

Table 5.12a. Public Comments and Responses: State of Utah

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Draft RMP/EIS	AQ1	Table 3.2.5 Sensitive Areas to Be Considered in the Analysis: Brown's Park NWR and Ouray NWR are managed by the USFWS not the NPS.	Table 3.2.5 of the 2004 Air Report has been revised to clarify that the Brown's Park NWR and the Ouray NWR are managed by the USFSW and not the NPS, and is now Table 3.2.3.	Yes
Draft RMP/EIS	AQ2	The Uinta Basin is not within the air shed for which monitoring data is available in your document. Use of data from the Wasatch Front, an area which often has exceedances from local sources, is inappropriate.	BLM defers the selection of background air quality monitoring data to the Utah DEQ.	No
Draft RMP/EIS	AQ3	Additionally, the data used does not reflect the recent increase in oil and gas development emissions and associated increase in traffic-related emissions and fugitive dust. Baseline data from a Uintah Basin sources is required to accurately model the effects.	See comment response AQ2.	No
Draft RMP/EIS	AQ4	Also at question is the wind direction which may vary depending upon area of the Vernal Planning Area (VPA).	It is not clear what the commenter is referring. Predictive Meteorological Model (MM5) data as well as numerous surface, upper air, and precipitation data stations were used in the analysis.	No
Draft RMP/EIS	AQ5	Additional emission sources that were not mentioned include operations at oil wells such as the incidental flaring of produced gas, oil and gas production equipment, the Bonanza Power Plant and residential uses during the winter when inversions occur.	Flaring, completion, and drilling emissions were included in the analysis. The Bonanza Power Plant was assumed to be represented by background air quality monitoring data. Residential sources are assumed to be represented in the back-ground monitoring data.	No
Draft RMP/EIS	AQ6	The Goal of an Implementation Plan is listed, but receives no further mention.	Commenter does not provide enough information to respond to. The implementation plan will be completed after the Record of Decision for the plan is issued.	No

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Draft RMP/EIS	AQ7	Cumulative effects should be quantitative and include past and existing emissions and particulate sources. To make projections, data on emissions is available from industry sources.	A cumulative air quality analysis was performed. Please see Chapter 4 of the DEIS and Chapter 5 of the Air Quality TSD.	No
Draft RMP/EIS	AQ63	The State of Utah is concerned that emissions generated by the drilling and processing of oil and gas wells in the Uinta Basin were not given more consideration.	The impact of oil and gas operations was a main focus of the air quality assessment.	No
Draft RMP/EIS	AQ64	The Vernal draft RMP and EIS does not address the cumulative impacts of the sources of air pollution throughout the area. One oil or gas well analyzed by itself might have a negligible effect on the surrounding air quality, but hundreds or thousands of wells in the area, collectively, will have a large impact. With approximately 6300 new wells anticipated during the RMP time frame, these emissions should be considered cumulatively.	As required by CEQ regulations, a cumulative analysis was performed, which took into consideration the effects of past, present and reasonable foreseeable actions, including oil and gas development.	No
Draft RMP/EIS	AQ65	Recent data regarding emission factors from wells in adjoining state indicate that average gas wells produce over one (1) Ton per year of Volatile Organic Compounds (VOC) per barrel per day (BPD). Associated equipment (dehydrators, heaters, etc.) produce over 10 Tons per year VOC per million cubic feet per day (MMCFD) and approximately one Ton per year of NOx per well per year. Oil wells produce on the average of 100-200 pounds of VOC per year per BPD.  The draft RMP and EIS air quality analysis does not include any information regarding the impact of the proposed alternatives on ozone. VOC and NOx have been found to be precursors to the formation of	EPA Region VIII, in their comments on the Roan Plateau RMP DEIS, said:  "Running a regulatory ozone model such as RPM-IV for purposes of the DEIS is impractical, and we understand that BLM's national Science & Technology Center may be reactant to estimate potential ozone impacts with a conservative method such as VOC/NO point source screening tables."  This topic will be discussed further in a future meeting with the State of Utah and the Utah DEQ. Given the above, it is not clear how a	No

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		ozone. Ozone is a National Ambient Air Quality Standard (NAAQS) and must be addressed in this analysis.	possible ozone analysis would be done. This topic will be discussed at a forthcoming meeting with the State of Utah.  See comment response AQ54.	
Draft RMP/EIS	AQ66	The 1990 Clean Air Act requires all states to write State Implementation Plans that address regional haze. The thousands of tons of pollution generated by projects proposed in this RMP could easily impact visibility in Class I areas in Utah and neighboring states. The RMP must address the effects of VOC and NOx emissions on regional haze.	NOx emissions were included in the analysis and potential visibility impacts were estimated. See comment response AQ65 regarding VOCs and ozone.	No
Draft RMP/EIS	AQ67	The state requests a cooperating agency working group be assembled to work through these issues before the Final EIS is completed.	BLM had an initial meeting with the State of Utah to hear their concerns on the air quality section of the RMP DEIS on June 24, 2005. The State expressed a desire for further meetings to discuss some issues in more detail. These meetings were held in May and June 2008 as part of the Four Corners Task Force.	No
Draft RMP/EIS	CR20	The State of Utah is concerned by the open-ended nature of the comment on page 2-7 which states that the BLM, as part of its normal management of cultural resources, will "reduce or eliminate imminent threats from natural or human-caused deterioration or conflict with other resources." What imminent threats? How will conflicts with the unstated threats be resolved? How cost-effective is it to reduce or eliminate natural deterioration? Most importantly, how will the balance between cultural resources protection and other legitimate resource uses be achieved, and how does this balancing process differ from the normal Section 106 consultation process	The statement on page 2-7 of the Draft RMP refers to the BLM's ongoing policy of cultural resource stewardship and adherence to the mandates of federal legislation such as, but not limited to, the National Historic Preservation Act. While Section 106 of the Act requires the BLM to consider the avoidance, minimization, or mitigation of impacts to National Register-eligible resources, Section 110 requires the BLM to proactively manage for preservation such resources, as known to exist, under their jurisdiction. This management requires addressing threats/impacts to the resources that compromise their eligibility	No

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		involving the State Historic Preservation Office? The state asks the BLM to consider the language recently added to the state historic law concerning the need for balance in the protection of cultural resources and to clarify the intent of this proposed management statement.	<p>for the National Register. These threats may come from human-caused disturbances or natural processes. The feasibility and cost effectiveness of ameliorating natural deterioration would be assessed on a case-by-case basis and in consideration of whether or not the deterioration is altering the characteristics of the resource that render it eligible for the National Register.</p> <p>Note: The text from page 2.7 of the Draft RMP is now located in Table 2.1.4 (Cultural Resources) of the PRMP/FEIS under Management Common to All Alternatives.</p>	
Draft RMP/EIS	CR21	Proposed cultural resources protections listed on page 2-43 indicate that oil and gas leasing would be "subject to timing and controlled surface use stipulations or no surface occupancy to protect cultural sites" for various areas within the VFO. No stipulations related to this are discussed in Appendix K. Please, clarify this proposal. How do timing restrictions protect cultural sites? How do these "stipulations" fit in with the Section 106 protection process, which involves the SHPO and discussions at the time of a proposal about mitigation methodologies? We are concerned that the BLM is prejudging cultural resource mitigation strategies through the use of unnecessarily restrictive stipulations.	<p>Appendix K in the PRMP/FEIS has been revised regarding stipulations for cultural resources.</p> <p>Timing restrictions can aid in the protection of cultural resources from indirect effects caused by such things as increased on-site erosion from altered run-off patterns resulted from rutted roads created during wet weather conditions and increased site sedimentation from fugitive dust accumulation in dry conditions; however, these protections are expected to be limited. The primary focus for protection of cultural resources is not on seasonal restrictions but on surface disturbance restrictions under the controlled surface use and no surface occupancy stipulations.</p>	Yes

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			<p>Under all alternatives, the stipulations for CSO and NSO would be applied to leases in which there are specific cultural resources that have been found through the Section 106 process to be eligible for the National Register of Historic Places, and for which the mitigation, as necessary, has been identified as avoidance through the Section 106 consensus process. Protective measures for cultural resources are part of standard lease terms applicable to all surface-disturbing activities.</p>	
Draft RMP/EIS	CR22	<p>The discussion of the effects of minerals decisions on cultural resources (page 4-44) states, "short-direct effects would entail surface disturbance and even destruction of archaeological sites and features if relevant cultural resource laws and agency guidelines are not followed, or if errors occur during the development process." The next sentence indicates that long-term direct effects include the "physical alteration or elimination of archaeological sites as they are mitigated through data recovery or other on-site means when avoidance of the sites is not possible." These descriptions are muddled and compare apples and oranges. The first sentence states that cultural resources will be affected by a failure to follow the law. Because the provisions of the final RMP are approved under the general assumption that the BLM and others will follow the law, including the Section 106 process, does this sentence mean therefore state that there are no short-term effects from mineral development? The second sentence implies there are unspecified difficulties with data recovery as a mitigation tool. If</p>	<p>The presumption of the RMP/EIS is that the BLM and BLM authorized undertakings will comply with federal legislation, including Section 106 of the National Historic Preservation Act, and therefore, short-term effects on individual cultural resources determined eligible for the National Register of Historic Places would be minimal, if not non-existent. However, the RMP/EIS recognizes that occasional errors do occur wherein resources slated for avoidance are inadvertently impacted or previously unidentified resources, such as those below the ground surface, are encountered during construction in an area that was inspected for surface evidence of cultural materials. It is to these types of situations that the RMP statement in your comment refers.</p> <p>Data recovery is used to mitigate adverse effects to individual cultural resource sites, and therefore, is not considered to be an adverse effect to the subject site itself. However, data</p>	No

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		avoidance of a site is not possible, data recovery and other mitigation processes are employed to eliminate the adverse impact of the planned disturbance. Therefore, the resultant physical alteration or elimination of the site is not a negative effect. The State of Utah believes the discussion of impacts to cultural resources that is currently in the document represents a bias away from the correct implications of Section 106 and cultural resource mitigation.	recovery that results in the elimination of the physical manifestation of the site does indeed alter in the larger cultural landscape by removing a component of it.	
Draft RMP/EIS	GC26	Some of the information presented in Table S.3 Alternatives Comparison, page S-4, and is not found in Table 2.3 Alternatives, page 2-57. Table S.3 indicates that the Upper and Lower segments of the Green River are recommended, in all Alternatives, for Wild and Scenic River designation. However, these segments are not identified in Table 2.3.	The segments have been identified in Table 2.1.19 (Special Designations – Wild and Scenic Rivers) of the PRMP/FEIS.	No
Draft RMP/EIS	GC37	Figure 1 displays land ownership in the VFO. The map correctly identifies UDWR managed lands in the Book Cliffs and Diamond Mountain areas. However, the figure does not show UDWR managed lands in Duchesne and Wasatch counties.	Wasatch County is outside the boundaries of the Vernal Field Office. Consequently, UDWR managed lands for Wasatch County are not depicted in Figure 1. Utah SITLA and UDWR lands are given the same color key. Some UDWR lands in Duchesne County are not discernable due to the map scale.	No
Draft RMP/EIS	GC38	Actions contemplated in the third, fourth, and fifth paragraphs are of concern to the State Engineer because of their potential effect on Utah's Colorado River depletion allotment. Under the 1948 Upper Colorado River Basin Compact, Utah is allotted a depletion of 1,369,000 acre-feet per year from the Colorado River system. The actions contemplated by the BLM would increase the amount of water depleted. These depletions would be charged	The actions BLM is contemplating are intended to improve the watershed.  Because the State of Utah has jurisdiction over water, any action BLM takes that would require getting a water right would be subject to approval by the State of Utah.	No

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		against Utah's allotment. To promote the most efficient use of Utah's allotment, the BLM should identify and implement actions in which water saving can be achieved to balance out their expected depletion increases. Actions such as the eradication of non-native phreatophytes and the removal of unneeded water impoundments should be explored and included in this RMP.	Actions such as the eradication of non-native species would be activity level planning prepared in conjunction with the goals and objectives contained in the RMP.	
Draft RMP/EIS	GC39	All maps should color only the lands managed by BLM. It is confusing and misleading for the reader to have large blocks colored as in Fig. 29 - VRM. The map may represent how the BLM recognizes the view shed, but it is not representative of the area over which the BLM has control.	BLM will work with contractor to change the maps. However, the maps contained in the document can be used by individual readers to correspond to larger, more detailed maps as needed. The maps contained in the document are intended only to show the broad scale landscape level decisions that would be implemented through the RMP.	No
Draft RMP/EIS	GC40	All maps need to have township-range descriptions. It is difficult to locate areas without identifiers.	Township and range information cannot be added to the maps at the scale used without obscuring underlying information. The maps contained in the document can be used by individual readers to correspond to larger, more detailed maps as needed. The maps contained in the document are intended only to show the broad scale landscape level decisions that would be implemented through the RMP.	No
Draft RMP/EIS	GC41	The shaded relief background used in Fig 1-37 makes some of the figures difficult to interpret. Figures that depict a multitude of assets, such as Minerals and Energy (Figs. 15-18) are complicated and hard to decipher. A more useful background would be a land ownership background, which includes township and range boundary lines.	See comment response GC39.	No

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Draft RMP/EIS	HZ2	<p>The RMP should address hazardous materials issues that may arise due to proposed oil, gas, and mineral development. Management of waste water withdrawn to recover methane resources should also be addressed. No waste waters should be discharged until a UPDES permit is obtained. Such discharges must not exceed 1200 mg/l TDS under current rules. However, salinity in the Colorado river would be much improved if no waters exceeding 300 mg/l TDS were discharged. Such waters should also be managed to prevent thermal loading to surface waters. No waters which exceed 270C, nor which raise the temperature of the receiving water body 40C or more, shall be discharged to a warm water fishery. No waters which exceed 200C nor which raise the temperature of the water body 20C or more shall be discharged to a cold water fishery.</p>	<p>The discussion of the potential impacts from hazardous materials associated with minerals and energy development can be found in Section 4.5 of the PRMP/FEIS.</p> <p>Language acknowledging the potentially hazardous nature of wastewater resulting from methane recovery operations has been added to the section.</p> <p>As described in Section 3.5, the BLM adheres to EPA policy regarding hazardous materials, which includes wastewater discharge.</p> <p>Any permit requestor would have to meet the requirement of either the State or EPA, as appropriate, in order to be issued a permit. The proposed language specific to permitting requirements is not necessary as permit requirements may change in the future. Also, the permit requirements are associated with State of Utah requirements, and EPA has primacy over a large area of the Field Office in this program, not the State.</p>	Yes
Draft RMP/EIS	LG67	<p>Statements such as "though [range] improvements could have adverse impacts if livestock move into areas that have received little grazing in the past" (page 2-100 under Alternative A) are inappropriate and too general to fit the on-the-ground situation. The State of Utah requests that the parties involved in range improvements work toward a real analysis of impacts at the time of range improvement</p>	<p>The analysis in question is conducted at a programmatic (landscape) level. Additional impact analyses are conducted for rangeland improvements that have the potential to affect resources at the time the improvements are proposed and their specific location and nature are known. The statement cited in the comment is located in Table 2.2.16 (Riparian Resources) in</p>	No

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		proposals, and that this impact statement in the DEIS be revised.	the PRMP/FEIS and merely summarizes anticipated impacts of the general scope of rangeland improvements on special status species. More information about these impacts can be found in Section 4.15.2.4.	
Draft RMP/EIS	LG68	Statements about the impacts of various levels of grazing in the "Nine Mile Acquired Area" (page 2-105) in relation to scenic values appear to have no basis in fact, and are too general. The impacts are tied to grazing levels described as "elimination," "limited," and "unlimited," and postulate effects of "preserve," "partially preserve," and "diminish" scenic quality. What are these statements based on? Are the effects of grazing being tied to VRM classifications, and if so, where is the supporting analysis? Are the effects of grazing being tied to the BLM's riparian policy, and if so, where is the consideration of the mitigation measures? The State of Utah requests that the BLM improve on this analysis, and discuss real on-the-ground issues in light of the BLM's riparian policy, no on unsupported assumptions.	Table 2.1.8 (Livestock and Grazing Management) in the PRMP/FEIS for the Proposed RMP column has been revised to read as follows:  "Livestock grazing could be allowed in the Nine-Mile Acquired Area if such use is controlled, of short duration, and would not detract from recreation and/or riparian values along the river and is in accordance with the Green River Allotment Management Plan administered by the Price Field Office"	Yes
Draft RMP/EIS	LG69	Page 2-18 outlines action common to all alternatives for livestock and grazing. The UDWR would like to suggest some additional management practices to be included in this section. Permittees using dogs in connection with their grazing operations in black-footed ferret recovery areas should be required to show proof that they have had them vaccinated for distemper.	See comment response SS73.	No
Draft RMP/EIS	LG70	Page 2-16 discusses criteria for changing class of livestock. The UDWR suggests incorporation of the	The BLM declines to make the suggested wording changes for a variety of reasons	No

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		following phrasing: Cattle are preferred within 10 miles of bighorn sheep habitat areas.	including but not limited to, the following: The BLM does not find the suggested changes necessary or appropriate. The suggested wording change does not substantively contribute to or clarify the discussion. The commenter did not provide any rationale why the suggested change is necessary or how the current data and analysis is incorrect. The suggested change expressed personal opinions or preferences. The suggested change had little relevance to the adequacy or accuracy of the RMP/FEIS.	
Draft RMP/EIS	LG71	Livestock grazing seasons of use alternatives are discussed on page 2-48. The UDWR generally supports the seasons of use as outlined in Alternative A. However, we urge the BLM to consider converting critical/crucial deer winter range areas to the area 4 grazing system, May 1 to June 1. Periodic spring grazing in sagebrush areas can promote browse growth and limits competition with wintering big game animals.	The BLM declines to make the suggested wording changes for a variety of reasons including but not limited to, the following: The BLM does not find the suggested changes necessary or appropriate. The suggested wording change does not substantively contribute to or clarify the discussion. The commenter did not provide any rationale why the suggested change is necessary or how the current data and analysis is incorrect. The suggested change expressed personal opinions or preferences. The suggested change had little relevance to the adequacy or accuracy of the RMP/FEIS	No
Draft RMP/EIS	LG71A	Under all alternatives, many critical/crucial deer winter ranges are categorized as area 6 grazing, which allows for winter use. The UDWR	Area 6 already provides for a spring grazing treatment between March 15 – April 30. After April 30th, the graminoid species are in the	No

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		recommends the season of use be moved to a spring grazing system in these areas. This management scenario is consistent with goals outlined by the Utah Partners for Conservation and Development Group who define habitat restoration as 1) active management (i.e., restoration), and 2) passive management (i.e., changes in grazing programs, etc.). The BLM, as a partner in this group, has the obligation to lead the effort for range restoration through the application of appropriate land use activities.	critical growth period where the risk of decreasing perennial grass species increases, providing the opportunity for invasive species to increase which would defeat the obligation to lead the effort in range restoration through the application of appropriate land use activities.	
Draft RMP/EIS	LG72	It is unclear if this is referring to the few allotments which are solely on river bottoms or if this refers to any allotment which has a river in it. If this refers to any allotment which has a river within its boundaries, then there is a potential for discontinuing grazing on many allotments with trust lands within them and inhibiting TLA's ability to collect revenue from these lands.	The Grazing in River Corridors subsection to Table 2.1.8 (Livestock and Grazing Management) in the PRMP/FEIS refers to considering discontinuing livestock use in river corridors following the voluntary relinquishment of a permit. It does not state that entire allotments would be retired. The BLM only manages the lands under its jurisdiction and does not have the authority to make management decisions pertaining to non-Bureau lands. As such, the BLM would not make blanket decisions that would apply to TLA lands.	No
Draft RMP/EIS	LG73	Introducing bison to the area would create unnecessary conflict with cattle operations in the area, including damage to fences. These bison would be competing with other ungulates and removing feed from trust lands without compensation to the agency. TLA would not support a bison introduction without compensation either in direct payment or hunting tags if the herd became a huntable unit.	Bison emigration or reintroduction would only be considered under those alternatives that allow for it and in cooperation with UDWR. The Proposed RMP would follow the Book Cliffs Bison Management Plan.	No

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Draft RMP/EIS	LG74	Rangelands should be managed to control soil erosion to prevent the soil erosion rate from exceeding the tolerable (T) rate as determined through USDA/NRCS. Resources should be managed such that T is not exceeded from rangelands nor from roadways nor roadcuts, nor from riparian areas within rangelands.	The RMP adopts the Utah Rangeland Health Standards under all alternatives. These standards include specific management goals related to soil erosion. The BLM, by adhering to these Standards, would be managing to meet these soil erosion goals. See Management Common to All, Soil and Water Resources, for specific management prescriptions related to preventing undue soil erosion.	No
Draft RMP/EIS	LR16	The State of Utah requests that language be added to the final RMP/EIS that is broad enough to cover likely scenarios for land exchange between the BLM and the Trust Lands Administration (TLA) without having to do plan amendments.	The BLM declines to make the suggested wording changes for a variety of reasons including but not limited to, the following: The BLM does not find the suggested changes necessary or appropriate. The suggested wording change does not substantively contribute to or clarify the discussion. The commenter did not provide any rationale why the suggested change is necessary or how the current data and analysis is incorrect. The suggested change expressed personal opinions or preferences. The suggested change had little relevance to the adequacy or accuracy of the RMP/FEIS.	No
Draft RMP/EIS	LR16A	In this regard, the state recommends the BLM establish several "classes" of land, such as the following: lands the BLM would never consider available for exchange, such as historic sites or, special land formations; TLA lands the BLM would like to acquire for consolidation of management purposes, such as lands in Wilderness Study Areas or certain special designation areas; areas the BLM	Table 2.1.7 (Lands and Realty Management) of the PRMP/FEIS outlines general categories of land or situations in which land exchanges would be considered under the RMP.  There is always the opportunity of the State to have a land exchange done legislatively, which	No

