adjustment Criteria. • Non-federal lands to be acquired through both Bureau- and public-initiated exchanges must be in the public interest and have at least one of the following characteristics: <ul style="list-style-type: none"> ◦ Acquisition would facilitate access to public lands and resources and/or contribute to a more efficient and manageable land ownership pattern. ◦ Acquisition would facilitate implementation of the RMP management actions. ◦ Acquisition of the non-federal lands would maintain or enhance public uses and values, with priority given to acquiring riparian/wetlands; lands with high recreation use and/or wildlife values; sensitive plant or animal habitat; and lands with significant cultural sites and/or paleontological localities or within other special designations. ◦ Acquisitions that would meet other conditions pursuant to FLPMA Section 206 or 43 CFR 2200. 					

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<ul style="list-style-type: none"> Acquired lands would be managed in accordance with management objectives identified for adjacent lands unless resource considerations require a plan amendment. 					
<p>FENCING REQUIREMENTS FOR PAVED HIGHWAYS</p>					
<p>All applications to pave routes would be evaluated in site-specific NEPA analysis to determine the need for fencing.</p>					
<p>LAND TENURE ADJUSTMENTS (LTAS)</p>					
<ul style="list-style-type: none"> Land ownership changes would be considered on lands not specifically identified in the RMP (Map Figure 6) for disposal or acquisition if the changes are in accordance with resource management objectives and other RMP decisions, determined to be in the public interest, and would accomplish one or more of the following criteria: <ul style="list-style-type: none"> The changes are determined to be in the public interest. The public would benefit from land resources coming into public ownership, while at the same time accommodating the needs of local and state governments, including the needs for public purposes, community growth and the economy. The changes result in a gain of important manageable resources on public lands such as crucial wildlife habitat, significant cultural sites, mineral resources, water sources, listed species by habitat, or areas key to productive ecosystems. The changes ensure public access to lands in areas where access is needed and cannot otherwise be obtained. The changes would promote more effective management and meet essential resource objectives through land ownership consolidation. The changes result in acquisition of lands that serve regional or national priorities identified in applicable policy directives or legislation. If one or more of the above criteria are not met, proposed land ownership changes outside of designated transfer areas would not be approved or would require a plan amendment unless it was determined to be in the best interests of the affected landowners and the public. Non-federal lands located within sensitive areas would be acquired through donation, purchase, or land exchange. Land acquisitions would be negotiated from willing landowners. Acquire fee title or interest in non-federal lands with priority placed on lands with critical resource values (e.g., water rights, scenic easements, Greater Sage-grouse leks). No lands acquired through land tenure adjustments would be classified or opened for agricultural entry or leasing in the RMP planning area. 					
<p>OTHER METHODS OF ACQUISITION</p>					
<p>In addition to acquiring non-federal lands through land exchanges, VFO would acquire lands by direct purchase utilizing programs such as the Land and Water Conservation Fund (LWCF), when funding is available, donation, or legal settlement. Such land would be vested in the U.S. in perpetuity unless otherwise directed by Bureau or Congressional policy.</p>					
<p>RECREATION AND PUBLIC PURPOSE ACT (R&PP)</p>					
<ul style="list-style-type: none"> Lands conveyed to state or local governments or non-profit organizations under the Recreation and Public Purpose Act (R&PP) Act may include those identified in LTAs. In addition, requests for lands other than those identified would be considered for disposal provided the proposed use would provide a greater public benefit than that which the current management provides, and that the action is otherwise consistent with this RMP. Examples may include, but are not limited to local government or non-profit recreational and public purpose facilities such as public shooting ranges, landfills, motor-cross, and racetracks, etc. All Recreation & Public Purposes (R&PP) lease areas would be administratively unavailable for leasing or open to leasing subject to major constraints such as No Surface Occupancy (NSO) stipulations. 					