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		would like to dispose of for various reasons, such as small BLM parcels surrounded by TLA or fee lands; and all other lands, which should be considered available for exchange between these governmental agencies. These various classes should be broadly defined so that, when the time comes to consider an exchange, the initial step involving consideration of the public interest is considered accomplished and no plan amendment is therefore required.	would not have to adhere to the RMP criteria, but it is hoped that BLM would have input into the parcels proposed for exchange and acquisition.	
Draft RMP/EIS	LR17	Land exchanges/acquisitions actions common to all alternatives (pg 2-16) should include an additional consideration. Lands with critical habitat values for big game and sensitive, threatened, and endangered wildlife species should only be considered for disposal or exchange after wildlife stipulations are worked out among UDWR and the parties to the exchange.	Table 2.1.7 (Lands and Realty Management) of the PRMP/FEIS under the subsection entitled Management Actions Common to All Alternatives, note that lands containing T&E species habitat would be retained in federal ownership. Table 2.1.7 also identifies that exceptions may be considered for exchanges, but the agency BLM would consult with for T&E habitat is the U.S. Fish & Wildlife Service.	No
Draft RMP/EIS	ME22	The DEIS/RMP fails to analyze the impacts on oil & gas development [of special designations] and comply with EPCA and IMs directing incorporation of EPCA into RMPs. It requires that management restriction be the least restrictive necessary to protect documented and supportable needs.	The integration of EPCA into the RMP is discussed in Section 1.12. EPCA does not prohibit the use of special designations or multiple overlapping prescriptions, but requires that these prescriptions are the minimum necessary to maintain sustained yield. The BLM believes it has met this mandate and has only identified special designations where such designations are necessary.	No
Draft RMP/EIS	ME69	In general, the DRMP and the associated mineral report correctly identify the occurrence of the energy and mineral commodities in the VFO planning area, but significantly underrate the oil and gas development potential of the planning area. This	Section 4.1.2 presents information about the [RFD] assumptions. Tables 4-1 through 4-4 shows information about potential development over the life of the plan. Section 4.8.2 presents information about mineral's impacts under	No

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		failure to properly assess the potential for oil and gas development leads to a skewed analysis of impacts from other activities on these resources of the state.	alternatives.	
Draft RMP/EIS	ME70	Although the RFD appears to have been developed using generally accepted technical principles, the forecast for development is conservative to the point of being painfully low based upon the anticipated drilling proposals that have been submitted by industry to date. The RMP is intended to last 15-20 years, allowing only about 300 wells on average per year to be drilled under the maximum RFD under Alternative B. The current rate of filing for drilling permits statewide is running about 25% ahead of 2004, giving a potential of 1,375 permits statewide for 2005. The VFO will continue to be the focus of 80-85% of this activity, bringing a possible total of 1,170 new drilling applications for the VFO in 2005. Given this projection, the maximum RFD of roughly 6,500 wells under Alternative B could be permitted within the next 5.5 years. Further, this does not account for any accelerated industry activity with higher oil and gas prices, or improved and enhanced recovery.	See comment response ME7.	No
Draft RMP/EIS	ME71	Oil and gas are not really treated as natural resources in this document, instead, the development of oil and gas is viewed as a negative impact to other natural resources. This comes to light in the Socioeconomics section where there is no mention of the costs imposed on oil and gas development as a result of restrictions due to protection of other resources such as visual, recreation, wildlife, etc. All time delays, access restrictions, and mitigation measures cost money –	See comment response ME65.	No

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		and ultimately could curtail oil and gas development. This reality is not addressed in the document.		
Draft RMP/EIS	ME73	The DRMP implies that only those lands that fall along the course of known gilsonite veins, as depicted on the minerals and energy maps, would be available for prospecting and leasing even though the preferred alternative allows for prospecting and leasing of gilsonite veins not shown on the DRMP maps. For clarification, the maps should show a larger contiguous block of lands which includes all known gilsonite leasing areas that are open to gilsonite prospecting and leasing and not just the veins which may be visible on the surface.	See comment response ME25.	No
Draft RMP/EIS	ME74	There is increasing interest in the development of tar sands and oil shale deposits as changing demands and technology are elevating the importance of this resource. Given the potential economic value of these resources and their known presence in the VFO, placing a high priority on these commodities in the final RMP is warranted.	All decisions related to oil shale and tar sands leasing in this PRMP/FEIS are being deferred to the ongoing PEIS for Oil Shale and Tar Sands Leasing. For more information please see Section 1.10.9.	No
Draft RMP/EIS	ME75	There is considerable renewed interest in reopening the White River Mine and the use of existing stockpiles as well as in reopening the tar sands mine and plant near Vernal. Given that these commodities require large acreage for development and given that the extraction technique will create large areas of surface disturbance, it would be prudent to consider how the development of these resources would impact other management prescriptions. While it is likely that development of oil shale resources of the Uinta Basin will take place over many decades, it is important to envision how this development might	See comment response ME74.	No

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		proceed and ensure that management impediments on this resource are not included in the RMP without proper attention given to the impacts to future development.		
Draft RMP/EIS	ME76	The RMP/DEIS should incorporate the information gathered during the BLM's 2001 and 2005 calls for information and comments on coal resources in the VFO. The State of Utah will have more comments to provide once this information on coal resources has been incorporated into the document and has been reviewed.	The Vernal Field Office put out a call for information and comments on coal resources in a Federal Register notice dated March 8, 2005. No comments were received.	No
Draft RMP/EIS	ME77	State of Utah plans, as outlined by state law, look for certain analysis to be performed by the BLM as part of its analysis of the impacts of the management prescriptions proposed as part of the RMP. For example, Utah Code Section 63-38d-401(8)(m)(D) through (H) require the BLM to consider all restrictions and moratoria on mineral exploration or production to determine whether the restrictions are still necessary, or can be modified or eliminated. BLM is asked to demonstrate that any restrictions proposed are the least restrictive necessary, and is asked to analyze whether any "no-surface occupancy" restrictions effectively sterilize fluid minerals and gases under the area because directional drilling is not feasible from an economic, ecological, or engineering standpoint. The state cannot locate any such analyses in the draft RMP, and would ask the BLM to work with the state to insure that such analyses are conducted prior to the FEIS for the plan.	See comment response ME22.	No
Draft	ME80	Please, clarify the analysis for spacing patterns on oil	Establishing spacing for oil and gas development	No

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RMP/EIS		and gas development to ensure accurate assessment of projected impacts. Table 4.1 on page 4-3 lists disturbance levels, but does not specify the spacing level used in the analysis. Analysis for Section 4.15 and 4.19 assumes a 160-acre spacing pattern for wells. Current leases allow for 40-acre spacing in some fields. Use of the 160-acre spacing level for analysis purposes may lead to an underestimation of the impacts to wildlife from disturbances and habitat fragmentation, which would occur in areas under a more intense spacing order. Allowable spacing under all alternatives should be identified, and analyses must be consistent with the actual and proposed spacing patterns.	is beyond the scope of the RMP since spacing is reflective of reservoir parameters. BLM establishes spacing for Federal and Indian trust mineral estate utilizing the processes of the State of Utah Board of Oil, Gas, and Mining in reaction to requests submitted by industry.	
Draft RMP/EIS	ME81	The stipulation regarding no surface-disturbing activities on crucial elk calving and deer fawning habitat from May 15-June 30 cannot be found in the management common to all section or in Appendix K. Please, clarify that this timing restriction be will be implemented in all alternatives and list it in Section 2.4.18.2.8	Table 2.1.26 (Wildlife and Fisheries Resources) in the PRMP/FEIS) under the subsection entitled Habitat Protection states:  "In order to protect crucial elk calving and deer fawning habitat, exploration, drilling, and other development activity would not be allowed from May 15 through June 30. Maintenance of producing wells would be allowed."	No
Draft RMP/EIS	ME83	If the concern with wells is the total amount of surface disturbance allowed, has the BLM considered using well pads rather than the term "wells" to allow for possible additional drilling of multiple wells from the same pad, if it is economically feasible to do so.	See comment responses ME47, ME88, ME173 and ME174.	No
Draft RMP/EIS	PR18	The BLM is required by FLPMA, Section 202(c)(9), BLM regulation 43 CFR § 1601.0-5(c), and Utah Code Section 63-38d-401, et. esq., to consider the	See comment response PR3.	No

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		planning efforts of local and state governments and make its planning documents consistent with them. The RMP is inconsistent with state and local plans in many instances, which we comment upon as resource-specific issues.		
Draft RMP/EIS	PR19	The State of Utah requests that the policies and plans indicated by Utah Code Section 63-38d-401, et. esq., be shown in the listing of other plans to which the RMP has a relationship.	The addition has been made as suggested.	Yes
Draft RMP/EIS	RE17	The UDWR proposes adding an additional recreation management action to the RMP. We encourage the BLM to ensure all developed recreation sites have bear-proof garbage containers and signs warning of the dangers of feeding bears.	The BLM declines to implement the proposal. The BLM may install bear-proof garbage containers in the future based on site specific evaluations. The BLM also will conduct an education program as stated in Table 2.1.13 (Recreation Resource) in the PRMP/FEIS.	No
Draft RMP/EIS	RE19	The alternatives clearly list surface acres that will be designated as closed, open, or limited with regards to OHV travel. In each alternative, a given number of miles of routes in the "Limited" category is also listed. This is extremely misleading. According to BLM staff, travel planning has yet to be done, and is scheduled for sometime in the next two years. The Draft gives the impression to the OHV user that all the miles noted on the map are designated for OHV use when that is not the case.	As stated in Table 2.1.15 (Recreation – Trail Maintenance and Development), the BLM would make future OHV route adjustments in areas designated as Open and/or Limited based on access needs, recreational opportunities, and natural resource constraints. For purposes of analysis, County travel plan maps were used to identify existing roads and trails.  See comment response RE20.	No
Draft RMP/EIS	RE20	Designated "Open" areas have little if any logical basis. The areas appear to have been randomly selected, and are not bounded by any geophysical feature that would allow an OHV user to readily identify whether or not he/she is indeed within the Open area. The Division would suggest that BLM	BLM Land-use planning Handbook, H-1601-1, Appendix C authorizes management to defer delineating a travel management network. Based on this authorization, the travel management plan will be completed within five years of the signing of the ROD for the Final EIS.	No

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		expand the open areas to the edges of predetermined boundaries. Those boundaries could be natural features (i.e., streams, ledges, washes, etc) or man made (roads, canals, etc).		
Draft RMP/EIS	RW18	The riparian strategies developed under alternative A are supported by UDWR (page 2-53). Healthy riparian systems are a limited habitat type in the VFO and support a great diversity of wildlife populations. These strategies will benefit sensitive species such as Colorado River cutthroat trout. The RMP should further define how often monitoring will occur. Monitoring is critical for these management strategies to be successful.	See comment response RW8.	No
Draft RMP/EIS	SD56	The discussions concerning potential recommendations for addition to the Wild and Scenic River System in the draft RMP and EIS are confusing, contradictory and incomplete, and do not meet the requirements of federal or state law or BLM policy and direction. The counties believe it is imperative that the BLM properly disclose the reasons and rationale for determinations of eligibility and suitability for proposed additions to the NWSRS, and to fully meet the requirements of state and federal law in doing so.	Appendix C of the EIS has been revised to include additional information regarding the BLM's eligibility and suitability analysis and determinations.	Yes
Draft RMP/EIS	SD57	The counties are concerned that the designation of stream segments as "Wild & Scenic" could jeopardize the ability of local communities, industry, farmers, Indian tribes, and other water users to appropriate and develop water and to get change applications approved in order to meet their future water needs. Fundamentally, the counties are concerned that Wild & Scenic River designations	See Response to Comment SD19-G-22.	No

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		<p>would:</p> <ol style="list-style-type: none"> <li>1. limit the ability of communities to develop water needed for future growth</li> <li>2. limit additional industrial growth including oil shale development</li> <li>3. limit additional agricultural growth</li> <li>4. affect water right settlements with the Northern Ute Tribe</li> <li>5. affect completion of the Central Utah Project</li> <li>6. affect operation of Flaming Gorge Reservoir</li> <li>7. reduce funding to the Colorado River Salinity Control Program, or affect agreements already in place for the Endangered Fishes Recovery Program</li> </ol>		
Draft RMP/EIS	SD59	<p>State plans, as outlined by State law (U.C. §63-38d-401(8)(a) through (b)), expand upon the requirements of the WSR Act by delineating the necessary analysis which must be conducted on river segments considered for possible inclusion in the NWSRS. These state requirements are not in opposition to the federal requirements, but are designed to fully flesh out studies that the federal agencies should perform, in order to assure that the full and complete nature of the proposal is made public. State law expands upon the requirements for study by requiring that river segments proposed for inclusion in the NWSRS contain water at all times, that the river segment contain an outstandingly remarkable value which is significant within a physiographic regional context, that the rationale and justification for the determination of the outstanding value is fully disclosed, all segments considered</p>	<p>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-</p>	No

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		eligible are evaluated for suitability of designation, a "suitable" or "not suitable" decision is made for each segment, and that studies of the effects of designation on uses within the river corridor, and upstream and downstream from the corridor are analyzed and disclosed.	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 consistent with the Utah Code 63j-4-401.	
Draft RMP/EIS	SD60	State law requires the BLM to fully disclaim any rights to water in the segments recommended for inclusion in the NWSRS as a result of adoption of the final Resource Management Plan. (U.C. §63-38d-401(8)(a)(viii)c)). Although there is language on page 4-210 which discusses in-stream flows, this language does not address this State statutory requirement directly. Additionally, the paragraph at the top of page 2-28 which states that the BLM will develop additional and maintain existing water rights" is unsupported. We suggest that the BLM provide more detail and specifics for this statement, and more affirmative language clearly disclaiming any water rights.	See Response to Comment SD19-G-22.	No
Draft RMP/EIS	SD61	We have concerns regarding the language at page 4-210 which passively mentions the Colorado River Compact. Under the 1948 Upper Colorado River Basin Compact, Utah is allotted a depletion of 1,369,000 acre-feet per year from the Colorado River system. Obviously, the Compact is of major significance to the state and any actions that may affect the compact are of concern. Utah Code §63-	Section 13(e) of the Wild and Scenic Rivers Act says:  "Nothing contained in this Act shall be construed to alter, amend, repeal, interpret, modify, or be in conflict with any interstate compact made by any States which contain any portion of the national	No

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		38d-401(8)(a)(x)(A)and(B) require clear demonstration that including rivers in the NWSRS and terms and conditions for managing such rivers will not impair or otherwise interfere with interstate compacts.	wild and scenic rivers system."	
Draft RMP/EIS	SD62	We are concerned that the BLM is not stating, in a full and complete manner, the authority for protection of river segments while studies pursuant to Section 5(d) of the Act are underway and protection until Congress may act upon any recommendations made in planning documents pursuant to BLM planning authority.	See Response to Comment SD19-G-22.	No
Draft RMP/EIS	SD63	The draft RMP indicates on page 2-29 that "new river segments found suitable" would be managed in accordance with the "Wild and Scenic River Act to prevent non-impairment of outstandingly remarkable values." We do not find the term "non-impairment" in either the Act or BLM policy direction. The Wild and Scenic Rivers guidelines of federal agencies indicate that Section 10(a) of the Act is interpreted to provide for a "nondegradation and enhancement policy for all designated river areas." However, this provision does not apply to rivers found suitable for recommendation during planning processes. The counties are concerned the statement of management found on page 2-29 is too simplistic, doesn't meet the intent of the statements found on page 3-84 or page 4-210, and fails to give the stakeholders or the public sufficient notice of criteria or process the BLM intends to employ as part of the proposed management for the river segments determined to be suitable for inclusion in the NWSRS. We request that the BLM revise the	Actions Common to all for Wild and Scenic Rivers have been moved to Table 2.1.19 (Special Designations – Wild and Scenic Rivers) of the PRMP/FEIS. The Actions Common to All have been revised to more clearly define how BLM intends to manage segments determined suitable as a result of this planning process. The correct phrasing should be "prevent impairment" instead of "prevent non-impairment."	Yes

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		document to address these concerns.		
Draft RMP/EIS	SD65	The discussion of Upper and Lower segments of the Green River in the draft RMP is incomplete. BLM assumes that the rationale, findings and protective management identified in the Diamond Mountain and Book Cliffs RMPs, completed in the 1980's still applies. Numerous significant recreation related facilities (i.e. campgrounds, picnic areas, boat ramps, vehicle parking), and other types of development, are now present along the Green River corridor, particularly the Upper segment. Much of this development has occurred since the Diamond Mountain RMP was completed and the ROD was signed. This development may affect not only the determination of suitability for these segments, but the current classification of "scenic" for the segment as well. The counties oppose simply carrying over the Upper and Lower segments of the Green River as recommended additions to the NWSRS from the Diamond Mountain and Book Cliffs RMPs. The counties believes that the BLM must consider all new information which has developed since the Diamond Mountain and Book Cliffs RMPs were finalized, to determine whether the segment still qualifies and should still be recommended, and to meet the requirements of the State law.	<p>The Upper and Lower Green River Segments were identified as suitable for designation in the National Wild and Scenic River System in the Diamond Mountain RMP/EIS and has been carried forward in the Proposed RMP/Final EIS.</p> <p>Appendix C of the PRMP/FEIS details the steps undertaken in the eligibility review process including the identification of outstandingly remarkable values as well as the Suitability Considerations by eligible river segments. The BLM complied with all applicable Federal laws, regulations, and policies in the Wild and Scenic Rivers Study Process.</p> <p>Manual 8351, Wild and Scenic Rivers, Policy Program Direction for Identification, Evaluation, and Management, states:</p> <p>"In general, a wide range of agricultural, water management, silvicultural, and other practices or structures could be compatible with scenic river values..."</p>	No
Draft RMP/EIS	SD66	Table 5 includes "[m]anageability of the river if designated, and other means of protecting values" as a "Suitability Consideration." However, in the "Consideration Applied" column which is supposed to provide the information about manageability, the	Appendix C of the EIS has been revised to include additional information regarding the BLM's eligibility and suitability analysis and determinations.	Yes

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		document simply states "[m]anageability ... and other means of protecting values would be extrapolated from the impact analysis for the Vernal RMP/EIS." This analysis goes nowhere as an explanation, and is inadequate to meet the requirements of Federal law and BLM Manual 8351, and further, is not supported by the impact analysis information presented on pages 4-210 through 4-215.		
Draft RMP/EIS	SD67	The draft RMP provides only cursory acknowledgment of the White River Dam project and fails to adequately represent its significance, and characterizes the impacts of an eligibility or suitability determination, and associated "protective management" on the proposed project in a contradictory manner. Statements found on pages 4-212 and 4-213 illustrate the cursory analysis, as follows: "...a suitable decision for Segment 1 of the White River would be incompatible with the continuation of an existing permit for a dam site" and t]he suitability decision for Segment 1 of the White River would result in the discontinuance of the existing permit for the dam site." The White River is also described as part of Alternative D, on page 2-57, as follows: "[u]nder this alternative, suitability findings would not be made and eligibility would continue with BLM applying protective management to the free flowing nature, outstandingly remarkable values, and tentative classification of the river." The discussion of Alternative D on page 4-214, reaffirms that Segment 1 of the White River "would remain eligible." However, in a contradictory manner, the discussion also states, "Segment 1 has been identified for a potential dam site." Subsequently, the	Alternatives B and D (No Action) are part of the range of alternatives. There is an existing right of way for a dam on the White River in segment 1. Segment 1 was carried forward for analysis purposes under the wild and scenic river situation.  Also, see Response to Comment SD8-G-9.	Yes

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		<p>last paragraph on page 4-214 concludes the description of Alternative D, as follows: "Under this alternative, the continued eligibility decision for Segment 1 of the White River would be incompatible with continuance of the existing permit for the dam site. Because this permit would continue under this alternative, the free-flowing nature of Segment 1 would not be maintained and this segment would no longer be eligible as a Wild and Scenic River." Further, Appendix C, Wild and Scenic River Eligibility, Suitability, Classification and Review does not include any information regarding the White River Dam Project.</p>		
Draft RMP/EIS	SD69	<p>The discussion of Alternative B on page 4-213 includes the following statement, "If acquired lands along Nine Mile Creek are grazed, the outstandingly remarkable cultural and scenic values would be more at risk than with Alternatives A and C". Unfortunately, nowhere in the draft RMP and EIS is there other mention of this apparent concern, or other information that would enable the reviewer to grasp its relative significance. We strongly object to this unsupported assertion that grazing threatens the ORVs in the area, especially on lands that may be acquired. Grazing can be managed to protect cultural and riparian values. The BLM needs to carefully explain the potential difficulties of this area, and analyze them in terms of proper mitigation, rather than making unsupported blanket statements such as this. In addition, the discussion of Alternative A at pages 4-211 and 4-212, contains no reference to any "acquired lands along Nine Mile Creek."</p>	Chapter 4 of the PRMP/FEIS has been revised to correct and clarify the apparent contradiction.	Yes

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Draft RMP/EIS	SD70	As a matter of clarification, the document, at page S-3, refers to sections of rivers, ranging from one to six rivers, which are recommended for Wild and Scenic River designation. Throughout the remainder of the document, the discussion of wild and scenic rivers refers to segments of rivers, rather than separate individual rivers. The confusion is immediately apparent when the reader looks to Table S.3, as directed by the text on page S-3. Clarity could be achieved by indicating the number of segments associated with the rivers, i.e., "Alternative C ... recommends 9 segments of six rivers."	Table S.3 of the Executive Summary in the PRMP/FEIS has been corrected and the issue clarified regarding the number of rivers and river segments. Table S.3 is now called Table ES.3.	Yes
Draft RMP/EIS	SD71	The information at page 2-29 does not fully characterize proposed interim management of WSRs, because the discussion of management of eligible segments, found at page 3-84, is not presented here. We recommend that information similar to that found at page 3-84 be included at page 2-29.	Chapter 2 of the PRMP/FEIS has been revised to be consistent with the information found in Section 3.14.3.2 regarding WSRs.	Yes
Draft RMP/EIS	SD72	The information presented in Table 2.3, at page 2-57, does not include the Upper and Lower segments of the Green River. Additionally, the descriptions of the Alternatives, in Table 2.3, should reflect either a finding of "suitable," or a finding of "non-suitable," as BLM policy directs. (See BLM Manual 8351.33A).	The Upper and Lower segments of the Green River are discussed in Table 2.1.19 (Special Designations – Wild and Scenic Rivers) of the PRMP/FEIS under the subsection entitled Management Common to All Action Alternatives, where it states:  "Continue to manage previously recommended segments of the Upper Green and Lower Green Rivers to protect their outstandingly remarkable values and the tentative classifications until such time that a designation decision is made."	No

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			Also as stated in Appendix C, determination of whether or not each eligible segment is suitable will be made in the Record of Decision for the Vernal RMP.	
Draft RMP/EIS	SD73	The RMP, at Table 2.3 and elsewhere, must include information regarding management of segments found to be "non-suitable," as directed by Manual Section 8351.53B, which states "[f]or river segments determined nonsuitable in the RMP, the river shall be managed in accordance with the management objectives as outlined in the RMP."	The management objectives for the RMP are outlined in Chapter 2 Management Common to All. All segments would be managed under riparian objectives.	No
Draft RMP/EIS	SD74	Table 2.5 Summary of Impacts, at page 2-99, does not adequately characterize the impacts associated with wild and scenic river recommendations. The counties suggest that the impacts be more fully described.	The impacts of special designations, including wild and scenic rivers, on each resource program are discussed in Chapter 4.	No
Draft RMP/EIS	SD78	Page 4-143 discusses the possibility of closing some SRMA areas to mineral leasing and establishing no-surface occupancy zones in others. It states that closing SRMAs to mineral leasing would have direct, long-term, beneficial impacts on recreation resources by preserving natural, undisturbed qualities of these recreation areas. Does closing the areas to leasing go beyond SRMA management prescriptions? Page 4-52 states "all SRMAs would be managed according to the philosophy of multiple-use." Can the recreation goals described here be accomplished without no-surface occupancy stipulations? Does this conflict with the policy directives of EPCA and the Presidents National Energy Policy?	Closures of portions of SRMAs are related to one of two factors: WSA lands within SRMAs and areas to be managed for primitive recreation opportunities, including associated high scenic value. A comparison of Figures 11-14 and 21 will show that the vast majority of proposed SRMA areas are open to leasing under standard, timing and controlled surface use, or no surface occupancy stipulations. The BLM would only enact closures or non-standard stipulations where opening an area to leasing or leasing under standard stipulations would be incompatible with other resource values and management goals for the area. The BLM believes the SRMA alternatives and accompanying stipulations are consistent with	No

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			EPCA and the NEP.  Also, see Response to Comment SD8-G-9, concerning a range of reasonable alternatives.	
Draft RMP/EIS	SD122	As part of the required analysis of the effects of the management requirements for other aspects of the proposed RMP on special designations, including ACECs, the DEIS states that the Proposed RMP's ACEC "management focuses on protecting specific, identified relevance and importance values." The statement is incomplete because it fails to focus on the parallel statutorily required analysis concerning effects from authorized multiple-use activities, which may cause irreparable damage to those relevant and important values. The statement should read that the plan's proposed ACEC management provisions will "protect and prevent irreparable damage to specific, identified relevance and importance values."	See Response to Comment SD50-G-25.	No
Draft RMP/EIS	SD123	The discussion of ACEC management contains the general statement that ACECs would benefit from the "special management attention they would receive if designated." Special management attention is more than a coincidental benefit that flows from designation, it is a fundamental prerequisite to designation. The BLM must make a determination for each potential and proposed ACEC that special management attention is required to protect the identified relevant and important values. From the information in the DRMP, the State of Utah cannot determine the nature of the required special management attention for any of the potential or	See Response to Comment SD50-G-25.	No

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		proposed ACECs.		
Draft RMP/EIS	SD124	The DRMP indicates that the lack of designation of some potential ACECs may place the relevant and important values "at some risk of irreparable damage during the life of the plan." This statement is completely backward. BLM must first make a determination that a threat of irreparable damage from some authorized multiple-use activity exists, and is directed toward the identified relevant and important value in order to complete the fundamental requirements for an ACEC. The identification of required threat of irreparable damage cannot be supported from simple hypothetical musings postulating that the lack of the very management structure (ACEC) BLM is trying to justify may result in damage to the resources.	See Response to Comment SD50-G-25.	No
Draft RMP/EIS	SD125	The State of Utah cannot find in the DRMP/DEIS any analysis for ACECs of the differentiation between special management and standard multiple-use management, the level and type of multiple-use an area can sustain without risk or threat of irreparable damage to relevant and important values, what measures can be taken to protect the relevant and important values without placing restrictions on other resource uses, and whether or not designations other than ACEC will afford the protection determined necessary through the evaluation process. BLM Manual Section 1613.33E allows the BLM to decline to designate an ACEC where standard or routine management practices are sufficient to protect the resource or value from risks or threats of damage/degradation.	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	No

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			and/or other existing protections applied.  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.	
Draft RMP/EIS	SD126	The DEIS fails to analyze the balance between ACEC designation and the value of other multiple-uses. The potential benefits of ACEC designation versus other resource uses is not evaluated for any of the potential and proposed ACECs.	See Response to Comment SD125-G-1.	No
Draft RMP/EIS	SD127	The State of Utah is concerned that the BLM views potential and proposed ACECs as convenient vehicles to generally focus agency management attention on an area, rather than a very focused management tool with strict criteria for creation.	See Response to Comment SD125-G-1.	No
Draft RMP/EIS	SD128	The State of Utah is concerned that the discussions and analyses of potential and proposed ACECs in the DRMP/DEIS don't meet the standards required by either state or federal law. The discussion as it is fails to provide sufficient information to allow the	See Response to Comment SD125-G-1.	No

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		purpose and need for each potential ACEC to be ascertained, and the impacts of its potential designation to be determined; the present discussion is merely a recitation that certain natural features or processes within the area are, a priori, important and relevant because of a simple regurgitation of the regulatory requirements, and no cogent and coordinated examination of the proposed management scheme exists. There is no discussion of the factors leading to a determination that the required important and relevant values are, in fact, important on a regional scale, as there is no discussion of the nature of the region to which the factors within the potential and proposed ACEC can be compared. Nor is there an application of the facts to the statutory requirements, instead there is only a restatement of factors which are part of the statutory and regulatory requirements that need to be demonstrated in order to create an ACEC. Finally, the statutory requirement to determine the probability of irreparable damage to the important and relevant values is completely AWOL. See comment SD129 for an example of the superficial nature of ACEC analysis.		
Draft RMP/EIS	SD129	The discussions about the proposed relevance and importance of each potential and proposed ACEC contained in Appendix G contain three references to the "lush riparian vegetation" which is "rare" in the area. All of the areas to which these statements refer are located along the Green River and are part of the main watershed system of the area – the Green River drainage. In this generally arid area, all riparian areas are important and tend to look lush. What is	The differences between how the riparian areas would be managed as ACECs, and how they would be managed if not designated as ACECs, are discussed in Chapter 4.	No

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		the regional significance of these three riparian areas? How do they compare to riparian areas in the proposed and potential Bitter Creek ACEC? Further, given the BLM's general nationwide policy of protection for riparian areas because all riparian areas are important, what is the threat to these three areas that cannot be met through the protections offered by the nationwide policy, and how will the special management attention for these three riparian areas be different from the nationwide protections?		
Draft RMP/EIS	SD130	The analysis indicates that ACECs may benefit from "fire resources, soil and watershed actions, and vegetation resources (including riparian areas and woodlands)," yet be negatively affected by mineral activities and OHV use. No explanation is given for these statements. Vegetation, fire, and soil treatments may affect the appearance of the land as much as mineral development, yet the end result is healthier vegetation. The bias against mineral development is evident, because no mention is made concerning the balance of uses which results in the extraction of resources useful to society versus the potential benefits of the ACEC, and because the analysis fails to recognize the effect of proper mineral mitigation measures upon the ultimate effect on the relevant and important values. The state requests the BLM revisit these superficial analyses, consider mitigation part of the determination of effect, and consider the balance of uses as required.	The distinction between fire resources, soil, watershed, and vegetation management actions and minerals activity and OHV use is that changes to the character of the landscape, including visual appearance, for the former category of actions are of far shorter duration and more consistent with the management objectives of ACECs than those of the latter category of actions.  Also, see Response to Comment SD125-G-1.	Yes
Draft RMP/EIS	SD131	As the pros and cons of each potential and proposed ACECs, and those of SRMAs or WSRs, are weighed, the BLM should avoid any recommendations which	See Response to Comment SD125-G-1.	No

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		unduly restrict continued vegetation and wildlife treatment practices, uses associated with school trust lands, mineral development, and other management needs of state agencies.		
Draft RMP/EIS	SD132	Existing ACECs must be reviewed for sufficiency and necessity prior to being carried forward in the new RMP. The simple statement in the RMP that the existing ACEC designations have been effective is insufficient and does not meet the requirements of the BLM's own Manual. There is no discussion as to whether it is the management of certain areas as ACECs or other laws and regulations that has protected the relevant and important values of these areas.	See Response to Comment SD125-G-1.	No
Draft RMP/EIS	SD133	The State of Utah is concerned that none of the Alternatives in the DRMP and EIS presented a "no ACEC" position, thereby indicating in a more detailed manner the need for all proposed and potential ACECs. The state would ask the BLM to correct this deficiency.	See Response to Comment SD125-G-1.	No
Draft RMP/EIS	SD134	The State of Utah is concerned that this potential and proposed ACEC does not meet the statutory requirements for an ACEC as no significant information about the area, or the need for the ACEC is given. The importance criteria discussion is merely a recitation of the requirements found in the BLM Handbook for qualities the BLM should find in an area in order to determine the existence of importance criteria.	See Response to Comment SD125-G-1.	No
Draft RMP/EIS	SD135	Alternatives A and C provide for restricted wood-cutting in the old-growth pinyon pine area of 160 acres, which is justified to protect these irreplaceable	Vegetation/habitat treatments would occur throughout the rest of the ACEC.	No

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		resources. But the management prescriptions for the proposed ACEC also provide for "enhancing habitat utilizing forest manipulation and tree spraying." Presumably "forest manipulation and tree spraying" would not occur in the area of the 1200 year old trees. Where would it occur? Forest manipulation and tree spraying are tools in the normal multiple-use regime for BLM lands. How does this simple statement of a proposed management requirement constitute a "detailed explanation" of special management for the resource, and what exact purpose does it serve? Because this management prescription is not for the old trees, the State of Utah is obligated to ask exactly what resource is to be protected by the BLM's management prescriptions from exactly what type of threat which may produce irreparable damage in what manner? Further, because the area of the old-growth trees is only 160 acres, why is ACEC management needed for the other acres of the proposed and potential ACEC?	<p>More detailed management provisions meeting the overarching parameters established through the RMP would be included in an ACEC management plan prepared for this ACEC.</p> <p>See comment response SD8-G9.</p>	
Draft RMP/EIS	SD136	The list of proposed management prescriptions for this area says that oil and gas leasing will be managed by timing and controlled surface use, except for the old tree area, which would be managed using no-surface occupancy provisions, and a Natural Area which would be managed as closed to leasing. Which category of leasing is this for the larger area – Category 1, 2, 3, or 4? What timing stipulations would be necessary in the ACEC? What controls on surface use? Is there a reason the Natural area is closed to leasing, as opposed to the use of no-surface occupancy? NSO provisions allow drainage of fluid resources from under the area,	<p>See Table 2.1.18 (Special Designations – Areas of Critical Environmental Concern (ACECs)) of the PRMP/FEIS which describes under which alternative the Bitter Creek ACEC would be established.</p> <p>Please compare Figures 11-18 with Figures 22-24 to see the stipulations applying to the vast majority of lands within these proposed ACECs.</p> <p>Timing buffers within the ACECs would be implemented primarily for the protection of</p>	No

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		while no-leasing may cause the creation of an area sterilized from drainage larger than the 400 acres involved. How is oil and gas leasing, and possibly exploration and production a threat that may produce irreparable damage to the 160 acres of old growth trees, cultural resources, or the wetlands which are cited as relevant and important values for this area?	<p>special status species and wildlife. Controls on surface use would be related to such factors as fragile soils and steep slopes, visual resources, and wildlife and special status species habitat. Please, see Appendix K for more information about the nature of proposed timing and controlled surface use stipulations within the planning area.</p> <p>See comment response SD27-G-22.</p> <p>The Natural Area is the Book Cliffs Instant Study Area and is managed under the IMP for wilderness. The area must be closed to mineral development as per regulation.</p>	
Draft RMP/EIS	SD137	There is no discussion about the geographic extent of the wetlands or the perched watertable. Do the wetlands extend throughout the entire 147,000+ acres of the potential ACEC? If not, how much acreage do they cover, and what is the nature of the other lands within the proposed area? The State of Utah is concerned that the proposed ACEC is much, much larger than necessary to protect the identified important and relevant values.	<p>The wetlands do not extend throughout the entire proposed Bitter Creek ACEC but are localized in smaller areas. Other relevant and important values identified for this proposed ACEC are discussed in Chapter 3 and Appendix G includes cultural/historical resources, watersheds, and ecosystems/habitat for special status species. These other relevant and important values extend throughout the area identified for this proposed ACEC.</p> <p>See comment response SD14-G13.</p>	No
Draft RMP/EIS	SD138	The proposed management prescriptions for this area include Class 1, 2, or 3 VRM designations. The location of each proposed VRM classification, as illustrated on the maps is not tied to any of the relevant or important values discussed as the	VRM classifications are not tied specifically to ACEC values but are tied to the visual inventory for the planning area and to recreation management decisions.	No

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		qualification reasons for the ACEC, leaving the reader to wonder what resources are being threatened by what type of threat which will cause irreparable damage in what manner?	The relevant and important values for these ACECs include an old growth pinyon forest, cultural resources, important watersheds, and a critical ecosystem for wildlife and migratory birds.  See Response to Comment SD27-G-22.	
Draft RMP/EIS	SD139	The proposed and potential Coyote Basin ACEC is proposed solely for white-tailed prairie dog complexes. The DRMP indicates the prairie dog is relevant because it is "vulnerable to adverse change from a variety of current causes." What causes? What vulnerability? The reasoning means that the prairie dog had been petitioned for listing under the provisions of the ESA, a petition which was recently denied by the U.S. Fish and Wildlife Service.	Based upon an analysis of and response to the public comments, BLM has dropped the designation of Coyote Basin in the Proposed RMP.  Prairie dogs are extremely susceptible to the plague, and the white-tailed prairie dog has suffered large-scale population decline as a result.	No
Draft RMP/EIS	SD140	A common problem with prairie dog complexes is the plague. How will ACEC management prevent this problem?	ACEC designation will not, in and of itself, address the issue of plague in prairie dog colonies. The integrated management plan for the area as well as the research conducted under the Research Natural Area designation and in cooperation with other agencies and organizations will recognize the risk of plague and implement measures to manage it where possible.	No
Draft RMP/EIS	SD141	Proposed management prescriptions for this ACEC include noxious weed control, restoring natural fire regime, maintaining or enhancing ferret habitat, and establishing a research and monitoring program. The analysis fails to show how the control of noxious weeds is important as a special management	The potential ACECs analyzed 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	No

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		prescription for the prairie dog (the reason for the ACEC), independent of the BLM's stated desire to control noxious weeds everywhere. What is special about the noxious weed control in the area under discussion? Further, what does natural fire and enhancement of ferret habitat have to do with the prairie dogs?	<p>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 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>	
Draft RMP/EIS	SD142	There is no discussion anywhere about the potential for irreparable damage requiring the creation of this ACEC. This information must be included in the document. The State of Utah believes this proposed	See Response to Comment SD27-G-22.	No

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		ACEC is a solution looking for a problem and strongly opposes it. The state Division of Wildlife Resources, which has jurisdiction over prairie dogs as a wildlife species, sees no need for this proposed ACEC.		
Draft RMP/EIS	SD143	The discussion of the relevant and important values of the proposed Nine Mile Canyon ACEC is inadequate in that it does not provide an actual description of said values, but rather it offers merely a recitation of the regulatory requirements for the nature of those values. How are these values significant in a regional context? What specifically are the qualities to be protected and managed through the ACEC?	The inconsistencies in cited relevant and important resource values have been corrected. Appendix G contains the correct list of values.	Yes
Draft RMP/EIS	SD144	This proposed ACEC is described as an extension of an ACEC designated by the Book Cliffs RMP. Do the lands within the proposed extension lands have the same qualities as the land within the existing ACEC? Where are the extension lands in relation to the existing ACEC? Figures 22-24 give some indication but not a lot of detail.	The lands within the proposed extension area contain the same relevant and important values as the existing ACEC. The proposed extension is located at the west end of the existing ACEC. The expansion area is represented by the difference between the proposed Nine Mile Canyon ACEC boundaries illustrated in Figures 22 and 24.	No
Draft RMP/EIS	SD145	The State of Utah does not believe the BLM has adequately justified the need for this ACEC designation to protect cultural resources given that Section 106 of the National Historic Preservation Act already affords these resources protection and consideration such as mitigation. The BLM is also proposing an archaeological district for the cultural resources and did not analyze the need for the ACEC against the protection afforded by both Section 106 and an archaeological district. Further,	See Response to Comment SD125-G-1.	No

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		the BLM has not identified any special management necessary for the area beyond the normal cultural resource management BLM would employ.		
Draft RMP/EIS	SD146	The Main Canyon ACEC is proposed by the BLM to protect cultural resources and "natural systems." What natural systems – what does this mean?	Natural Systems are defined under 45 FR 57318 as "Living or nonliving parts of the natural environment, considered either as discrete individual elements or as group or classes of such individual elements, and the behaviors, actions, and interactions of such elements or changes to them. The central features of such a system or process may, for example, be communities of living plants, and vital components of their habitat, or such non-living structures as geological formations, which exemplify a natural process or system."	No
Draft RMP/EIS	SD146A	What is the threat of irreparable harm to these "systems"? Under the ACEC some activities such as OHV use would be closed or otherwise restricted and portions of the area would be managed as VRM I (which also restricts acceptable surface uses).	See Response to Comment SD27-G-22.	No
Draft RMP/EIS	SD146B	Because these restrictions have the potential to close portions of the area to oil and gas development, the State of Utah is concerned that the potential to protect natural systems, without further clarification of the specific management provisions, will constitute management for non-impairment, in violation of state law and the case of Utah v. Norton.	See Response to Comment SD16A-G-22.	No
Draft RMP/EIS	SD147	The State of Utah requests an actual accounting and detailed description of the relevant and important values for this ACEC rather than a restatement of the regulatory requirement for the necessary quality of	See Response to Comment SD16A-G-22.  Appendix provides specific information for each	No

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		values in order for an ACEC to be designated.	existing and nominated ACECs. Reports for Relevance and Importance may be reviewed in the Administrative Record.	
Draft RMP/EIS	SD148	Much of the area proposed for this ACEC is within the Winter Ridge WSA. What is the relationship between the two? Why is an ACEC necessary for the WSA lands?	See Response to Comment SD104-G-3.	No
Draft RMP/EIS	SD149	The DRMP indicates that special management attention for this ACEC would include "permitting surface disturbance activities found to be complimentary or compatible with the goals and objects of the ACEC." Presumably those not found compatible would not be approved? What are the goals and objectives of the proposed and potential ACEC?	The commenter is correct in the inference that surface-disturbing activities that contradicted the goals and objectives of this ACEC would not be approved. The goals and objectives of this ACEC are to manage for the maintenance and enhancement of the area's important cultural/historical/traditional resources and natural systems.  See Appendix G and Table 2.1.18 (Special Designations – Areas of Critical Environmental Concern (ACECs)) of the PRMP/FEIS.	No
Draft RMP/EIS	SD150	The State of Utah does not believe the BLM has adequately justified the need for this ACEC designation to protect cultural resources given that Section 106 of the National Historic Preservation Act already affords these resources protection and consideration such as mitigation. The BLM has not identified any special management necessary for the area beyond the normal cultural resource management BLM would employ or what the threats of irreparable harm are.	See Response to Comment SD125-G-1.	No
Draft	SD151	The State of Utah requests that the BLM re-examine	See Response to Comment SD104-G-3.	No

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RMP/EIS		and re-justify the need for this ACEC, especially in light of the proposed SRMA for the same area.		
Draft RMP/EIS	SD152	The VRM classification of I or II proposed for this area could prevent necessary prescribed burns or other vegetative management necessary for range and forest health, or the economic use of any state trust lands within the area.	No VRM classification prevents necessary vegetation treatments, including prescribed burns, which are considered short-duration visual disruptions. No BLM management decisions, including VRM classifications, apply to state trust land inholdings. The BLM cannot impose any restrictions or limitations on lands not under its jurisdiction. The BLM must also provide for reasonable access to such inholdings.	No
Draft RMP/EIS	SD153	The BLM has failed to provide adequate justification of the proposed ACECs as the discussions of each ACEC do not include specific details or analysis of the identified relevant and important values in a regional context, nor do they include any substantive description of the threats of irreparable harm or elucidation of specific management needs to prevent said harm. The BLM has also failed to demonstrate why the ACECs are necessary relative to other protections afforded to identified values through other designations or laws.	Threats to relevant and important values vary by alternative. Any of the alternatives may be selected, even if there are risks or threats of damage to relevant and important values resulting from that alternative. See Appendix G in the PRMP/FEIS.  Also, see Responses to Comments SD27-G-22 and SD50-G-25.	No
Draft RMP/EIS	SD154	The State of Utah believes that the BLM has not sufficiently divulged the proposed management prescriptions for the river segments discussed in the DRMP/DEIS, as required by the draft document stage by BLM Manual Section 8351.32C. The information found in the document on pages 4-211 through 4-214 consists simply of general statements about concerns, rather than an evaluation of identified impacts. Further, support for the alleged concerns cannot be found in the document.	See Response to Comment SD59-G-25,G-1.	No

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Draft RMP/EIS	SD155	The DRMP/DEIS does not contain the information necessary to demonstrate that the values identified for each proposed WSR segment are river-related, "outstandingly remarkable," or significant on a regional basis as required by the guidance Process and Criteria (1996) adopted by the BLM and other regional federal agencies or BLM IM 2004-196. The State of Utah requests that the BLM review these eligibility determinations with the state and local governments, in order to fully explore the rationale for each.	See Response to Comment SD59-G-25,G-1.	No
Draft RMP/EIS	SD156	The statement on page 2-57 that river segments found to be eligible during the current RMP preparation process would continue to be managed to protect their eligibility under Alternative D (No Action) is not an accurate representation of federal law and does not comply with BLM policy and direction, or state law. BLM Manual 8351, Section 33 requires the BLM to assess in the RMP whether or not each river segment identified as eligible is also suitable for inclusion in the NWSR System. The Manual also states that if suitability cannot be determined as part of the RMP, a separate EIS may be required to make that determination. The projected schedule for completing the suitability evaluation should be set forth in the RMP. Alternative D (No Action), as represented on page 2-57, is therefore unacceptable and does not meet the requirements of BLM policy or state law.	See Responses to Comments SD1-I-1 and SD59-G-25,G-1.	No
Draft RMP/EIS	SD157	The information under Section 3.14.3.2, page 3-84, should more fully and accurately represent the specific management requirements found in Manual	Chapter 3 in the PRMP/FEIS has been revised to expand the discussion of management requirements for rivers determined eligible for the	Yes