<p>RIGHTS-OF-WAY (ROWS)/EASEMENTS</p>					
<ul style="list-style-type: none"> All future ROW applications involving projects that are less than the major project thresholds described above would be evaluated on a case-by-case basis. Future ROWs would be consolidated in corridors where reasonable and economically feasible. Future ROWs that cross the Lower or Upper Green River would be placed in the Four Mile Bottom Area or at the Head of Little Swallow Canyon. Generally, future ROWs would be located adjacent to existing routes and within existing R/W granted routes, when facilities are compatible, as much as possible. Easements would be acquired from willing landowners to gain access to public lands. Lands are also available for major water development ROWs on a case-by-case basis with special restrictions depending on the scope of the project and resource concerns identified during the processing of any project proposal in compliance with NEPA. Major ROW projects such as hydroelectric dam and wind farm ROWs may be permitted on a case-by-case basis if the project is consistent with the goals and objectives or other land management prescriptions. If it is not in compliance with the land management prescriptions, then it would require a plan amendment. Authorization of any right-of-way for wind or solar energy would incorporate BMPs as applicable and provisions contained in the Final Wind Energy Programmatic Environmental Impact Statement (PEIS) (June 24, 2005) and the joint PEIS. 					
<p>SALES</p>					
<ul style="list-style-type: none"> Any lands to be disposed of by sale that are not identified in this RMP would require a plan amendment. Land sales would reserve all minerals as required by FLPMA except where sale of the mineral interests would not be consistent with the requirements of Section 209 FLPMA. If the public lands have no known mineral values, the mineral estate would be disposed of pursuant to the authority of Section 209(b) of FLPMA. In instances where the surface estate is already in private ownership and the mineral estate is reserved to the U.S., the surface owner may purchase the reserved mineral estate, provided that the criteria under 43 CFR 2720 are met. Lands identified for consideration for disposal would be used for a variety of other authorized activities, based on the need for future community growth and development. 					
<p>TRANSPORTATION/UTILITY CORRIDORS</p>					
<ul style="list-style-type: none"> This RMP is consistent with existing right-of-way (ROW) corridors, including the Western Utility Group (WUG) updates to the Western Regional Corridor Study (Map Figure 6), and would designate additional corridors subject to physical barriers, and sensitive resource values. Sensitive resource values would include, but are not limited to, threatened and endangered species habitat, cultural and paleontological resources, sensitive soils, riparian areas, areas possessing high scenic quality, and ACECs. These approved corridors are the preferred location for future major linear ROWs which meet the following criteria: <ul style="list-style-type: none"> Pipelines with a diameter greater than 20 inches. 					

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<ul style="list-style-type: none"> ○ Transmission lines (not distribution) with a voltage capacity of 69 kV or greater. ○ Paved routes or routes consisting of more than two lanes. ○ Significant canals, ditches, or conduits requiring a permanent width greater than 50 feet. ● Major linear ROWs meeting the above thresholds that are proposed outside of the preferred, designated corridors may require a plan amendment. ● The Vernal LUP would be consistent with decisions identified in the West-wide Energy Corridor (WWEC) PEIS ROD. 					
TRESPASS RESOLUTION					
<ul style="list-style-type: none"> ● Intentional trespass resolution would be limited to removal and / or restoration as appropriate. Unintentional trespass resolution may include: <ul style="list-style-type: none"> ○ Authorization under ROW grant, commercial/agricultural lease, or permit. ○ Disposal of the affected land through sale or exchange. ○ Removal, depending on the nature of the trespass. ● In all such trespass cases, administrative costs incurred by the BLM for investigating and resolving trespasses will be collected. All trespass incidents resolved by issuance of ROW grants, leases, or permits would be subject to payment by the holder/lessee/permittee of rent based on market value. Trespass cases resolved by land sales would be based on fair market value, and land exchanges would be completed on an equal value basis. 					