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		Section 8351.32C, particularly regarding valid existing rights.	NWSRS to include the more detailed information outlined in Manual 8351, Section .32C.	
Draft RMP/EIS	SD158	The meaning of the statement "to the extent that the BLM has the authority to do so" found on page 3-84 (Section 3.14.3.2) needs to be clarified.	This statement merely refers to the fact that the BLM does not have the authority to impose restrictions on non-Bureau landholders within areas found eligible and suitable for WSR designation, nor does it have the authority to usurp legal water rights or trump the requirements of other agencies with authority over certain waterways. The BLM does not believe the statement requires clarification in the document as it already, as written, acknowledges there are limits to BLM's authority with regards to waterways and water-related issues.	No
Draft RMP/EIS	SD159	The majority of the proposed ACECs encompass and isolate parcels of state trust lands. Management prescriptions applied to federal lands can significantly impact the land management goals of the Trust Lands Administration. The presence of trust lands within a designated ACEC can significantly impact the intent of the designation. The state, TLA, and BLM must ensure that any proposal by the BLM providing for restricted use of the public lands does not impact the economic potential of or interfere with TLA's ability to effectively manage its lands. These impacts must be analyzed and a plan of action to mitigate them proposed.	State inholdings may or may not currently have access, depending upon whether or not existing vehicle routes lead to them. Under different alternative scenarios, existing routes may be proposed for closure. The BLM's policy, as required by the Cotter decision (State of Utah v. Andrus, 10/1/79), is that "the State must be allowed access to the State school trust lands so that those lands can be developed in a manner that will provide funds for the common school . . ." This decision confined the issue of access to situations directly involving economic revenues generated for the school trust. The recreation restrictions do not prohibit the State from reasonable access to its lands for economic purposes through separate permit authorization as specified by the Cotter decision. Routes to State sections may not have been identified for recreational purposes due to resource conflicts or	No

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			actual route conditions.	
Draft RMP/EIS	SD160	The vast universe of acronyms and jargon begins to overwhelm the reader of the DRMP when the reader tries to understand the difference between an ACEC, VRM management area and now, a Special Recreation Management Area (SRMA). This is especially true if the reader compares Figures 21 through 24, and immediately notices that ACECs and SRMAs are proposed for the same geographic areas. The DRMP/DEIS does not define the reasons for the proposed SRMAs, nor the functional difference between an ACEC and an SRMA.	Definitions of SRMAs and ACECs are provided in the Glossary. Additional description of SRMAs is provided in Section 3.10.1. Information about the specific SRMAs included in the alternatives can be found in Chapter 3.	No
Draft RMP/EIS	SD161	What does the "integrated activity plan" that would be prepared for each SRMA according to pages 2-51 and 2-52 include besides recreation? Does this plan consider and include other resource uses?	<p>Activity Plans are defined under the BLM Land-use planning Handbook H-1601-1 as:</p> <p>"A type of implementation plan; an activity plan usually describes multiple projects and applies best management practices to meet land-use plan objectives. Examples of activity plans include interdisciplinary management plans, habitat management plans, recreation area management plans, and allotment management plans."</p> <p>This would include SRMAs.</p> <p>Furthermore, H-1601-1 further states:</p> <p>"Upon approval of the land-use plan, subsequent implementation decisions are put into effect by developing implementation (activity-level or</p>	No

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			project-specific) plans. An activity-level plan typically describes multiple projects in detail that will lead to on-the-ground action. These plans traditionally focused on single resource programs (habitat management plans, allotment management plans, recreation management plans, etc.). However, activity-level plans are increasingly interdisciplinary and are focused on multiple resource program areas to reflect the shift to a more watershed-based or landscape-based approach to management. These types of plans are sometimes referred to as "integrated or interdisciplinary plans," "coordinated resource management plans," "landscape management plans," or "ecosystem management plans." A project-specific plan is typically prepared for an individual project or several related projects."	
Draft RMP/EIS	SD162	How does the proposed Brown's Park ACEC differ from the Brown's Park SRMA? What is the specific goal of the SRMA that is not accomplished by the ACEC? Conversely, if the ACEC is not appropriate for the area to address the management needs, what is the need for the SRMA? The State of Utah asks that the BLM respond to these issues for each proposed SRMA/ACEC combination, especially the proposed Nine Mile SRMA.	SRMAs are not special designations but rather are management tools for the maintenance and enhancement of recreational opportunities. ACECs are a special designation and provide for the focusing of special management attention on the maintenance and enhancement of relevant and important resource values that may not be related to recreation, and, therefore, would not be managed under a recreation management plan.	No
Draft RMP/EIS	SD163	The discussion about the proposed Brown's Park SRMA on page 2-52 [of the DEIS] indicates that a portion of the area would be managed for primitive recreation, and closed to "surface-disturbing activities, except for activities that complement recreation values." The reference to "surface-disturbing activities" is unclear and vague. What	See Response to Comment SD14-G-13.  The Utah v. Norton Settlement Agreement does not affect BLM's authority to manage public lands. This Agreement merely remedied confusion by distinguishing between wilderness	No

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		exactly are "surface-disturbing activities"? Movement of livestock? Movement of wildlife? Seismic survey equipment? Cadastral survey equipment? The definition is important as the total management regime proposed by the BLM for this area has strong elements of non-use or non-impairment, including VRM I classification for some portions of the area. It would appear that the BLM is trying to manage this area for non-impairment, in violation of the ruling of <i>Utah v. Norton</i> .	study areas established under FLPMA §603 and those lands required to be managed under §603's non-impairment standard, and other lands that fall within the discretionary FLMPA §202 land management process.	
Draft RMP/EIS	SD164	The discussion of this SRMA on page 2-51 [of the DEIS] indicates the activity plan would focus on maintaining a "frontier mystique of adventure and discovery," which is further defined to mean "unconfined recreation, limited facilities." What does this mean, especially in light of the fact that 90% of the area is leased for oil and gas?	Much of the area encompassed by the Book Cliffs SRMA is/would be leased under timing and controlled surface use stipulations (with standard stipulations also in place) that would provide for development options compatible with the BLM's recreation goals. Portions of the SRMA would also be closed to leasing, including the Winter Ridge WSA and an area designated for primitive recreation opportunities.	No
Draft RMP/EIS	SD165	This SRMA is proposed to be managed for "cultural values and scenic quality." How is this different from the ACEC proposed for the same area?	See comment response SD162 regarding the distinction between SRMAs and ACECs. The cultural values and scenic quality of the area contribute to its recreational appeal and use. These same resources have values beyond recreational use, including scientific, experimental, educational, and traditional value.	No
Draft RMP/EIS	SD166	Alternative A increases the acreage of the Nine Mile SRMA from 44,181 to 81,168. How is this increase justified and why is such a large area necessary?	See Response to Comment SD8-G-9.	No
Draft RMP/EIS	SD167	The White River SRMA (western part) would be managed as no surface occupancy. How is this different from the ACEC proposed for the area? The	A review of Table 2.1.14, Recreation-shows those NSO stipulations are not proposed in direct correlation to the SRMA. Rather, Table 2.1.18	Yes

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		<p>State of Utah has concerns that the establishment of an SRMA outside of the 1/2-mile wide river corridor is inappropriate due to the demonstrated lack of recreational activity beyond the corridor. Why is it necessary outside the river corridor? Is it even necessary to have an SRMA in the area in light of the proposed WSR designation on the west segment of the White River SRMA? How are the proposed WSR and SRMA designations related to each other?</p>	<p>and Chapter 4 of the PRMP/FEIS has been revised to correct and clarify the apparent contradiction. (Special Designations – Areas of Critical Environmental Concern (ACECs)) of the PRMP/FEIS clearly indicates that management of the ACEC would include NSO for the western portion of the area.</p> <p>The SRMA and WSR designations are two separate types of management tools. SRMAs are not special designations but tools for integrated management of recreational opportunities in areas of high recreation use. WSR designations are special designations intended to recognize particular river related values, which may include recreation, that require special management consideration and action.</p> <p>WSR management would only apply to one-quarter mile from center-line on each side of the river. Recreation use occurs outside of this narrow corridor and has therefore the BLM has proposed an SRMA in two alternatives.</p> <p>Also, see comment response SD8-G-9.</p>	
<p>Draft RMP/EIS</p>	<p>SD168</p>	<p>Section 3.14.2.1 on page 3-80 discusses the Coyote Basin ACEC. Black-footed ferrets were released in 1999 under 10j status designation. However, this section is vague on that point. It only mentions ferrets as being raised for release but does not mention that ferrets are already successfully reproducing in the wild. The document fails to</p>	<p>Chapter 3 in the PRMP/FEIS has been revised to clarify 10j status of black-footed ferrets in Coyote Basin.</p>	<p>Yes</p>

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		mention that the UDWR is also cooperating with the Vernal BLM and Utah State University in continuing the research project relating to the recovery of black-footed ferrets.		
Draft RMP/EIS	SD169	Alternative C proposes to identify as suitable a 22-mile reach of Argyle Creek from its headwaters to the Carbon County line. Said reach would be tentatively classified as "Recreational." A reading for the rationale of such a recommendation in Chapter 4, sections 13 and 14 fails to yield any specifics. More information on the values to be protected will be helpful.	More information on the ORVs for Argyle Creek can be found in Appendix C: Wild and Scenic River Eligibility, Suitability, Classification, and Review.	No
Draft RMP/EIS	SO25	The State of Utah is concerned about the inadequacy of baseline data used in the socioeconomic analysis. The BLM Planning Handbook (Appendix D) provides specific areas to be considered when incorporating social science into the planning process. Social science information should include economic, political, cultural and social structure of not only the counties within the VFO, but also the region and the Nation as a whole. The DEIS fails to do this.	This information has been included in the Section 3.12 in the PRMP/FEIS.	Yes
Draft RMP/EIS	SO26	The RMP makes broad statements about the socioeconomic profile of the planning area, broken down into discussions about each of the three counties, however, the draft seems to lack a detailed analysis of the situation on the ground. For instance, in the Socioeconomic section of Chapter 3, the draft includes only two conclusions regarding the region's history, geography, and economics; first, the majority of the planning area sustain a rural/small town lifestyle, second, the counties are economically	Section 3.12 in the PRMP/FEIS has been revised to include the information made in the comment.	Yes

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		dependent on the development of the physical resources within the VFO. According to the BLM Planning Handbook, social values, beliefs, and attitudes; how people interact with the landscape; and sense-of-place issues should also be included. The VFO should elaborate on the socioeconomic baseline for the planning area and review it for inaccuracies.		
Draft RMP/EIS	SO27	The DRMP fails to thoroughly analyze the social and economic impacts of the alternatives. The draft only analyzes the socioeconomic impacts of Lands and Realty, Forage, Minerals, and Recreation and OHV decisions. Additional resource management decisions, however, have the potential to have an impact on state and county economies, specifically special designations. Notably missing is an economic analysis of the lost shared mineral revenue from federal lands that have an economic impact on the community as well as other mineral sharing programs within the state. The development of mineral resources on federal lands and state trust lands would be negatively impacted by overly restrictive management prescriptions imposed by special designations. In its economic impact analysis, the RMP has excluded the significant state and local revenues generated through a variety of taxes paid that would be impacted by special designations.	The PRMP/FEIS has been revised to include further analysis of effects on socioeconomics from proposed management actions of other resources, including special designations.  Please see response to SO3 regarding state trust lands.	Yes
Draft RMP/EIS	SO28	During the scoping process, Uintah County provided the BLM with two studies related to the economic significance of mineral development, specifically oil and gas, in the Uintah Basin. These studies were Economic Impact Analysis of the Drilling and	The PRMP/FEIS has been revised to include the recent State-commissioned study on the impact of the oil and gas industry on the Uintah Basin.	Yes

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		Completion of a Natural Gas Well in the Uintah Basin by the Utah Energy Group and The Uintah Basin Industry Impact Study by Pam Perlich of the University of Utah. The RMP fails to reflect the information contained in these documents. The State of Utah requests that the BLM review these studies and incorporate their findings into the RMP.		
Draft RMP/EIS	SO29	Daggett, Duchesne, and Uintah Counties have estimated that up to 80% of the local economy is dependent directly or indirectly on access to, and utilization and extraction of natural resources on the public lands. The BLM is required by its own Planning Handbook, Section H-1601-H, and IM 2002-167 to assess the degree of local dependence on public land resources, and use this information as part of the decision-making process. The state is concerned that these requirements have not been met within the draft RMP and EIS. This issue should be examined in more detail.	BLM feels that the intent of IM 2002-167 and the Planning Handbook have been implemented. See comment response SO2 regarding these same data sources.  The PRMP/FEIS has been revised to reference to the USU social survey on attitudes of residents on public land management.	Yes
Draft RMP/EIS	SO30	Sections of the socioeconomic impacts analysis are overly generalized to the point that social and economic impacts specific to the planning area are not apparent. For example, in the "Lands and Realty" portion of the "Impacts Common to All" section, long term beneficial effects on the social goals of communities are described by accommodating community growth and development when it is determined that accommodating social goals is in compliance with other goals and objectives of the Proposed RMP. The portion of the plan does not reference specific areas of the DRMP/DEIS where this occurs or direct the reader to any specific management decisions that provide for community	Section 4.12.2.2 has been rewritten in the FEIS, and the BLM believes that this revision addresses the commenter's concerns.	Yes

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		growth. The section is vague and unspecific and should reflect specific management prescriptions in the plan rather than general statements.		
Draft RMP/EIS	SS23	The RMP must recognize all state and local sage-grouse plans as well as the WAFWA guidelines (Connelly et al., 2000). The RMP should discuss the need to cooperate with UDWR in creating conservation agreements and strategies for other state-sensitive wildlife species.	<p>In Table 2.1.21 (Special Status Species) in the PRMP/FEIS, Alternative C proposes to manage the sage grouse under Connelly's Guidelines. Alternative A proposes to manage the sage grouse under the Strategic Management Plan for Sage Grouse (State of Utah, June 2002).</p> <p>In Table 2.1.21 under the subsection entitled Management Actions Common to All Action Alternatives, it states:</p> <p>"BLM will work with UDWR and other partners to implement conservation actions identified in the State Wildlife Action Plan (Comprehensive Wildlife Conservation Strategy) (UDWR, 2005), which identified priority wildlife species and habitats, assessed threats to their survival, and identified long-term conservation action needs (per WO IM 2006-114)."</p>	No
Draft RMP/EIS	SS24	Special status species alternatives begin on page 2-60. Alternative A represents the BLM's Best Management Practices (BMPs) that compare to USFWS guidelines for seasonal and spatial buffers, occupied nest protection, and unoccupied nest protection. The UDWR is concerned that not incorporating these guidelines may contribute to the decline of special status raptor species, including Ferruginous Hawks. A substantial portion of Ferruginous Hawk range in the Uintah Basin is	Table 2.1.21 (Special Status Species) in the PRMP/FEIS provides a range of raptor guidelines for seasonal and spatial buffers, occupied nest protection, and unoccupied nest protection as described in the various alternatives.	No

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		already leased, therefore the three year unoccupied nest protection proposed under alternative B for existing leases may not be adequate to protect Ferruginous Hawk populations. The UDWR received a copy of a letter from the USFWS to the BLM dated October 15, 2003 expressing the same concerns regarding Ferruginous Hawk populations in the Uintah Basin. Any modifications to the spatial and seasonal buffers outlined in the BMPs should only be made after following the three criteria outlines in alternative A, and after consultation with the UDWR and the USFWS.		
Draft RMP/EIS	SS26	The UDWR's Utah Sensitive Species List was revised in February 2005. The BLM should incorporate the new list into the RMP and adopt these species as BLM State Sensitive Species. The RMP should have flexibility in this adoption process, as the states sensitive species list will change periodically.	IM UT-2007-078 updated the Utah BLM State Director's Sensitive Plant and Animal Species Lists as defined in the BLM 6840 Manual (Special Status Species Management).	No
Draft RMP/EIS	SW19	Alternatives A and C indicate "Old fields would be irrigated and existing ditches and diversion structures would be restored on acquired lands in Bitter Creek and Rat Hole Drainages." This wording gives the impression that said lands are not being irrigated at present. If such is the case, and the lands have not been irrigated for five consecutive years, then the underlying water rights may be lost through non-use (See Sec. 73-1-4 UCA). The BLM is advised to review the above referenced section of the law and take appropriate action to confirm the legal status of the underlying water rights.	The review of the status of the water rights of individual users is outside the scope of this document. However, the BLM does review water rights on a regular basis as a matter of ongoing land management.	No
Draft	SW20	The paragraph at the top of page 2-28 states that the	The Bureau has need for water rights for present	Yes

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RMP/EIS		BLM will "Develop additional and maintain existing water rights." We would appreciate more detail and specifics on this statement.	<p>and future use. These may include livestock, wildlife, public use, or conservation.</p> <p>Table 2.1.17 (Soil and Water Resources) of the PRMP/FEIS under the subsection entitled Management Actions Common to All Alternatives has been revised to clarify the statement as follows:</p> <p>"BLM implements multiple types of water uses on public lands that require water rights from the State of Utah, such as livestock watering, wildlife watering and habitat, wild horse watering, recreation facilities, and fire suppression. BLM will continue to implement actions to maintain its current water rights for these purposes, such as filing proofs of beneficial use, filing diligence claims, changing existing water rights to fit new uses and projects, and filing protests as necessary to protect existing BLM water rights. BLM will also file for new water rights in accordance with and when allowed under state water law procedures. Situations in which BLM will file for new water rights include locations where existing water rights are insufficient or not in place to support the water use, or when existing water rights cannot be changed to support the water use on public land. "</p>	
Draft RMP/EIS	SW21	Need enhanced management direction for vegetative resources and watershed values. Lands should be managed to: a) control soil erosion to prevent the soil erosion rate from exceeding the tolerable (T) rate as	The BLM's approach to land management through the RMP is consistent with the general outline provided in the comment.	No

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		<p>determined through USDA/NRCS; b) control runoff loading of dissolved or suspended pollutants; c) enhance management direction for the inventory and protection of riparian areas in accordance with current BLM policy; and d) establish standards for riparian management including: i) width of riparian vegetated buffers which may vary with perennial or intermittent streamflow, cubic feet per second of streamflow, and with adjacent topography; ii) minimum ground cover percentage; iii) recommended standards for summer stream shading, though these will vary with site orientation of the stream and adjacent topography; iv) recommended native vegetative species and varieties to encourage in riparian areas; v) listing of noxious weeds and invasive species and varieties to reduce or exclude from range, forest, or riparian lands; vi) appropriate consideration for water quality concerns related to activities on public lands, including but not limited to, the requirements mandated by the Clean Water Act and the state water classifications in the 303D state water inventories, as well as at-risk water quality due to naturally occurring formations; vii) appropriate conservation or restoration of at-risk watersheds; viii) appropriate management of numerous special status vegetative species in order to prevent additional listings of populations; ix) appropriate management of numerous special status vegetative species and their suitable habitats in order to protect, restore, and/or recover those species or varieties; and x) promoting the provisions of the Safe Drinking Water Act, the Unified Federal Policy for a Watershed</p>	<p>The tables in Chapter 2 of THE PRMP/FEIS outline the BLM's goals, objectives, and management actions common to all alternatives for the resources described in the comment. The reader will find that these goals, objectives, and actions are consistent with the spirit of the comment, if not the specific details.</p>	

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		Approach, and the Colorado River Basis Salinity Control Act.		
Draft RMP/EIS	VE4	The State of Utah strongly requests that the BLM expand its discussion in the EIS allowing for a long-term and aggressive vegetative reclamation program using a wide variety of vegetation treatment tools. The BLM needs to specifically identify some of these tools that are currently omitted in its review of vegetation management in the West (in the DEIS), i.e., use of herbicide for cheatgrass control and chaining for better pinyon-juniper management. Without the use of a full vegetation management toolbox, the BLM will not be able to conduct effective restoration on a scale sufficient to stop or reverse the current rate of sagebrush steppe loss, nor will they be able to provide meaningful mitigation for development. The long-term vegetative reclamation program must be a collaborative effort involving the BLM, livestock operators, the oil and gas industry, and wildlife advocates if it is to be successful.	Table 2.1.23 (Vegetation Resources) of the PRMP/FEIS provides for vegetation treatment (specific to noxious weed control) under all alternatives using fire, mechanical, biological, or chemical means without specifying any individual management tool that would fall under one of these broad categories. This section also refers to management of vegetation in general terms without specifying individual techniques. This provides the BLM the opportunity to select from the entire range of available tools to undertaken vegetation treatments in the most appropriate way for the location and vegetation in question.	No
Draft RMP/EIS	VE5	The EIS should expand the discussion on development of a mitigation bank as discussed between the BLM, Uintah County, the State of Utah (DWR), and industry representatives in order to ensure that this opportunity is maintained as an option.	The concept and implementation of a mitigation bank is completely voluntary. The BLM cannot require lessees and permittees to participate. However, the concepts involved in a successful mitigation-banking program include reclamation or habitat enhancement projects, which are addressed in the RMP.	No
Draft RMP/EIS	VE6	We are concerned that the alternatives for rangeland improvements found on page 2-51 may not allow enough acreage for such improvements to occur, especially since the Vernal District has experienced catastrophic mortality of sagebrush steppe	The acreage figures presented in Table 2.3 (now Table 2.1.12) to which the comment refers are specific to projected rangeland improvements. Vegetation treatments are also included under other resource programs. Table 2.1.23	No

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		communities. The numbers of acres in the Uintah Basin (>200,000 acres) requiring pinyon/juniper removal, sagebrush rehabilitation, and cheatgrass control far exceed the figures presented in each of the alternatives. We encourage the BLM to add flexibility to the RMP to allow for additional rangeland improvement if target acreages are met prior to the next revision of the RMP.	(Vegetation Resources) of the PRMP/FEIS commits to the restoration or rehabilitation of up to 200,000 acres of sagebrush steppe communities under all alternatives. Additionally, the acreages provided within the individual alternatives are projections used for comparison purposes and do not represent absolute caps on the numbers of acres of vegetation that the BLM may treat.	
Draft RMP/EIS	VE7	This paragraph should be changed to read:  "Wyoming and mountain big sagebrush are declining..."  The UDWR recommends adding discussion regarding the recent sagebrush mortality in the RMP.	Section 3.16.1.3 in the PRMP/FEIS has been revised to include the following:  "Wyoming and mountain big sage are declining...Beginning in the late 1990s, drought accelerated the decline which resulted in a sage die-off and die-back. Some areas had sagebrush mortality while others had re-growth on the sagebrush in subsequent years.	Yes
Draft RMP/EIS	VE8	Plateau®, green stripping, and use of non-natives must be considered in Section 3.16.2 for control of invasive species and noxious weeds.	See comment response VE4.	No
Draft RMP/EIS	VI26	We are concerned about the lack of real discussion in the Draft EIS about the management of visual resources. The proposed management prescriptions laid out on page 2-62 do nothing more than indicate the aggregate amount of acreage to be managed in each VRM management class. The management "common to all" discussion on page 2-36 indicates only, in one simple sentence, that the objectives for each specific visual resource management class, outlined in BLM Handbook H-8410-1, and repeated on page J-3, would be implemented.	Table 2.1.24 (Visual Resource Management) of the PRMP/FEIS Section 2.4.16.1 identifies the Goals and Objectives for visual resource management. Section 3.17 provides a discussion of the affected environment regarding visual resources. Section 4.17 provides a discussion of the environmental consequences for visual resources.	No

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Draft RMP/EIS	VI27	We are concerned about the apparent lack of an updated visual inventory. This ties in with the rationale for the "Sensitivity Level Analysis" required by BLM Manual Handbook H-8410-1.III.A. - Factors to Consider. Many of these factors change over time, and a simple rollover of an older inventory would not accurately reflect these adjustments. In addition, the lack of updated inventory information makes interpretation of the differences between the inventory and management classes impossible to determine. The draft RMP needs to fully explain how the visual inventory was accomplished, so that differences in visual management prescriptions proposed in the various Alternatives may be compared to the inventory classes. This indicates to the reader exactly how the VRM management classes are assisting in the resource management goals of each Alternative.	See comment response VI7A.  Some major travel corridors were elevated in their visual sensitivity, (which is one of the criteria in visual sensitivity rating), because of the increase in use and visitation. Two areas were re-inventoried because of both the dramatic increase in oil and gas activity and the perceived increase of both user numbers and attitude perception toward natural landscapes. As a result of the re-inventories, both areas were elevated in VRM rating as seen in Figures 29 and 32 which are reflected in Alternatives A and D respectively.  The alternatives provide a range of VRM classification from which management can select from for the final RMP and the VRM classification within the final RMP will be consistent with general overall management direction.	No
Draft RMP/EIS	VI28	The maps on Figures 29-32 are hard to interpret concerning the VRM management classes, as the figures are not specific enough to determine the exact geographic location of most of the boundary lines. Because of this, the counties cannot determine if the criteria for VRM inventory have been correctly followed, and exactly where, on-the-ground, the BLM proposes to change management from one class to another, except for certain geographical areas which fully correspond to other proposed management designations.	The BLM acknowledges that the scale of Figures 29-32 may not provide sufficient detail to delineate VRM boundary lines for the various classifications; however, electronic files are well defined and provide sufficient detail.	No
Draft RMP/EIS	VI29	The draft RMP purports to discuss the impacts of various resource management decisions on visual	Minerals exploration and development are presently occurring in areas not designated has	No

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		resources, but, in actuality, this discussion is either misleading or circular and non-responsive. As an example of a misleading statement, the discussion of VRM resources on pages 3-117 to 3-118 lays out the management criteria and requirements for the four VRM management classes. The discussion indicates that currently the only areas in the VFO managed as VRM management class I are Wilderness Study Areas, and one WSA equivalent, an Instant Study Area. It continues by stating that minerals exploration and development "is not presently exceeding VRM class objectives" throughout the Vernal Field Office, due to proper visual mitigation methods. Yet on page 4-122 the document indicates that VRM management classes I and II "allow little or no alteration to the line, form, color and texture that characterize the existing landscape," thereby raising the potential for greater impacts to minerals development. On page 4-123, the analysis clearly states that an increase in the number of acres of VRM Classes I and II would lead to a direct decrease in the number of available well locations, thereby leading to less production (and royalties). We ask for clarification of the correct standards for VRM management in the VFO, and that the VFO analyze VRM I and II designations as a possible withdrawal of the mineral resources.	high VRM classes but in areas of lower VRM classification (Class IV to be specific—see Figure 32), where greater levels of visual intrusion are tolerated. Smaller areas are designated as VRM Class III and Class II, wherein slightly higher restrictions on visual alteration exist and visual mitigation measures are used. As such, the DEIS statements referenced in the document are not contradictory. Under Alternatives A and C, changes in VRM classification across the VFO would increase the number of acres under Class I and II designation (with more VRM Class I under Alternative C than A). More of these VRM Class I and II areas would overlap with areas desirable for minerals and energy exploration and development. As such, under these alternatives, there would be greater impacts on minerals and energy development through increased restrictions related to visual resources management.	
Draft RMP/EIS	VI30	We are concerned that the draft RMP is not specific about the sources and goals of many of the special management designations available to it, leading to circular and non-responsive reasoning in the analysis. For example on page 4-284 the impacts analysis for visual resources and special	Table 2.1.18 (Special Designations – Areas of Critical Environmental Concern (ACECs)) of the PRMP/FEIS provides information about the management foci for each proposed ACEC or special designation. Many of these foci, such as controlling noxious weeds, limiting OHV use to	No

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		designations indicates that visual resources will be protected by designation of ACECs and Wild and Scenic River designations. This analysis proceeds under the general presumption that ACECs and WSR segments are "good" for visual resources, but fails to indicate the management prescriptions which actually accomplish this goal.	designated routes, and establishing controlled surface use stipulations on minerals and energy exploration and development would reduce visual intrusions and alteration of the landscape. Such an outcome would be beneficial to the preservation of visual resources. Also, designation under the Wild and Scenic Rivers Act and through the ACEC process confers a level of resource management that protects and preserves the important and relevant values of an area from the potential effects of actions that would otherwise be permitted by the RMP. In general, emphasis is given to protecting the aesthetic, scenic, wildlife, historic, archaeological, unique or distinctive, and/or scientific features of these areas.	
Draft RMP/EIS	VI31	Which designation - ACEC, WSR, SRMA or VRM management - is being proposed for the protection of visual resources? The VRM discussion mentions the others, while the ACEC discussion mentions the use of VRM classifications. This lack of clarity in proposed management prescriptions doesn't meet the requirements of full disclosure under the provisions of NEPA, and doesn't allow us to determine whether or not the BLM is proposing duplicate prescriptions, contrary to the provisions of state law, and the BLM's Manual on designation of ACECs.	Visual resources benefit from a variety of different special management designations, not just VRM classification. While VRM classification is specific to visual resources, ACEC, WSR, and SRMA designation can also consider visual resource values, and the management goals of such designations typically include actions that afford protection to visual resources as an ancillary benefit.  Overlapping of program decisions is not optional for BLM, but is required by the FLPMA, 1976 and National BLM planning and program specific regulations. The FLPMA directed that management of public lands be on the basis of multiple use (Section 102(a) (7)). As a multiple-use agency, the BLM is required to implement laws, regulations and policies for many different	No

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			<p>and often competing land uses and to resolve conflicts and prescribe land uses through its land-use plans. For example, 43 CFR Group 2500 provides guidance and requirements for Disposition; Occupancy and Use of public lands; Group 2800 for Rights-of-way; Group 3400 for Coal Management; Group 6000 for Designated Wilderness, and Group 8200 for Natural History, part 8351 for Wild and Scenic Rivers. Multiple-use management requires a balancing of the mandates for these separate programs.</p> <p>BLM's Land-use planning Handbook requires that specific decisions be made for each resource and use (Appendix C, H-1601-1). The required decisions must be included in each of the alternatives analyzed during development of the RMP. The RMP will include the decisions required for each program.</p> <p>See comment response VI29.</p>	
Draft RMP/EIS	VI32	The counties and State of Utah cannot support any proposed VRM class management specifications that will prevent habitat enhancement, fuels reduction, and prescribed fire activities from occurring in the VFO. The RMP must choose VRM management classes which allow vegetation and habitat treatments that improve wildlife habitat and reduce the likelihood of catastrophic fire events.	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 resolved to the extent practical (FLPMA, Title II Sec. 202 (c)(9)). As a consequence, where State	No

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			<p>and local plans conflict with Federal law there will be an inconsistency that cannot be resolved or reconciled.</p> <p>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. The BLM will identify these conflicts in the FEIS/PRMP, so that the State and local governments have a complete understanding of the impacts of the PRMP on State and local management options. A consistency review of the PRMP with the State and County Master Plans is included in Chapter 5.</p> <p>See also comment response VI1. No VRM classification precludes limited management actions, which may include fuels reductions, prescribed fire, and/or habitat enhancements. VRM Class I and II require that these management activities be conducted in ways that have minimal impact on visual resources over the long term.</p>	
Draft RMP/EIS	VI38	State statute recognizes the need to protect the scenic resources of the state, and suggests that the BLM consider using VRM Class I management only for inventoried Class A scenery, or the equivalent, but also suggests that the BLM balance this type of protection against the needs of the other legitimate	<p>BLM IM-2000-96 (Use of Visual Resource Management Class I Designation in Wilderness Study Areas) states;</p> <p>". . . all WSAs should be classified as Class I, and managed according to VRM Class I</p>	No

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		multiple-uses of the land. BLM Manual H-8410 provides that Inventory Class I should only be assigned to those areas where a management decision has been previously made to maintain a natural landscape.	management objectives until such time as the Congress decides to designate the area as wilderness or release it for other uses. If a WSA is designated as wilderness, the area would continue to be managed as VRM Class I."	
Draft RMP/EIS	VI39	Some of the proposed VRM boundaries follow the boundaries of old Wilderness Inventory Areas (WIAs), causing concern that these provisions for VRM management are substitutes for non-use or non-impairment standards, in contradiction to state law and the case of Utah v. Norton.	<p>See comment response VI1B</p> <p>The BLM is required to apply management prescriptions based upon a balanced consideration of resource values and land use needs. The BLM has done this independently of previous designations within the planning area. It is, however, no surprise that old WIAs were identified for areas with high visual resource values. The BLM cannot ignore these values simply because they fall within areas of former WIAs. Further, the BLM does not manage for non-impairment but for multiple-use and sustainable yield.</p> <p>Finally, the Utah v. Norton Settlement Agreement does not affect BLM's authority to manage public lands. This Agreement merely remedied confusion by distinguishing between wilderness study areas established under FLPMA §603 and those lands required to be managed under §603's non-impairment standard, and other lands that fall within the discretionary FLMPA §202 land management process.</p>	No

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Draft RMP/EIS	VI40	The State of Utah is concerned about the need for VRM Class I management within WSAs. The non-impairment management standards within WSAs is very strict, protecting the wilderness character and characteristics until Congress makes a decision, yet allows for certain activities. The BLM has not demonstrated any need for the VRM classification within the WSAs, and has not analyzed how permitted activities within the WSAs, as limited as they may be, may be affected by the VRM classification. The state requests the BLM identify a real world need for the classification prior to its establishment.	See comment response VI38	No
Draft RMP/EIS	VI41	The proposed stipulation for VRM Class II Management is described on page K-10 within Appendix K. The wording for the proposed stipulation is simply a restatement of the descriptions found in Appendix J, and offers no further clarification to the reader about the BLM's intentions to manage under the VRM Class II designation. The State of Utah is concerned that the wording will constitute a severe restriction on legitimate multiple-use activities, especially in light of the wording on page 4-122; restrictions severe enough to constitute management under non-impairment standards. The state looks forward to working with the BLM and local government to clarify the management prescriptions for VRM II under this proposed stipulation.	See comment response VI1 and VI1E  As stated in Appendix K (now J), the BLM's VRM Class objectives clearly describe the level of disturbances allowed within each VRM Class. Site-specific project-level activities are beyond the scope of the RMP's programmatic EIS. However, site-specific analyses of impacts to and mitigation of scenic quality and the landscape would be conducted through other site-specific NEPA processes and documents.  The commenter should note that oil and gas activities have been performed in VRM II areas. The use of mitigation techniques such as low profile tanks, low gloss matching paints, winding roads, staining disturbed rock cuts, careful placement in relation to the Key Observation Points and other techniques have allowed both	No

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			<p>the construction and production of oil and gas as well as the protection of view sheds.</p> <p>The alternatives provide a range of VRM classification from which management can select from for the final RMP and the VRM classification within the final RMP will be consistent with general overall management direction.</p>	
Draft RMP/EIS	VI42	Appendix K contains a second proposed stipulation concerning the Book Cliffs on page K-10. The stipulation indicates that no surface occupancy or other surface disturbance will be allowed for a distance north of Highway 40 east of the Green River. This area is near Blue Mountain, not really all that close to the Book Cliffs. The state requests clarification of this, and a further description of what "no surface disturbance": means. No livestock? No hiking?	<p>The reason for Blue Mountain being included within the Book Cliffs Planning area is because the boundary for the Book Cliffs Resource Area was defined as those lands both east and south of the Green River. Both "No Surface Disturbance" and "No Surface Occupancy" definitions can be found on in the Glossary.</p> <p>The referenced stipulation is an existing decision from the Book Cliffs RMP, which is the reference to the Book Cliffs. Please note that this stipulation was not carried forward in Alternatives A-C. If carried forward in the final RMP, reference definition of "No Surface Disturbance" in the Glossary.</p>	No
Draft RMP/EIS	VI43	Because a VRM management class is to be established only after a management decision is made, and the VRM proposed management regime lacks significant analysis and a range of alternatives, the State of Utah requests that a review of all detailed VRM analysis and proposed management decisions be undertaken in cooperation with the state and local government before the FEIS/FRMP is completed.	<p>See comment responses VI1F and VI-36 above.</p> <p>The range of alternatives for VRM classification as shown in Table 2.1.24 (Visual Resource Management) of the PRMP/FEIS does provide a sufficient range of options for VRM designation from low proportions of VRM I and II designations under Alternatives B and D (No Action) to high proportions of those same designations under Alternatives A and C.</p>	No

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Draft RMP/EIS	WF70	The RMP does not apply enough focus on meaningful mitigation for habitat loss. The seasonal closures and other stipulations proposed for minerals development are the primary tools used to reduce oil and gas development impacts on wildlife. Without meaningful mitigation, however, these stipulations do not enhance, and may not fully protect the long-term viability of wildlife populations. The alternatives have been modified in regards to raptor management. All alternatives now propose to manage raptors under the August 2006 Best Management Practice for Raptors and Their Associated Habitats in Utah.	The commenter does not provide any additional information on or a definition of what constitutes "meaningful mitigation."	No
Draft RMP/EIS	WF71	The discussion of increases in forage allocations are inconsistently presented in Alternative A for all localities. The State of Utah believes that adequate forage must be provided for wildlife to meet the public's desire for the enjoyment of wildlife species.	The commenter does not indicate what the inconsistencies are. As such, the BLM is unable to address this comment. See Table 2.1.6 (Forage All Localities) of the PRMP/FEIS.	No
Draft RMP/EIS	WF72	The final RMP should adopt the Utah Strategic Management Plan for Sage-Grouse in conjunction with a full set of mitigation tools and habitat improvement techniques. Application of site-specific modifications to these guidelines should only be made with the full concurrence of the UDWR. Additionally, sage-grouse mitigation and stipulations should be consistent with the current draft BLM Sage-Grouse Conservation Strategy. The final RMP must provide for adoption and implementation of an approved local sage-grouse conservation plan and strategy, currently being prepared by USU Wildlife Extension, local landowners, industry, governments, and agencies. Provisions should be made within the RMP for the adoption of future revisions of approved	<p>The management actions for protection of sage grouse were based on the State of Utah Strategic Management Plan for Sage Grouse (Alternatives A and B), and Connelly's Guidelines to Manage Greater Sage Grouse Populations and their Habitats (Section 4.15.2.5).</p> <p>In addition, Table 2.1.21 (Special Status Species) of the PRMP/FEIS states:</p> <p>"BLM would continue to work with USFWS and others to ensure that plans and agreements are updated as necessary to reflect the latest scientific data."</p>	No

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		guidelines, strategies, stipulations, and plans as they become available.	Table 2.1.21 further states:  "Section 2.4.13.4.2.2 states that "In collaboration with the USFWS, DWR, and other partners, develop habitat management plans or conservation strategies for sensitive species."	
Draft RMP/EIS	WF73	The draft RMP does not contain any stipulations or mitigation measures to protect or enhance sage-grouse brooding and winter habitats in the planning area as outlined in the Utah Strategic Management Plan for Sage-Grouse. These guidelines should be incorporated, where appropriate, in all alternatives and practices including grazing, vegetation treatments, fire management, and oil and gas development.	See comment response WF72.	No
Draft RMP/EIS	WF75	The State of Utah requests that the proposals to limit to surface disturbance to 560 acres per township within critical/crucial deer winter range be kept open for further discussion.	Section 4.3.2.11.3 in the PRMP/FEIS (Alternative C) includes the 560 acres surface disturbance proposal as part of the range of alternatives.	No
Draft RMP/EIS	WF76	In areas such as the Book Cliffs, where summer range is a limiting factor for mule deer, impacts and disturbances to the range should be minimized or mitigated in the same manner as winter ranges.	The commenter does not provide any additional information or explanation to substantiate the assertion regarding mule deer summer range.	No
Draft RMP/EIS	WF77	The UDWR is concerned that several plans, guidelines, assessments, and databases used in development of the RMP EIS were omitted, used in outdated form, or not fully integrated into the draft. The latest version of the UDWR's critical/crucial	BLM has adopted the current Utah Sensitive Species List under authority of IM UT 2007-078. In order to keep current with the latest guidance that is developed during the Final EIS process and after the ROD is signed, the BLM has	No

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		<p>wildlife distribution maps should be used, with reference to adoption of future updates as they become available. Resource assessments completed by either the UDWR or the BLM not referenced in the document include 2002 range trend studies, sage-grouse habitat delineation, raptor nest distribution and occupancy, and mule deer winter range delineation in the Book Cliffs. Additional wildlife and habitat plans produced by the UDWR, which should be referenced, include: the current Utah Sensitive Species List, wildlife management area habitat management plans, and game species management plans (deer, elk, bighorn sheep, bear, cougar). Interagency plans which are completed or in draft form and should be referenced include the following sensitive species conservation plans and strategies: Conservation Agreement and Strategy for Colorado River Cutthroat Trout (<i>Oncorhynchus clarki pleuriticus</i>) in the State of Utah, the Range-wide Conservation Agreement for Roundtail Chub (<i>Gila robusta</i>), Bluehead Sucker (<i>Catostomus discobolus</i>), and Flannelmouth Sucker (<i>Catostomus latipinnis</i>), Utah Strategic Management Plan for Sage-Grouse, 2002, Guidelines to Manage Sage-Grouse and their Habitats, and Utah Partners-in-Flight Avian Conservation Strategy.</p>	<p>incorporated several statements in Management Common to All under Special Status Species and Wildlife that allow for consideration of new information. They are as follows:</p> <ol style="list-style-type: none"> <li>1) Implement the specific goals and objectives of recovery plans, conservation agreements and strategies, and approved activity level plans. BLM would continue to work with USFWS and others to ensure that plans and agreements are updated as necessary to reflect the latest scientific data.</li> <li>2) BLM would continue to implement the specific goals and objectives of all recovery plans, conservation plans and strategies, and activity level plans.</li> <li>3) BLM would continue to work with USFWS and others to ensure that plans and agreements are updated as necessary to reflect the latest scientific data. Recovery plans have been finalized for Uinta Basin hookless cactus, shrubby reed–mustard, and clay reed-mustard. A draft plan is being developed by the USFWS for Ute ladies' tresses. A Conservation Plan has been prepared for <i>Astragalus equisolensis</i>, <i>Penstemon goodrichii</i>, <i>Penstemon grahamii</i> and <i>Penstemon scariosus</i> var. <i>albifluvis</i>.</li> <li>4) Where special status plant species, including listed T&amp;E plant species, occur on public lands in the planning area, BLM would collaborate with</li> </ol>	

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			affected local, state, and federal agencies and researchers in the implementation of approved recovery plans and conservation strategies to protect, stabilize, and recover such species and their habitats. In addition to on-the-ground actions, strategies would be developed to provide public education on species at-risk, significance of the species to the human and biological communities, and reasons for protective measures that would be applied to the lands involved. Continue or develop monitoring studies in order to determine population dynamics and trends.	
Draft RMP/EIS	WF78	Within the "Actions Common to All" section of the RMP EIS, the BLM should commit to implementation of goals and objectives of all current and future approved recovery and conservation plans, strategies, and activities. Future approved research or study results and species/habitat distribution coverages should automatically be updated for planning and action decisions. Failure to do so will diminish the quality of resource decisions based on old or less-than-accurate data.	See comment response WF77.	No
Draft RMP/EIS	WF79	The UDWR urges the BLM to fully implement BLM Manual 6840 "to conserve listed species and the ecosystems on which they depend" and "to ensure that actions requiring authorization or approval by the Bureau of Land Management...are consistent with the conservation needs of special status species and do not contribute to the need to list any special status species...." Application of accepted guidelines and meaningful mitigation and stipulations are	Table 2.1.26 (Wildlife and Fisheries Resources) under the subsection entitled Management Actions Common to All Alternatives states:  "Manage habitat to prevent the need for additional listing of species under the ESA and contribute to the recovery of those species already listed."	No

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		necessary to meet the stated goals of the Manual.		
Draft RMP/EIS	WF79A	The UDWR urges the BLM to incorporate the most current Utah Sensitive Species List, as approved by the Utah Wildlife Board, in development of current and future lists of special status species.	BLM has adopted the current Utah Sensitive Species List under authority of IM UT 2007-078.	No
Draft RMP/EIS	WF81	Wildlife and fisheries actions common to all alternatives begin on page 2-36. The UDWR is in agreement that mitigation banking should be used as a method to compensate for habitat loss due to surface-disturbing activities. The UDWR views an effective banking system as a way to ensure that meaningful mitigation is completed.	See comment response WF10.	No
Draft RMP/EIS	WF82	Reintroductions are discussed on page 2-38. The State of Utah maintains legal authority for wildlife management within the State. The UDWR collects public and intergovernmental comment on wildlife management, including species introductions, through a Regional Advisory Council process. Through this process, transplant lists and herd management plans for several species have been created with input from the public and interested parties.	See comment response WF18A.	No
Draft RMP/EIS	WF82A	As such, UDWR requests that BLM remove paragraph 3 on page 2-38 which states: "After analysis, reintroductions would be made in areas where they do not conflict with livestock or where such conflicts would not be avoided, coordination with permittees would be required," as this is not a BLM prerogative. The state will make these analyses as part of its public review process for reintroductions.	The BLM declines to make the suggested wording changes for a variety of reasons including but not limited to, the following: The BLM does not find the suggested changes necessary or appropriate. The suggested wording change does not substantively contribute to or clarify the discussion. The commenter did not provide any rationale why	No