WITHDRAWALS					
<ul style="list-style-type: none"> ● Review existing withdrawals and classifications on BLM-administered lands on a case-by-case basis to determine their need and consistency with the intent of the withdrawals in accordance with section 204(l) of FLPMA, and recommend continuing, modifying, or terminating as applicable (Figure 6). ● Any lands becoming unencumbered by withdrawals or classifications would be managed according to the decisions made in this RMP. If the RMP has not identified management prescriptions for these lands, they would be managed in a manner consistent with adjacent or comparable public lands within the VPA. If the unencumbered lands fall within two or more management scenarios where future-planning criteria may not be clear, a plan amendment may be required. 					
LAND ACCESS					
Public access to the White River would be pursued at the mouth of Cowboy Canyon, Bonanza Bridge, and Wagon Hound Road.	Same as the Proposed RMP.	Public access to the White River would not be pursued at the mouth of Cowboy Canyon, Bonanza Bridge, and Wagon Hound Road.	Same as the Proposed RMP.	Unspecified in the current management plans.	Same as the Proposed RMP.
An easement for the old Uintah Railroad bed from the Utah / Colorado line to Watson in Evacuation Creek would not be pursued.	Same as the Proposed RMP.	Same as the Proposed RMP.	An easement for the old Uintah Railroad bed would be pursued from the Utah / Colorado line to Watson in Evacuation Creek.	Unspecified in the current management plans.	Same as Alternative C.
Acquisition of Indian trust lands in Bitter Creek and Willow Creek would be pursued.	Same as the Proposed RMP.	Administrative access only across the Indian trust lands in Bitter Creek would be pursued.	Same as the Proposed RMP.	Unspecified in the current management plans.	Same as the Proposed RMP.
Acquisition of Indian trust lands near the confluence of South and Sweetwater Canyon would be pursued.	Same as the Proposed RMP.	Administrative access only across Indian trust lands near the confluence of South and in Sweetwater Canyon would be pursued.	Same as Alternative A.	Unspecified in the current management plans.	Same as the Proposed RMP.
OTHER LAND AND REALTY ACTIONS					
Retain non-WSA lands with wilderness characteristics in federal ownership (106,178 acres).	Unspecified in the Draft EIS.	Unspecified in the Draft EIS.	Unspecified in the Draft EIS.	Unspecified in the current management plans.	Retain non-WSA lands with wilderness characteristics in federal ownership (277,596 acres).
Non-WSA lands with wilderness characteristics would be managed as rights-of-way avoidance areas.	Unspecified in the Draft EIS.	Unspecified in the Draft EIS.	Unspecified in the Draft EIS.	Unspecified in the current management plans.	Non-WSA lands with wilderness characteristics would be managed as rights-of-way exclusion areas (277,596 acres).
WITHDRAWALS					
The following areas are recommended for locatable mineral withdrawal: <ul style="list-style-type: none"> ● Book Cliffs Natural Area (401 acres) 	Same as the Proposed RMP.	Same as the Proposed RMP.	The following areas are recommended for locatable mineral withdrawal:	Recommend protective withdrawals or other protective measures that will preclude mineral and agricultural entry	Same as Alternative C and all non-WSA lands with wilderness characteristics.

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<ul style="list-style-type: none"> Green River Scenic Corridor in Brown's Park (8,208 acres) Lears Canyon relict vegetation areas (1,375 acres) White River non-WSA lands with wilderness characteristics (6,720 acres) White River SRMA (1,110 acres) Developed and potential recreation sites (5,000 acres) 			<ul style="list-style-type: none"> Book Cliffs Natural Area (401 acres) Green River Scenic Corridor in Brown's Park (8,208 acres) Lears Canyon relict vegetation areas (1,375 acres) Lower Green River Area of Critical Environmental Concern (ACEC) (17,063 acres) White River (9,218 acres) 	on (in priority order): <ul style="list-style-type: none"> The Green River Scenic Corridor in Brown's Park (19,400 acres) The relict vegetation areas (3,600 acres) The Lower Green River ACEC (7,900 acres) Developed and potential recreation sites (5,000 acres). 	