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			the suggested change is necessary or how the current data and analysis is incorrect. The suggested change expressed personal opinions or preferences. The suggested change had little relevance to the adequacy or accuracy of the RMP/FEIS.	
Draft RMP/EIS	WF83	The UDWR supports the decision to continue to allow placement of bear bait on public land through a permit process. Baiting is a legitimate hunting method for archery bear hunts. The UDWR requires notification from bear hunters of bait station locations for law enforcement and compliance purposes.	Table 2.1.26 (Wildlife and Fisheries Resources) of the PRMP/FEIS under the subsection entitled Mountain Lion and Black Bear states:  "Placement of bear bait on public land would require a permit."  Any bear bait permit would be issued through the UDWR.	No
Draft RMP/EIS	WF85	The UDWR supports migration and reintroduction of bighorn sheep, bison, and moose in defined areas in the VFO. The UDWR has a legal role in managing wildlife populations, hunting, and fishing in Utah. The UDWR has a public process that allows for public comment on wildlife management activities in Utah. The UDWR encourages the BLM to clarify and define the "Southern Book Cliffs" under the bison reintroduction alternative. The UDWR encourages the BLM to define the bison reintroduction area to be the same as the Book Cliffs Bitter Creek/Little Creek sub-units (Unit 10 a,b).	See comment response WF19.	No
Draft RMP/EIS	WF86	Chapter 3, specifically the special status species and wildlife sections, does not contain detailed information of local populations within the planning area. The UDWR, BLM, and other cooperators have	See comment response WF77.	No

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		numerous inventories and publications that offer information on wildlife populations. These documents should be discussed, referenced, and cited in the RMP. The UDWR recommends this chapter incorporate further analysis of current populations and management.		
Draft RMP/EIS	WF87	The fish and wildlife resources section 3.19 begins on page 3-123. Multiple tables within this section confuse the herd unit numbers for Bonanza and Diamond Mountain sub-units. The Bonanza sub-unit number is 9d and Diamond Mountain is 9c. This discrepancy should be changed in Tables 3.19.1, 3.19.3, and 3.19.5. In addition, Table 3.19.2 appears to be incomplete for mule deer habitat in the VPA.	Table 3.19.2 in the PRMP/FEIS text has been revised to correct and clarify the herd unit numbers and to complete the description of mule deer habitat.	Yes
Draft RMP/EIS	WF88	Table 3.19.3 outlines management goals for mule deer. Some of the population objectives and buck-to-doe ratios are incorrect. The combined mule deer population objective for the South Slope Vernal, Diamond, and Bonanza sub-units is 13,000. The buck-to-doe ratio for South Slope Diamond Mountain (9c) and Book Cliffs Bitter Creek and Little Creek (10a) is 25-30:100. Table 3.19.5 outlines management goals for elk in the VPA. The listed bull age ratios are incorrect. The North Slope (Summit and West Daggett), North Slope Three Corners, South Slope Yellowstone, South Slope Vernal, and South Slope Bonanza sub-units are managed for 50% of bulls 2½ years or older. The South Slope Diamond sub-unit (9c) is managed for bulls 3-4 years old. The Book Cliffs (Bitter Creek and Little Creek) and Nine Mile Anthro sub-units are managed for 5-6 year old bulls. Utah's statewide herd management plans for mule deer, elk, and other species should be	Table 3.19.3 used 2002 goals for purposes of analysis of the Draft RMP. Updated goals may be found at the UDWR web site. The PRMP/FEIS text has been revised to correct the errors.	Yes

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		referenced and discussed in section 3.19.		
Draft RMP/EIS	WF89	Section 3.19.1.3 discusses pronghorn in the VPA. This section displays population estimates for several herd units. The data referenced are not population estimates, but rather annual trend count numbers. These numbers are used for population trend and do not reflect population sizes. The section does not offer trend count data for the Book Cliffs and Nine Mile pronghorn herd units. Trend data for these units can be obtained by contacting the UDWR Vernal office at 435-781-6707.	Section 3.19.1.3 in the PRMP/FEIS text has been revised, and trend count data added to the section.	Yes
Draft RMP/EIS	WF90	Bighorn sheep are discussed on page 3-127. The UDWR is unaware of any large bighorn sheep populations in the Nine-Mile Canyon area. The UDWR manages bighorn sheep populations in Desolation Canyon and on Range Creek, both of which are outside the VFO. The Ute Tribe has bighorn sheep populations in Desolation Canyon and in Hill Creek.	Section 3.19.1.4 in the PRMP/FEIS text has been revised to remove the reference to a sheep population within Nine-Mile Canyon. Bighorn sheep are in the UDWR Nine Mile Unit (#11), which is outside of the VPA.	Yes
Draft RMP/EIS	WF91	Moose populations are outlined in section 3.19.1.5. This section does not mention that moose populations also occur in the North Slope wildlife management unit and does not offer population estimates for that unit.	Section 3.19.1.5 in the PRMP/FEIS has been revised to include moose population information for the North Slope wildlife management unit.	Yes
Draft RMP/EIS	WF92	Section 3.19.1.10 should include Brown's Park and Mallard Springs WMAs as additional important waterfowl and shorebird areas in the VFO.	Section 3.19.1.10 in the EIS text has been revised to include these areas as important to waterfowl.	Yes
Draft RMP/EIS	WF93	Desert and mountain cottontails should be removed from section 3.19.1.12. Cottontail rabbits are managed by the UDWR as upland game species.	The PRMP/FEIS has been revised to move the cottontail information from Section 3.19.1.12 (Non-Game Species) to Section 3.19.1.9 (Upland Species).	Yes

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Draft RMP/EIS	WF94	Page 3-133 outlines habitat fragmentation concerns. The section cites a study on mule deer conducted in the Book Cliffs. This study was a four-year inventory (1998-2002), rather than two years as listed in the RMP. The UDWR initially recommended the study continue for five total years, however sufficient data were collected by the fourth year to meet the study objective. More information on fragmentation of mule deer habitat can be found in the study "Mule Deer Conservation: Issues and Management Strategies" by Vos, Conover, and Headrick (2003).	Section 4.19.2 in the PRMP/FEIS has been revised to show that the inventory length was four years.	Yes
Draft RMP/EIS	WF95	The RMP must develop stipulations and mitigation strategies designed to minimize potential impacts to wildlife, yet allow other resource uses to proceed. No mitigation or other stipulations are presented under alternative A in section 4.19.2.3.1. Mitigation strategies not presented in the document have been developed for several species including mule deer, elk, pronghorn, Greater Sage-grouse, bighorn sheep, white-tailed prairie dogs, Mountain Plovers, Burrowing Owls, and black-footed ferrets. These should be presented and further developed to include each of the species listed in sections 4.15 and 4.19.	Stipulations for surface-disturbing activities relative to wildlife and special status species are outlined in Appendix K. Spatial buffers and seasonal mitigation for special status raptor species are outlined in Appendix A. Specific mitigation measures for wildlife and special status species also are developed at the project level, when the particular species involved and the nature of the potential impacts are known.  Please also see comment response WF77.	No
Draft RMP/EIS	WF96	Section 4.19 on page 4-305 should include an additional impact of grazing management decisions on wildlife. Livestock grazing in critical big game winter ranges, riparian areas, and sage-grouse areas has the potential to impact wildlife by changing vegetation composition and structure. These impacts are real and should be analyzed in the RMP.	Section 4.19 in the PRMP/FEIS has been revised to include an analysis of the impacts of livestock and grazing management actions on wildlife.	Yes
Draft	WF97	The RMP confuses UDWR GIS data and Utah GAP	Sections 4.19.2.5.2.1 and 4.19.2.5.2.2 in the	Yes

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RMP/EIS		Analysis data in section 4.19.2.5.2.1 on page 4-314 and in section 4.19.2.5.2.2 on page 4-316. Utah State University developed GAP Analysis projected habitat occurrence data for several wildlife species during the mid-1990s. The UDWR GIS database includes, in part, habitat value designations as well as season of use designations for big game and other managed wildlife species	PRMP/FEIS text have been revised to clarify the use of UDWR GIS data and Utah GAP analysis data.	
Draft RMP/EIS	WF98	The UDWR recommends that the RMP further address cumulative impacts in both the special status species section (4.22.9) and the wildlife and fisheries section (4.22.12). The RMP should provide more information regarding past activities and projected future activities in the Uintah Basin and the combined impacts these actions may have on wildlife populations.	Sections 4.22.10 (special status species) and 4.22.12 (wildlife and fisheries) in the PRMP/FEIS have been revised to provide more information on cumulative effects.	Yes
Draft RMP/EIS	WF99	The UDWR notes that the sage-grouse lek buffers subject to timing and controlled use on figure 11, figure 12, and figure 13 may be incorrect. USU completed a resource assessment for BLM and documented leks, winter use areas, and other grouse observations. The data displayed on figure 11 appear to represent all data points USU collected, many of which are not actual lek locations. This discrepancy occurred on the sage-grouse lek map BLM had in the administrative draft RMP and appears not to have been corrected. The UDWR maintains the most up-to-date database for sage-grouse leks and those data should be used for the RMP.	Figures 11-13 in the PRMP/FEIS have been revised to correct sage grouse lek buffers.	Yes
Draft RMP/EIS	WF100	Placement of Rocky Mountain bighorn sheep in the White River drainage would cause undue conflict	BLM management decisions do not apply to state trust lands.	No

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		with domestic sheep operations and would be harmful to the bighorn sheep. If domestic sheep were prohibited from the area to accommodate the bighorn sheep, TLA would lose a revenue source. Since cattle would not be an appropriate livestock kind for most of these allotments, a switch in livestock kind would not be available to make up for the loss. Compensation may be required if this occurs.		
Draft RMP/EIS	WH28	The analysis of wild horse impacts on wildlife and fisheries on page 4-324 is incomplete and does not address long-term impacts by wild horses on sagebrush steppe vegetation communities and existing riparian areas. The Utah DWR indicates that significant overgrazing of browse (needed by mule deer) occurs annually, especially around water collection ponds, in other areas of wild horse herds. Estimates of the effects of the Ute Tribal wild horses in Agency Draw indicate that a minimum of a 0.5-mile radius on browse damage can be seen around watering sites	The potential impacts of wild horse management decisions on vegetation are analyzed in Section 4.16.2.14.  The analysis of potential impacts of wild horse management decisions on wildlife contained in Section 4.19.2.13 has been expanded for the PRMP/FEIS.	Yes
Draft RMP/EIS	WH29	No analysis is included in the DEIS of the impacts of wild horse trespass on state lands adjacent to Winter Ridge.	The BLM is unaware of trespass issues on State lands, so an analysis of this potential impact was not included in the DEIS. See also comment response WH9.	No
Draft RMP/EIS	WH30	The State of Utah (DWR) has documented three sage grouse leks on Winter Ridge, although no birds have been noted there for the last few years. It is inconsistent for the BLM, a major player in the local Sage Grouse Working Group, to be a proponent of restoring sage grouse habitat to prevent a listing, while at the same time considering a decision that	See comment response WH17.	No

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		might establish a wild horse herd in an area with three historic lek sites.		
Draft RMP/EIS	WH31	State of Utah (DWR) biologists have documented heavy summer and winter use of Winter Ridge by elk. This use has created competition for forage between the elk and the livestock permittee. This impacts of wild horses on available forage in light of this existing competition needs to be analyzed further in the DEIS.	Analysis of impacts from competition for forage between elk, livestock, and wild horses has been added in the PRMP/FEIS.	Yes
Draft RMP/EIS	WH32	The potential riparian damage caused by wild horses and its impact on the Colorado River Cutthroat Trout Recovery Program for Meadow Creek and the headwater streams in upper Willow Creek has not been sufficiently analyzed in the DEIS.	The potential impacts of wild horse management decisions on riparian areas are outlined in Section 4.11.2.2. The potential impacts of wild horse management decisions on special status species is provided in Sections 4.15.1.2 and 4.15.2.2, as part of forage allocations. The potential impact of wild horse management decisions on soil and water resources is contained in Section 4.13.1.3. The commenter does not identify what is insufficient about the analysis in question.	No
Draft RMP/EIS	WH33	The proposal to establish a wild horse herd of between 50 and 100 animals on Winter Ridge may countermand the previously agreed upon and funded efforts of the State of Utah, SITLA, and BLM to improve sage grouse habitat there in order to prevent listing of the grouse.	See comment response WH17.	No
Draft RMP/EIS	WH34	The Wild Horses and Burros Section 3.18 presents information regarding the Hill Creek Southeast/Agency Draw HMA on page 3-121. The UDWR believes the RMP should note that horses freely roam outside the HMA in the Buck Canyon/Bates Knolls vicinity. Wild horse use has	The BLM has taken action to prevent wild horses from moving up Buck Canyon to the Bates Knolls area. The fence has been built; however, the BLM is waiting for Uintah County to install the cattleguard.	No

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		negatively impacted range conditions on UDWR lands in and near Chimney Rock and on Willow Creek. The RMP should also note that wild horse use on Winter Ridge and Bonanza has impacted range conditions in sage-grouse habitat.		
Draft RMP/EIS	WT1	With respect to Woodlands, it was a little difficult to follow the logic regarding the link between SRMAs and woodland benefit in Table 2.5. Perhaps very brief mention of SRMAs in Section 2.4.19.2, Management Common to All would help.	Table 2.5 of the Draft RMP has been deleted from the PRMP/FEIS. More detailed information about the link between special designations (including SRMAs) and woodland impacts are provided in Sections 4.20.2.4 and 4.20.2.6 of the PRMP/FEIS.	No
Draft RMP/EIS	WT2	Woodlands and Forest Lands should be managed to control soil erosion to prevent the soil erosion rate from exceeding the tolerable (T) rate as determined through USDA/NRCS. Resources should be managed such that T is not exceeded on vegetated forest lands nor from roadways or road cuts, or from riparian areas within forested lands.	The BLM is planning management of Pinyon/Juniper forested lands through firewood sales, thinning and fire to decrease canopy cover, and increase shrub and herbaceous cover to reduce erosion at levels of tolerable (T) or below. Ponderosa and Douglas Fir areas will be managed for diversity and cover and will get prescriptions for change if erosion becomes a problem. Roads and road cuts will always be a site where (T) will be exceeded during high rain events. Where sedimentation is identified to be a problem, conservation measures will be applied.	No
WSA Supp.	1 AQ	The state encourages the BLM Vernal Field Office to impose these emissions standards as lease conditions for all new and relocated engines, and as conditions of approval for all new APDs. These standards would positively impact air quality, facilitate continued action, and would be consistent with neighboring state jurisdictions.	The BLM will consider incorporating these items as COAs. However, the state air quality agency is the authority for setting emissions standards in Utah. BLM can not unilaterally impose emissions limits on any source without the permission and cooperation of the UDAQ.	No

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WSA Supp.	2 WSR	<p>The state is also concerned about suitability findings for those streams where there are significant water diversions upstream of the subject reach, most of which are for irrigation. This is particularly true for the Green and White river drainages. While federal reserved water rights are traditionally not asserted prior to designation, those stream reaches found suitable are managed as if they were designated. This "managed-as-if-designated" approach has the unfortunate and inaccurate potential to cause managers to believe a de facto federal reserved water right exists for those reaches, and thereby to impact the future management and utilization of valid existing water rights above, below and even within, the reaches. The state strongly believes that the suitability determination phase is the proper time to begin negotiations concerning the extent of any future federal reserved water rights, and requests the BLM to do so as the Final Vernal RMP is prepared. As a minimum, the State Engineer requests the BLM catalog all valid, existing water rights which may be affected by designation as part of the Final EIS.</p>	<p>According to the "Wild and Scenic River Review in the State of Utah Process and Criteria for Interagency Use" (July 1996), Congress has allowed for the existence of some human modification of a riverway, the presence of impoundments or major dams above or below a segment under review (including those that may regulate the flow regime through the segment). The existence of minor dams, diversion structures, and rip-rap within the segment shall not by themselves render a reach ineligible. Barring congressional action, there is no effect on water rights or in-stream flows related to suitability findings made in a land-use plan decision. Even if Congress were to designate rivers into the National Wild and Scenic Rivers System, any such designation would have no effect on existing water rights. Section 13(b) of the Wild and Scenic River Act states that jurisdiction over waters is determined by established principles of law. In Utah, the State has jurisdiction over water. Although the Wild and Scenic Rivers Act implies a Federal reserved water right for designated rivers, it does not require or specify any amount, and as noted above, confirms that Utah has jurisdiction over water rights. The BLM would be required to adjudicate the water right, in the same manner as any other entity, by application through State processes. Thus, for congressionally designated rivers, the BLM may assert a Federal reserved water right for appurtenant and unappropriated water with a priority date as of the date of designation (junior to all existing rights), but only in</p>	No

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				<p>the minimum amount necessary to fulfill the primary purpose of the reservation.</p> <p>Based on the information given in this response, the BLM declines to provide the requested catalog of affected valid existing water rights, as the federal water right would be junior to the valid existing rights, and therefore have no affect on them.</p>	
WSA Supp.	3	GRA	<p>For these reasons, the state is extremely concerned about the tenor and content of statements in the Supplement which assert that grazing and wildlife are not mutually beneficial, and that elimination of grazing will automatically improve rangeland health. For example, within the discussion for Forage on pages 2-5 to 2-7, BLM proposes that, in the event of a loss of forage or a demonstrated conflict between livestock and wildlife, livestock numbers would be reduced. Similarly, the discussion of impacts on pages 4-31 to 4-32 indicates that "forage production would likely increase...resulting in creased feed...and an improvement in rangeland health," through a reduction in grazing AUMs. Further, on page 4-91, the Supplement states that "grazing is a threat to all listed and most sensitive species." The state opposes the implication, contained within these statements, that wildlife are, a priori, better for the health of the range than a proper, balanced program of grazing by livestock and use by wildlife. These statements contravene the principles mentioned above.</p>	<p>The sections cited do not imply that wildlife is, a priori, better than livestock. The different alternatives present a range of forage allocations between livestock and wildlife if adjustments in AUMs are made.</p>	No

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WSA Supp.	4 WL	On a related note, the state believes the BLM should only employ the term "critical habitat" when referring to the legal habitat designations for endangered and threatened species under the Endangered Species Act. The state requests that the BLM use the "crucial habitat" designations mapped by the Division of Wildlife Resources solely as descriptive wildlife habitat designations, not as automatic exclusion zones for other multiple uses.	Chapter 1 of the PRMP/FEIS provides a discussion of the terms "critical" vs. "crucial" habitat.	No
WSA Supp.	6 WC	The state does not believe that BLM has the authority to create a category of management based solely on the characteristics of wilderness. The characteristics of wilderness, or their constituent elements, were first recognized by the Wilderness Act of 1964 and passed to the BLM within the provisions of Section 603 of the Federal Land Policy and Management Act of 1976. The authority within Section 603 has now expired b its own terms. The state recognizes that recent court decisions have affirmed BLM's information about these characteristics in its documents prepared under the National Environmental Policy Act.	Please see Response to ID No. G-144-Comment 10.	No
WSA Supp.	7 PRP	The state cautions BLM against an overly broad reading of these decisions. Management authority must be derived solely from the specific provisions of the Federal Land Policy and Management Act, (e.g. Areas of Critical Environmental Concern) or other specific federal legislation, and it is incumbent upon the BLM to carefully define its detailed legal rationale and reasoning for its proposed management policies, provisions and categories.	See comment response 154-B-6.	No

Table 5.12a. Public Comments and Responses: State of Utah

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
WSA Supp.	8 WC	Thus, the state asks BLM to provide a detailed explanation of the rationale and authority for management of lands solely because of wilderness characteristics, and why such management does not circumvent the provisions of the statutorily required wilderness review process.	Please see Response to ID No. G-174-Comment 3	No
WSA Supp.	10 CCR	As more specifically set forth below, SITLA believes that the Supplement fails to address adequately these two major issues: the impact of BLM management decisions on state trust lands, and the need for a substantially more robust program for land tenure adjustments between the BLM and the State of Utah. BLM has an obligation to include in its planning an effective and timely means of addressing the impact of federal land actions on in-held state trust lands.	The Supplement, along with the Draft RMP, constitutes the complete DRMP. Impacts of BLM decisions on state trust lands are discussed in Section 4.12 (Socioeconomics). Section 4.6.1.1 of the Draft RMP provides a thorough discussion of land tenure adjustments between the BLM and the State of Utah.	No
WSA Supp.	12 WL	The inability to implement habitat restoration projects on BLM lands with wilderness characteristics would impede the UPCD's ability to restore and maintain healthy watersheds.	Habitat restoration projects will be able to occur on non-WSA lands with wilderness characteristics. BLM has provided in the Proposed RMP/Final EIS in Table 2.1.10, the following management direction: "When compatible with the goals and objectives for management of non-WSA lands with wilderness characteristics: Permit vegetation and fuel treatments using prescribed fire, mechanical and chemical treatments, and other actions compatible with the Healthy Lands Initiative (HLI).	No
WSA Supp.	13 REC	Red Mountain/Sand Pockets: This area is shown as being closed to OHV use, yet the document acknowledges the designated Red Mountain Trail. Also, there are several trails in the Sand Pockets area that are heavily used and may someday soon be connected to Steinke State Park. We recommend this	Within the Range of Alternatives the Sand Pockets area would be Open, Limited, or closed, and therefore evaluates the area as "limited". (See Alternative B, Figure 26.)	No

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		area be reclassified as "limited" rather than "closed".		
WSA Supp.	14 REC	Nine Mile: There is an existing road that constitutes the north boundary of the southern portion of the Desolation Non WSA lands with wilderness characteristics area. This road continues east and south across Nine Mile Creek and the proceeds west into Carbon County to Horse Bench. This is a portion of an existing loop trail that is highly prized by OHV users. The Price Field Office's Draft RMP has their portion of this trail open to motorized use. We think the Vernal part of this trail should remain open to preserve continuity between the plans. Also, it is noted on this map that the route up Frank Canyon has been left open for motorized travel as part of this trail.	The Vernal Field office will work closely with the Price field office where possible to resolve concerns dealing with a comprehensive travel management plan.  Site specific NEPA will be required for proposed trails/routes.  The Comprehensive travel management plan for the VPA will be completed within 1-5 years of the Record of Decision, and is therefore beyond the scope of this document.	No
WSA Supp.	15 WC	Each determination of wilderness characteristics notes that the VFO "determined appropriate setback distances for pipelines, roads, and other ROWs." Other Field Offices did not adopt this approach. Please explain the difference in approaches. With respect to setbacks, some but not all non-WSA areas identified as possessing wilderness characteristics were reduced in size because of buffers. Compare Diamond Mountain and Daniels Canyon. Please clarify if all proposed areas were treated similarly, and if not, why different treatment was appropriate.	As protocol for all VFO wilderness characteristic reviews, the Interdisciplinary Team determined appropriate set-back distances for pipelines, roads, and other R-O-Ws. The VFO cannot speak for other office approaches. All areas were treated similarly.	No
WSA Supp.	16 WC	Where these analysis areas depend on the monument for satisfaction of the 5,000 acre criteria, the existence of a fence appears to detract from wilderness values. Please explain what kind of fence separates the Monument from adjacent BLM lands and why the	A Vernal Field Office Interdisciplinary Team reviewed the Non-WSA areas including Human-made disturbances, such as fencing. Where it was determined that the Human-made disturbances were substantially unnoticeable and did not	No

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		existence of this fence does not compromise values dependant on adjacency.	diminished the naturalness of the area, the areas were then determined to have wilderness characteristics.	
WSA Supp.	17 AA	Please clarify which area were excluded, why, and how the features or activities that contradict wilderness character would impact "outstanding opportunities for solitude or a primitive and unconfined type of recreation" on adjacent lands.	The Proposed RMP column in Table 2.1.10 as well as Section 4.22 in the PRMP/EIS clarifies which non-WSA lands with wilderness characteristics were brought forward. The rationale for the decision will be addressed in the FEIS/Record of Decision.	No
WSA Supp.	18 AA	The review form does not identify any areas as having wilderness characteristics, but the attached map and Box 3.b. do. Please either substantiate any inference from the map that wilderness characteristics exist, or revise the map to indicate that no wilderness characteristics exist.	Page 2-21 of the Supplement to the Draft RMP clearly identifies the non-WSA lands with wilderness characteristics that are analyzed as under Alternative E.	No
WSA Supp.	19 AA	The review form indicates that a juniper removal project is scheduled for 2007. Please clarify how this will be undertaken to avoid interfering with the appearance of naturalness within the treatment area.	See comment response 151-O-4.  Any potential surface-disturbing proposals will require site-specific NEPA analysis and documentation.	No
WSA Supp.	20 AA	The map shows numerous routes in sections 27-28 and 33-35 of T3N, R24E. Please discuss these routes and the extent to which they compromise the appearance of naturalness or "outstanding opportunities for solitude or a primitive and unconfined type of recreation".	The RMP is a programmatic document that considers management decisions and impacts analyses on a landscape level, not a site-specific level.	No
WSA Supp.	21 AA	It is difficult to distinguish external nominations from BLM internal nominations. The inability to distinguish areas complicated any attempt to evaluate VFO's analysis. Please be more specific regarding nomination areas and the location of features within	All of the non-WSA lands with wilderness characteristics are external nominations. Locations for these lands are analyzed in Alternative E and are clearly portrayed in Figure 20.	No

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		these areas.		
WSA Supp.	22 AA	Cherry stemming roads that are "regularly used by trucks hauling water from the White River for oil and gas exploration and development" would not appear sufficient to protect "outstanding opportunities for solitude or a primitive and unconfined type of recreation." Please clarify how regular truck use can occur without compromising these values.	There are no non-WSA lands proposed in the Proposed RMP for the PRMP/FEIS where roads access the White River.  Should such roads exist to access the White River, the "cherry stemming" land management technique would be used by allowing ingress and egress without compromising a special designation. Cherry stemming localized the area where vehicle traffic is conducted to very small stretches along the river. "Outstanding opportunities for solitude or a primitive and unconfined type of recreation" is still possible with the remaining portions of the river.	No
WSA Supp.	23 AA	Based on the review form, it appears that there are 58 pending APDs within this area. This level of development does not appear compatible with "outstanding opportunities for solitude or a primitive and unconfined type of recreation". Please clarify how VFO would protect "outstanding opportunities for solitude or a primitive and unconfined type of recreation" in light of this level of development, including the ancillary facilities such as roads, pipelines and compressor stations that appear reasonably foreseeable.	The area is question is not being brought forward as a non-wilderness area with wilderness characteristics in the Proposed RMP of the RMP/EIS because of the lands are currently leased as well as the current and the high potential for future development.	No
WSA Supp.	24 AA	It appears that an existing airstrip and several wells are within area 1, but have been cherry stemmed out. Please clarify how continued use of these facilities would be managed to protect "outstanding	See comment response 189-O-23.	No

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		opportunities for solitude or a primitive and unconfined type of recreation."		

Table 5.12b. Public Comments and Responses: Ute Indian Tribe

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
Draft RMP/EIS	CR16	The Ute Tribe requests that the Tribe be informed at least two weeks in advance of all future cultural resource surveys, so that Tribal elders can participate in the surveys. The Tribal elders can provide valuable information on locations of sacred areas, medicinal plants, and other areas of cultural importance to the Tribe that may potentially be impacted by surface disturbance on Tribal lands. The RMP/EIS should specify that Tribal elders would participate in evaluation of the cultural importance of a site to the Tribe, where surface-disturbing activities are proposed.	<p>The BLM declines to include language in the proposed RMP that stipulates that the Tribe would be given a 2-week advance notice of cultural surveys and participate in evaluating a site's cultural importance to the Tribe where surface disturbances are proposed.</p> <p>In accordance with the National Historic Preservation Act, Executive Order 13175, other federal legislation and BLM policy, the BLM Vernal Field Office (VFO) will continue to consult with Native American Tribes regarding any undertaking of the VFO that has the potential to affect resources that are important to the Tribes. This consultation affords the Tribes the opportunity to identify for the BLM any concerns and suggest any additional identification or evaluation measured deemed appropriate to the undertaking. In addition BLM will comply with Executive Order 13007, Indian sacred sites,</p>	No

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Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
			consultation and also comply with manuals 81-20 and H-8120-1.	
Draft RMP/EIS	CR18	<p>The Ute Tribe requests that the following Tribal requirements and stipulations be included in the RMP and in Appendix K (surface stipulations applicable to all surface-disturbing activities), as appropriate, in order to ensure that disturbance to important cultural sites on Tribal lands is avoided:</p> <p>The Tribe shall be consulted prior to any surface disturbance on Tribal lands to ensure that habitats for plants of medicinal or cultural value are not disturbed. If a specific location contains such plants, no surface occupancy would be allowed;</p> <p>Cultural or archaeological sites that are determined by the Tribe to be important historical sites and/or gathering places would be unavailable for surface occupancy;</p> <p>No surface occupancy, including vehicular traffic, would be allowed in sacred areas or on Tribal hunting grounds on the Uintah and Ouray Reservation; and</p> <p>No vehicular traffic shall be allowed on Saturdays and Sundays between Memorial Day and Labor Day for annual summer religious festivals.</p>	<p>Information related to these requests was not provided as a part of the comments from the Tribe, so the VFO is unable to determine where these areas are that the Tribe is concerned about.</p> <p>A meeting was held with Tribal representatives on 12-9-2005 to clarify the comments provided. During the meeting it was stated that all of the comments shown were in regard to Tribal trust surface lands, except for the cultural site comment. As such, any access across Tribal trust surface would be negotiated with Tribe, thus not needing to be addressed within the proposed RMP. Mitigation to important cultural sites will be determined after consultation with the Tribes.</p>	No
Draft RMP/EIS	CR19	<p>The RMP states that the higher number of acres designated in SRMAs under Alternatives A and C would provide greater positive impacts to cultural resources. However, the document (at page 4-50) also states that the greater level of human activity associated with increased recreation in these SRMAs would result in increased levels of vandalism and looting of cultural resources. The Ute Tribe is</p>	<p>Mitigation of impacts to important cultural resources and sacred sites would be developed at the time of site-specific proposals during the NEPA analysis process.</p>	No

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		concerned with the high level of recreation proposed under Alternatives A and C. We disagree that human activity in a "managed setting" would limit vandalism and looting of cultural resources of high importance to the Tribe. We believe that the greater volume of people using the area for recreation would result in increased adverse impact to cultural resources. Therefore, we recommend that cultural surveys be conducted in areas proposed for SRMAs, so that areas with important cultural and sacred sites would be identified and closed to recreational activities.		
Draft RMP/EIS	GC36	Many of the proposed decisions/actions have the potential to negatively impact Tribal lands and resources. Therefore, we request that the BLM formally consult with the Ute Tribe on any land use decision or action (e.g., leasing for mineral development) that could directly or indirectly affect Tribal interests and resources.	The BLM maintains regular and ongoing consultation with the Ute Tribe as part of its responsibilities under the National Historic Preservation Act, Executive Order 13175, and existing BLM policy. Additionally, the BLM is in the process of developing a working agreement with the Tribe to outline the specific parameters and nature of said consultation.	No
Draft RMP/EIS	LG66	The draft RMP at page 4-317 states that rangeland improvements would include a variety of activities. The Ute Tribe supports these improvements, as they would also improve existing wildlife habitat and provide water during high-stress drought periods. The Tribe requests that the BLM notify the Ute Tribe Fish and Wildlife Department prior to initiating rangeland improvements in proximity to Tribal land. Cooperation between the BLM and Tribal biologists would result in the greatest benefit to wildlife that inhabit both BLM and Tribal lands.	The BLM commits to continuing the existing and ongoing consultation with the Ute Tribe regarding actions that have the potential to affect tribal resources or concerns and actions that create opportunities for cooperative management regarding these resources and concerns.	No
Draft RMP/EIS	LR14	The Ute Indian Tribe of the Uintah and Ouray Reservation (Ute Tribe) has previously informed the	Acres under jurisdiction of the Ute Tribe are included in Table 1.1; however, language has	Yes

Table 5.12b. Public Comments and Responses: Ute Indian Tribe

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
		<p>Vernal Office of the BLM of the need to have the RMP and EIS for the Vernal Field Office discuss the law relating to access to the surface estate of the Ute Tribe. Despite these previous requests, the RMP is completely silent concerning surface access to tribal lands. The Ute Tribe requires acknowledgements of its rights as a surface owner within the area of the RMP. Failure to set forth these rights within the text of the RMP will render the document incomplete and inadequate.</p>	<p>been added to Section 1.4.1 of the PRMP/FEIS clarifying the role of the Ute Tribe as holder of surface estate within the area to be managed through the RMP.</p> <p>See comment response LR37.</p>	
Draft RMP/EIS	LR37	<p>The Ute Tribe is a Cooperating Agency in the revision of the RMP. Despite this status, the Ute Tribe does not believe that its concerns about land use affecting tribal lands have been addressed in the RMP process. As the owner or administrator of much of the surface area within the planning area, the Ute Tribe is entitled to consent to any rights-of-way or other surface uses of these lands. The Tribe is also interested in assuring the proper and efficient development of tribal minerals, while protecting the interests of the Tribe and its members. While BLM officials have been supportive of the Tribe's concerns in private conversations, the RMP does not include any discussion of those concerns, or analysis of how best to address those concerns. The Ute Tribe is frankly worried that the RMP process will be used to justify land development processes that are inconsistent with the special status of tribal lands. The Ute Tribe again requests that the RMP include a clear acknowledgement of the rights of the Ute Tribe to manage access to tribal lands, and a discussion of the process by which the Ute Tribe and the BLM will cooperate in the management of their respective</p>	<p>The following language has been added to Section 1.4.1 of the PRMP/FEIS:</p> <p>"Decisions and actions of the RMP only fully apply to BLM lands. In cases of split estate lands, such as lands within the planning area that are split between the BLM and the Uintah &amp; Ouray Indian Tribe, actions affecting the surface must be coordinated with the surface owner. Undertakings conducted on lands not wholly or partly administered by the BLM are subject to the laws, regulations, conditions, and policies of the relevant land management agency or other landowner."</p>	Yes

Table 5.12b. Public Comments and Responses: Ute Indian Tribe

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		land bases.		
Draft RMP/EIS	ME63	Page 3-39 identifies six RFD areas within the VPA that were evaluated for potential energy resources. It should be noted in the RMP/EIS that the Uintah & Ouray Indian Reservation is located in portions of the East and West Tavaputs Plateau, Monument Butte-Red Wash, Altamont-Bluebell, and Tabiona-Ashley Valley RFD areas. Oil and gas, CBNG, tar sands, and mineral materials, such as sand gravel and building stone are potentially present within Reservation boundaries. The RMP/EIS should specify that all Tribal laws, regulations, conditions, and stipulations, would apply to energy and mineral resources, if operations are conducted on tribal land within the VPA.	Section 1.4.1 in the PRMP/FEIS has been revised to read as follows:  "Decisions and actions of the RMP only fully apply to BLM lands. In cases of split estate lands, such as lands within the planning area that are split between the BLM and the Uintah & Ouray Indian Tribe, actions affecting the surface must be coordinated with the surface owner. Undertakings conducted on lands not wholly or partly administered by the BLM are subject to the laws, regulations, conditions, and policies of the relevant land management agency or other landowner."	Yes
Draft RMP/EIS	ME64	Page 4-98 states that under Alternatives A, B, and C, approximately 188,500 acres of split-estate lands (Tribal surface-Federal minerals) within the Hill Creek Extension of the Uintah & Ouray Reservation would be available for minerals leasing. It is important to note that the Hill Creek Extension is known as a "Wildlife and Cultural Resource Protection Area" and was under a mineral development moratorium pursuant to Tribal Ordinance 83-02 and Resolution 83-184. The Tribe only granted exceptions for mineral development for projects in the Flat Rock area, because substantial financial compensation was received for surface use and access to Tribal lands. The Tribe wishes to minimize development in the southern portion of the Hill Creek Extension area, particularly south of Township 13 South. In addition, the Tribe is adamant	The Vernal RMP planning area does not include any BLM managed lands within the Hill Creek Extension in Grand County, so the comment is outside the scope of the RMP.  For the remainder of BLM managed lands within the Hill Creek Extension, the BLM has worked with the Ute Tribe and BIA to determine appropriate leasing categories for BLM minerals underlying the Hill Creek Extension.	No

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Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
		about not allowing any development in Grand County for a number of environmental and cultural reasons.		
Draft RMP/EIS	ME65	Page 4-98 states that the impacts of leasing of minerals would be beneficial to the Ute Tribe, including rentals or fees from the use of surface permits or other rights-of-way. However, it does not state that there would also be adverse impacts, including those to cultural resources, e.g. sacred sites, medicinal plants, and ancestral hunting grounds.	Section 4.8 in the PRMP/FEIS has been revised to add a footnote explaining that impacts from minerals leasing are discussed in other resource chapters as part of the area analysis.	Yes
Draft RMP/EIS	ME66	<p>The Ute Tribe requests that the following Tribal requirements and stipulations for surface disturbance resulting from mineral development be included in the RMP/EIS and in Appendix K (surface stipulations applicable to all surface-disturbing activities), in order to ensure that surface disturbance on Tribal lands is avoided, where possible, or minimized:</p> <p>All Tribal laws and regulations shall apply to all oil and gas activities, including the Tribal environmental regulations that are presently being drafted by the Tribe;</p> <p>No geophysical or seismic activities are allowed on Tribal lands without first obtaining a Mineral Access Permit from the Tribe, including payment for surface disturbance;</p> <p>Applications for new road construction on Tribal surface shall be submitted to the Tribe for approval. Access to pristine areas or areas with cultural resources or sacred sites shall be limited (or denied) and multiple well drilling pads may be required to minimize impacts to wildlife, endangered plants or medicinal plants, cultural or historic areas, artifacts,</p>	While the BLM supports the Tribe's comment, the suggested language is more applicable to site - specific proposals. Also, since the BLM is not the surface management agency, it is more appropriate for the Tribe to develop these conditions of approval based upon current resource conditions and their desired land use objectives.	No

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		<p>and important visual resources;</p> <p>All contents of any reserve pit or similar pits and associated pit liners located on Tribal land shall be removed upon well completion and disposed of in an appropriate facility;</p> <p>A fugitive dust control and road maintenance plan shall be submitted by the operator to the Tribe for approval prior to use of Tribal roads; this may require selected roads to be paved by the Lessee;</p> <p>Vehicular traffic and equipment for oil and gas operations shall be subject to maximum daily quotas, noise reduction and road usage curfews, as necessary, established by the Tribe to minimize impacts to the wilderness experience now enjoyed by Tribal members on the Uintah and Ouray Reservation;</p> <p>A written agreement between the Tribe and the operator is required prior to drilling a water well(s) on Tribal lands. All water removed from the well shall be purchased from the Tribe;</p> <p>Surface activities during wet or muddy periods or periods of high fire danger, may be curtailed or prohibited upon notice by the Tribe;</p> <p>No oil and gas development shall be conducted within 500 feet of a canyon rim or hilltop within the Uintah and Ouray Reservation to avoid or minimize impacts to visual resources. The construction of low-profile oil and gas facilities may be required;</p> <p>The minerals underlying leases on the Uintah and Ouray Reservation are subject to claim by the Tribe; and</p> <p>All oil and gas activities shall be in full compliance</p>		

Table 5.12b. Public Comments and Responses: Ute Indian Tribe

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		with Onshore Order No. 1 (25 CFR section 169) and other applicable rules and regulations, including the Tribe's right to receive full market value for all surface use of and access to Tribal lands (25 CFR Section 169).		
Draft RMP/EIS	ME67	Pages 4-101 to 4-109 discuss the alternatives and mention that each alternative would affect royalties paid to the federal government and/or the State of Utah. As the Tribe owns some mineral rights in the Hill Creek Extension, it should be noted that royalties paid to the Tribe would be affected as well.	The impacts to royalty payments in each alternative are associated with public minerals, i.e. leased by the BLM. As to the mineral estate held in trust for the benefit of the Ute Tribe, the RMP does not impact royalties paid as the determination as to what Indian trust minerals are available for leasing or not is a decision to be made by the Tribe, not the BLM.	No
Draft RMP/EIS	ME68	Pages 4-101 to 4-109 propose, under Alternatives A, B, and C, timing and controlled surface use for the Hill Creek Extension, which is located on the East Tavaputs Plateau. However, several hundred wells would be drilled under all alternatives in East Tavaputs Plateau, some of which would be on Tribal surface lands. The Ute Tribe requests that the number of potential wells on Tribal lands be clearly identified in the RMP/EIS and appropriate mitigation measures should be included.	The mineral potential report identified potential future development within a region, but it is not specific as to location. Therefore, the RMP cannot reflect the number of potential wells upon Tribal surface. Appropriate mitigation measures, beyond what was identified in comment ME66, would be developed at the project proposal stage	No
Draft RMP/EIS	RW74	No leasing/activity should occur within one-half mile of any spring or riparian area.	Appendix K outlines stipulations for surface-disturbing activities near riparian areas. These stipulations apply to all alternatives and throughout the planning area and include no surface occupancy within active flood plains, public waters, or 100 meters of riparian areas.	No
Draft RMP/EIS	SD115	The Ute Tribe is evaluating specific areas on Reservation lands for possible designation as Tribal Wilderness Areas, including but not limited to the	BLM declines to make the suggested wording changes for a variety of reasons including but not limited to, the following:	No

**Table 5.12b. Public Comments and Responses: Ute Indian Tribe**

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
		<p>lands south of Township 13 South, S.L.M. The RMP/EIS should include the following tribal stipulation in areas of potential surface disturbance on tribal lands:</p> <p>All lands on the Uintah and Ouray Reservation may be subject to additional future restrictions, i.e., Tribal Wilderness Designation.</p>	<p>The BLM does not find the suggested changes necessary or appropriate.</p> <p>The suggested wording change does not substantively contribute to or clarify the discussion.</p> <p>The commenter did not provide any rationale why the suggested change is necessary or how the current data and analysis is incorrect.</p> <p>The suggested change expressed personal opinions or preferences.</p> <p>The suggested change had little relevance to the adequacy or accuracy of the RMP/FEIS.</p> <p>The Vernal RMP only addresses split estate issues such as the Hill Creek Extension, which are Tribal surface and Federal minerals.</p> <p>Discussions have been held between the BLM and Tribal representatives concerning split estate issues on the Hill Creek Extension. Maps and comments have been provided by the Tribe that illustrates surface management concerns for the leasing of the Federal mineral estate. The maps illustrating surface resource impacts were used in analyzing the appropriate category and stipulations for the leasing of the Federal mineral estate.</p> <p>Necessary information as to the area that may be proposed for additional future restrictions has not been provided, so it cannot be included in the RMP decisions at this time. In the future, should</p>	

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Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
			the Ute Tribe decide to provide differing surface use restrictions other than what has already been provided, that would not impact the management of existing leases. Future leases may be impacted after a plan amendment was completed to address the impacts to the mineral resources managed by BLM.	
Draft RMP/EIS	SS21	The Ute Tribe supports the use of Best Management Practices, timing limitations, controlled surface use, and no surface occupancy stipulations to protect special status plants and animals. In addition, the Tribe requests that the BLM consult with the Ute Tribe Natural Resources Department prior to implementing any actions that may affect special status species and/or habitats on the Uintah and Ouray Reservation.	BLM supports consultation with other jurisdictional agencies as stated in Section 1.4.1.2.	No
Draft RMP/EIS	SS22	The Ute Tribe proposes the inclusion of the following stipulation for special status species and habitats in the RMP/EIS: No surface occupancy stipulations would be required for raptor and eagle nesting sites and special status plant species habitat (including threatened, endangered, proposed, and candidate species).	BLM has incorporated surface use restrictions for the management of wildlife. Please see Appendix K.	No
Draft RMP/EIS	SW18	The Ute Tribe is concerned about the impacts of surface disturbance to soil and water quality, since these disturbances would likely affect the water quality on Tribal lands near disturbed areas. We are especially concerned about water quality degradation to Hill Creek from soil erosion and potential contamination of the stream with chemicals. Therefore, the Tribe recommends that the following stipulation be included in the RMP/EIS:	The area around Hill Creek is designated for Controlled Surface Use under Alternatives A, B, C, and E. Stipulations are in place (see Table 2.1.16 (Riparian Resources) under the subsection entitled Management Common to All Action Alternatives that prohibit surface disturbance within 100 meters of riparian areas, with exceptions for the following situations: a) there are no practical alternatives; b) the impacts	No

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Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
		No surface occupancy shall be allowed in areas adjacent to Hill Creek.	are fully mitigated; or c) the proposed action is designed to enhance riparian resources. BLM agrees with your concerns related to water quality impacts to Hill Creek. The BLM-administered lands are subject to the riparian policy stated in Table 2.1.16.	
Draft RMP/EIS	TR14	No right-of-way may be granted across the lands of the Ute Tribe without its consent. 25 U.S.C. § 324; 25 C.F.R. § 169.3. Furthermore, such rights-of-way and surface uses require payment of not less than the fair market value of the rights granted. 25 C.F.R. § 169.12. Payment of the fair market value for surface use is in addition to any payment or bond for potential damage to the surface.	The BLM acknowledges the Ute Tribe's jurisdictional authority and makes no claim in the RMP to the contrary.	No
Draft RMP/EIS	TR69	The Ute Indian Tribe has implemented a Master Infrastructure Plan (MIP) to guide use and development of roads, pipelines, and other facilities in a portion of the RMP area known as the Hill Creek Extension. The Tribe is constructing or has constructed this infrastructure to accommodate foreseeable impacts and development in an effort to eliminate the need for producers to construct unnecessarily. The plan has been developed and implemented with strong consideration to the sensitive needs of wildlife, cultural and historic resources and other environmental concerns. A visual mitigation corridor is in place for the Hill Creek Canyon Corridor to maintain the pristine, recreational experience of the Tribal Members accessing the Towave Reservoir Recreation Area. It is the Tribe's expectation that our MIP will be incorporated into the RMP and that your agency will work with the Tribe to insure the integrity of the plan. Failure to set forth the	The BLM will continue to work with the Tribe regarding surface development on split estate lands within the Hill Creek Extension. The BLM recognizes the authority of the Tribe with regards to surface rights and surface development within these lands, and the RMP would not negate this authority.	No

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Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
		key points of the Plan within the text of the RMP will render the document incomplete and inadequate.		
Draft RMP/EIS	WF69	The Ute Tribe requests that the BLM include the following stipulations in the RMP/EIS in order to minimize disturbance to game species of importance to the Tribe: Vehicular traffic shall be prohibited during the breeding and calving season and hunting seasons for deer, elk, bighorn sheep, and buffalo; and All bear and mountain lion lairs shall be protected to avoid or minimize any potential impacts to bears and mountain lions.	BLM acknowledges the Tribe's comment; however, the suggested language is more applicable to site-specific proposals. Also, since the BLM is not the surface management agency, it seems more appropriate for the Tribe to develop these conditions of approval based upon current resource conditions and their desired land use objectives.	No
Draft RMP/EIS	WF210	The Ute Tribe has identified areas of no leasing/activity as Chandler Canyon, the Green River corridor and steep canyon country of the connected drainages. These areas provide important habitat for Rocky Mountain bighorn sheep, and are considered critical year-round range for bighorn.	The Chandler Canyon area of the Hill Creek extension would be managed by the BLM under timing and controlled surface use stipulations under Alternatives A, B, C, and E. Management under these stipulations would be conducted in coordination with the Ute Tribe.  The Upper Green River Corridor is designated as no surface occupancy for line of sight from the centerline, up to ½-mile along both sides of the river from Little Hole to the Colorado State line. The Lower Green River Corridor is designated as no surface occupancy for line of sight from the centerline, up to ½-mile along both sides of the river from the trust land boundary at Ouray and the Carbon County line.	No
Draft RMP/EIS	WF211	The Ute Tribe has identified Wild Horse Basin as an area of no leasing/activity as it provides critical winter range and transitional spring and fall range for deer,	Please, see the response to Comment WF210 as the same stipulations apply to the Wild Horse Basin-Moon Water Canyon-Chandler Point area.	No

Table 5.12b. Public Comments and Responses: Ute Indian Tribe

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
		elk and bison. This designation of no leasing/no activity also extends to the area south of Wild Horse Basin and into the area including Moon Water Canyon and Chandler Point.		
Draft RMP/EIS	WF212	The Wolf Flat project area provides critical winter habitat for big game. Limited activity, i.e. no new drilling of wells, should occur from December through March. Much of the area is also important bison calving habitat. Limited activity should occur during April and May.	The Wolf Flat area of the Hill Creek Extension would be managed by the BLM under timing and controlled surface use stipulations under Alternatives A, B, C, and E. These stipulations include timing limitations for deer and elk winter range from November 15 through April 30 under Alternatives A and C and timing limitation for deer and elk winter range from December 15 to March 15 under Alternative B.	No
WSA Supp.	1 WC	Although the Vernal Supplemental RMP specifically recognizes that development would occur on valid and existing leases within wilderness characteristics areas, the document fails to recognize that development also has the potential to occur within wilderness characteristics areas on lands that are held in split estate.	The supplement carried forward criteria from the DRMP. One of the planning criteria in Section 1.4.1.2 is that the revised RMP would recognize valid existing rights	No
WSA Supp.	2 WC	As discussed in the previous section, the Vernal Supplemental RMP clearly recognizes that oil and gas development would likely occur on valid and existing leases within wilderness characteristics areas, however, the document fails to analyze the impact of access restrictions in wilderness characteristics areas to development of lands adjacent to these areas. In some cases, Tribal lands, which include Tribal minerals, have been used to form the boundary of wilderness characteristics areas (see Desolation Canon and Wolf Point wilderness characteristics areas on Figure 20e). The BLM should recognize that ROWs	BLM does not deny access to inholdings when there is no other access. BLM also does not deny access if related to another right. Summary of Comments for Vernal RMP/EIS LR12A	No

Table 5.12b. Public Comments and Responses: Ute Indian Tribe

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
		could be necessary within wilderness characteristics areas to access Tribal lands/minerals. For example in order to access Tribal and Allottee minerals east of Willow Creek access could be needed through Wolf Point wilderness characteristics area.		
WSA Supp.	3 MIN	<p>As discussed in Section 4.21.2.3 - Impacts of Lands and Realty Management Decisions on Non-WSA Lands with Wilderness Characteristics (see pg. 4-153), under Alternative E, non-WSA lands with wilderness characteristics would be managed as ROW exclusion areas. Exclusion from future ROW development would protect the natural character of the landscape of all the non-WSA lands with wilderness characteristics.</p> <p>The Tribe recognizes that the BLM is encouraged to preserve land in its natural condition. The Tribe also recognizes that a parcel of land cannot be preserved in its natural character and mined at the same time. However, case law supports the Tribe's claimed right of access. In fact, without access the Tribe could not develop its minerals in any fashion and they would become economically ineffectual.</p> <p>Based upon this information, the Tribe requests that the BLM consider adding the following information to the Vernal Supplemental RMP.</p> <p>Where necessary, the BLM would grant reasonable access across Federal lands with wilderness characteristics to provide for development of adjacent Tribal lands and minerals.</p>	The BLM does provide for reasonable access to all non-BLM managed lands under all alternatives. Information will be added to Chapter 2, Lands and Realty, Management Common to all action alternatives, that states that reasonable access to non-BLM managed land would be provided including across BLM lands within avoidance and exclusion areas for rights-of-way.	Yes

Table 5.12b. Public Comments and Responses: Ute Indian Tribe

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
		Where necessary, the BLM would grant reasonable access to Federal lands with wilderness characteristics to provide for development of Tribal/Indian Allotted minerals, which are held in split estate (i.e., Tribal minerals and Federal surface with wilderness characteristics areas).		
WSA Supp.	4 SOC	<p>Although a brief statement regarding Environmental Justice is included in the comparison of impacts within the Vernal Supplemental RMP (see page 2-22), neither Chapter 3 (Affected Environment) nor Chapter 4 (Environmental Consequences) mention Environmental Justice. As required by EO 12898, the effects of implementing each alternative, including Alternative E, should be fully analyzed in detail.</p> <p>In the Environmental Justice section (see pg. 2-22), which is within Table 2.5 - Summary of Impacts, it states:</p> <p>Indian tribes would benefit from revenues derived from rights-of-way grants to oil and gas industry, but traditions and religious sites could be adversely impacted. Minerals development could adversely reduce or replace tribal livestock grazing, decrease opportunities for hunting and gathering, and ceremonial worship.</p> <p>In addition to this statement, the BLM should include information regarding the potential adverse effects that managing lands in a manner that protects their wilderness values could have on Tribal members. All points emphasized within the summary comparison of</p>	<p>The Proposed RMP/Final EIS has an expanded discussion in Chapters 3 and 4 of Environmental Justice populations and the expected impacts of plan decisions on these populations.</p> <p>The commenter provides no evidence suggesting how managing lands to preserve, protect and maintain wilderness characteristics would have an adverse impact on Tribal members.</p>	No

**Table 5.12b. Public Comments and Responses: Ute Indian Tribe**

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
		impacts should then be expanded upon in Chapter 4 of the Vernal Supplemental RMP in a manner comparable to that included in the Vernal Draft RMP/EIS		

**Table 5.12c. Public Comments and Responses: Duchesne County**

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
Draft RMP/EIS	AQ149	Regional haze is mentioned here as an adverse impact from compressors and generators associated with mineral extraction activities. Prescribed burns and naturally occurring wildfires are much more likely to generate regional haze; however, these adverse impacts are not mentioned in many sections of the document where the impacts of prescribed burns are listed.	The general consensus among air quality professionals is that oil and gas is usually a more significant source of potential regional haze impacts on a long-term basis.	No
Draft RMP/EIS	AQ150	The cumulative effects of air quality associated with Alt D should be less than the three action alternatives due to the prescribed burning of about 105,525 fewer acres of land over the next decade under Alt D	Other sources, such as activities associated with oil and gas, were also considered in the analysis.	No
Draft RMP/EIS	AQ151	DEIS states that "dust abatement measures need to comply with UAC regulation: compliance would be obtained through special stipulations as a requirement on new projects and through the use of dust abatement control techniques in problem	Section 4.2.4 in the PRMP/FEIS describes the cumulative impacts regarding air quality (including PM10 and PM2.5 dust emissions). Section 4.2.3 in the PRMP/FEIS describes mitigation measures.	No

<b>Comment Period</b>	<b>Comment Number &amp; Resource Category</b>	<b>Comment Text</b>	<b>Response to Comment</b>	<b>Document Modified</b>
		areas." DEIS lacks information and sufficient analysis supporting a need for this change and does not expand upon what special stipulations would be required.		
Draft RMP/EIS	AT43 (AT-JJ)	Last 2 sentences: are these comparisons really between alternatives B and D or are they between alternatives B and A as stated?	The comparisons are between Alternatives B and A as stated. Alternative B was compared to Alternative D (No Action) elsewhere in the paragraph.	No
Draft RMP/EIS	FM2	This summary fails to address the relative merits of the four alternatives based on woodland and forest decisions.	Section 4.4.2.8 in the PRMP/FEIS has been revised to summarize the effects of woodland and forest management decisions on fire management to each alternative summary.	Yes
Draft RMP/EIS	GC56 (GC-M)	DCWCD would like to see further information given as to the Colorado River Compact and how it affects public land use.	There is absolutely no effect whatsoever on water rights or in-stream flows related to suitability findings made in a land-use plan decision, barring Congressional action. Even if Congress were to designate rivers into the National Wild and Scenic Rivers System, any such designation would have no affect on existing, valid water rights. Section 13(b) of the Wild and Scenic River Act states that jurisdiction over waters is determined by established principles of law. In Utah, the state has jurisdiction over water. Although the Wild and Scenic Rivers Act implies a federal reserved water right for designated rivers, it doesn't require or specify any amount, and instead establishes that only the minimum amount for purposes of the Act can be acquired. Because the State of Utah has jurisdiction over water, BLM would be required to adjudicate the right as would any other entity, by application through state	No

<b>Comment Period</b>	<b>Comment Number &amp; Resource Category</b>	<b>Comment Text</b>	<b>Response to Comment</b>	<b>Document Modified</b>
			<p>processes. Thus, for Congressionally designated rivers, BLM may assert a federal reserved water right to appurtenant and unappropriated water with a priority date as of the date of designation (junior to all existing rights), but only in the minimum amount necessary to fulfill the primary purpose of the reservation. In practice, however, federal reserved water rights have not always been claimed if alternative means of ensuring sufficient flows are adequate to sustain the outstandingly remarkable values.</p> <p>The BLM is fully evaluating and considering potential impacts related to these Wild and Scenic River decisions in this planning process. Congressional designation of suitable streams is evaluated in the cumulative impacts analysis of the FEIS. See Appendix C for a more thorough discussion of how the suitability considerations are applied to each eligible river.</p>	
Draft RMP/EIS	LG8	<p>The Forage policies of the RMP should be revised to be consistent with the livestock and grazing policies of Duchesne County, which are as follows:</p> <p>The cultural heritage of Duchesne County is based on agriculture and livestock. These industries formed the historic basis of the local economy from the beginning days of settlement until the development of significant oil and gas resources in the early 1970s. Livestock grazing influenced lifestyles, left its imprints on the landscapes, and is one of the oldest enduring and economically important cultural heritage resources in the west. Although farms and</p>	<p>In accordance with FLPMA, the BLM reviewed and considered the general plans of Duchesne, Daggett, Uintah, and Carbon counties during development of the management alternatives within the RMP. Where feasible, prudent, and consistent with the purpose and need of the RMP and BLM's multiple-use/sustained yield mandate, the BLM developed a range of alternatives and included them in the RMP/EIS.</p> <p>The BLM is aware that there are specific County and State plan decisions relevant to aspects of public land management that are discrete from,</p>	No

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
		<p>ranches in the County were established on a private land base, during parts of the year livestock is pastured on public rangeland. The combination of public rangeland and private farmland constitutes the economic base for many of the County's livestock operations. If either the grazing permit or the private land is lost or diminished, the economic viability of those operations can be jeopardized.</p> <p>Federal grazing permits issued under the Taylor Grazing Act (BLM) or the Granger-The Act (USFS) allow permittees the privilege to use publicly owned forage.</p> <p>It is the position of Duchesne County that:</p> <ul style="list-style-type: none"> <li>a. 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.;</li> <li>b. The County recognizes grazing permits on public lands as an asset, which may be transferred by the permit owner. Such transactions must be processed by the land management agency within ninety days of proper notification. Any reduction in the size of the permit or forage allocation as a result of the transaction shall not be made without a specific scientific justification;</li> <li>c. 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</li> </ul>	<p>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)). As a consequence, where State and local plans conflict with Federal law, there will be an inconsistency that cannot be resolved or reconciled.</p> <p>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. The BLM will identify these conflicts in the FEIS/PRMP, so that the State and local governments have a complete understanding of the impacts of the PRMP on State and local management options. A consistency review of the PRMP with the State and County Master Plans is included in Chapter 5.</p>	

**Table 5.12c. Public Comments and Responses: Duchesne County**

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
		<p>before the commencement of the next grazing season;</p> <p>d. Access to public rangeland is vital to the permit-holders and the management agency for planning, management, and development. Access shall be maintained and improved as management needs require;</p> <p>e. The permit-holder shall be compensated for the remaining value of improvements made on reduced allotments, unless the permit was canceled for non-compliance with grazing regulations. Said compensation will be provided for in accordance with Section 402 of the Federal Land Policy and Management Act of 1976, which provides a reasonable compensation for the adjusted value, to be determined by the Secretary concerned, of his interest in authorized permanent improvements placed or constructed by the permittee or lessee on lands covered by such permit or lease, but not to exceed the fair market value of the terminated portion of the permittee's or lessee's interest therein;</p> <p>f. 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. The only justification for decreasing domestic livestock grazing AUM's is for there to be a valid and documented scientific finding that the range district will no longer support the AUM's in question. The BLM and Forest Service are expected to comply with and honor the domestic grazing preference on grazing districts.</p> <p>Duchesne County recognizes that 43 CFR part 4110.3 provides for changes in permitted use.</p>		

**Table 5.12c. Public Comments and Responses: Duchesne County**

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
		<p>Conversion of allocated forage from one grazing animal to another would require a NEPA process that conforms with land-use plans;</p> <p>g. 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>h. 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. Duchesne 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. Forage allocation reductions shall be temporary. Grazing allocations shall be restored when forage production is restored;</p> <p>i. 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. After the discussion, a weed control plan shall be developed and implemented;</p> <p>j. 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;</p>		

<b>Comment Period</b>	<b>Comment Number &amp; Resource Category</b>	<b>Comment Text</b>	<b>Response to Comment</b>	<b>Document Modified</b>
		<p>If riparian areas are damaged or degraded 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>k. 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>l. 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;</p> <p>m. The continued viability of livestock operations and the livestock industry shall be supported on federal and state lands within Duchesne 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>		
Draft RMP/EIS	LG107 (LG-S) (LG-22)	Section 4.6.2.4 does not seem to exist in the document and the effects of livestock grazing decisions on fire management definitely needs to be addressed	Section 4.7.2.1.1 in the PRMP/FEIS has been revised to remove the reference Section 4.6.2.4 and to impacts analysis of livestock grazing management actions on fire management. As stated in Section 4.4.2, the management actions	Yes

<b>Comment Period</b>	<b>Comment Number &amp; Resource Category</b>	<b>Comment Text</b>	<b>Response to Comment</b>	<b>Document Modified</b>
			associated with livestock grazing would have negligible impacts on fire management.	
Draft RMP/EIS	LG132 (LG-RR)	It is noted that unallocated AUMs could be allocated to wildlife. The Duchesne County General Plan contains a policy that "The BLM and Forest Service are expected to comply with and honor the domestic grazing preference on grazing districts." As such, any unallocated AUMs should be considered first for domestic grazing.	See comment response LG88.	No
Draft RMP/EIS	LR1	"No lands acquired through land tenure adjustments would be classified or opened for agricultural entry or leasing in the RMP planning area."  At a minimum, Duchesne County would request the addition of the bolded phrase into this sentence. However, Duchesne County questions whether such restrictions should be imposed across the board.	The suggested wording change has been made in Table 2.1.7 (Lands and Realty Management) of the PRMP/FEIS under the subsection entitled Land Tenure Adjustments (LTAs).	Yes
Draft RMP/EIS	LR2	Duchesne County requests that the Land Tenure Adjustments policies and Exchange/Acquisition policies of the RMP be revised to be consistent with Duchesne County policies, which are as follows:  "Whereas more than fifty-percent of Duchesne County consists of public lands managed by federal and state agencies, further loss of private property will result in a diminution of the economic base and cultural values. It is the position of Duchesne County that:  a. Private property shall be protected from coerced acquisition by federal, state and local governments;	The Land Tenure Adjustments listed in Table 2.1.7 (Lands and Realty Management) of the PRMP/FEIS and Exchange/Acquisition policies listed in the same table do not conflict with the elements of Duchesne County's policies as stated in the comment and do not preclude the County's maintenance of those policies. BLM is only interested in acquiring private property from willing sellers.	No

<b>Comment Period</b>	<b>Comment Number &amp; Resource Category</b>	<b>Comment Text</b>	<b>Response to Comment</b>	<b>Document Modified</b>
		<p>b. The County shall be compensated for loss of private lands or tax revenues due to land exchanges;</p> <p>c. Private lands shall not be converted to state or federal ownership in order to compensate for government activities outside of Duchesne County;</p> <p>d. 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; and</p> <p>e. A private property owner has a right to dispose of or exchange property as he/she sees fit within applicable law."</p>		
Draft RMP/EIS	LR2A	Duchesne County requests that the Land Tenure Adjustment policies listed on Page 2-15 and the Exchange/Acquisition policies on Pages 2-16 and 2-17 of the RMP be revised to be consistent with the above Duchesne County policies.	<p>The BLM declines to make the suggested wording changes for a variety of reasons including but not limited to, the following:</p> <p>The BLM does not find the suggested changes necessary or appropriate.</p> <p>The suggested wording change does not substantively contribute to or clarify the discussion.</p> <p>The commenter did not provide any rationale why the suggested change is necessary or how the current data and analysis is incorrect.</p> <p>The suggested change expressed personal opinions or preferences.</p> <p>The suggested change had little relevance to the adequacy or accuracy of the RMP/FEIS.</p>	No

<b>Comment Period</b>	<b>Comment Number &amp; Resource Category</b>	<b>Comment Text</b>	<b>Response to Comment</b>	<b>Document Modified</b>
			<p>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 resolved to the extent practical (FLPMA, Title II Sec. 202 (c)(9)). As a consequence, where State and local plans conflict with Federal law there will be an inconsistency that cannot be resolved or reconciled.</p> <p>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. The BLM will identify these conflicts in the FEIS/DRMP, so that the State and local governments have a complete understanding of the impacts of the DRMP on State and local management options. A consistency review of the PRMP with the State and County Master Plans is included in Chapter 5.</p>	
Draft RMP/EIS	ME9	Revise this section as follows:	The BLM declines to make the suggested wording changes for a variety of reasons	No

<b>Comment Period</b>	<b>Comment Number &amp; Resource Category</b>	<b>Comment Text</b>	<b>Response to Comment</b>	<b>Document Modified</b>
		"...any lands known to contain federally proposed or listed threatened or endangered species or their proposed or designated critical habitat; and..."	including but not limited to, the following: The BLM does not find the suggested changes necessary or appropriate. The suggested wording change does not substantively contribute to or clarify the discussion. The commenter did not provide any rationale why the suggested change is necessary or how the current data and analysis is incorrect. The suggested change expressed personal opinions or preferences. The suggested change had little relevance to the adequacy or accuracy of the RMP/FEIS.	
Draft RMP/EIS	ME9A	A plan of operation should not be required when the species is merely proposed as threatened or endangered.	Since proposed species are in jeopardy it is important to treat them in such a way as to not lead to the listing of the species. Requiring a plan of operations would be one of the measures to help protect the species from listing.	No
Draft RMP/EIS	ME31	The analysis concludes that Alternative C would reduce long-term adverse impacts on the Oil, Gas and CBNG resources "by ensuring that the resource was available to support a viable, long-term mineral industry." This conclusion is based on the assumption that minerals that cannot be used today could be used in the future. However, there is no guarantee that lands deemed unsuitable for such use under Alternative C today will ever be made available for future resource extraction, that other sources of energy may be developed and the National immediate energy need.	Section 4.8.2.1.3.1 in the PRMP/FEIS has been revised to delete the statement in question.	Yes
Draft	ME31A	The statements fail to consider EPCA directions	See comment response ME22.	No

<b>Table 5.12c. Public Comments and Responses: Duchesne County</b>				
<b>Comment Period</b>	<b>Comment Number &amp; Resource Category</b>	<b>Comment Text</b>	<b>Response to Comment</b>	<b>Document Modified</b>
RMP/EIS		requiring impediments to energy development be reduced and management restrictions be the least restrictive.		
Draft RMP/EIS	ME34	If Alternative C would close 48,801 acres to oil and gas leasing, how can that acreage be included in the total number of acres available for oil and gas leasing in Table 4.8.1?	The acreage closed to oil and gas leasing under Alternative C is included in the "Closed to Leasing" line item in Table 4.8.1, not in the acreage open to leasing under standard, timing and controlled surface use, or no surface occupancy (NSO) stipulations.	No
Draft RMP/EIS	ME35	In the alternatives there are proposed management prescriptions such as VRM, NSO, and oil and gas closures. If these are for recreational purposes they must be analyzed here. If they are for other resources then they should be removed. As written, when analyzing it is difficult to determine the purpose for the NSO's, etc. All actions proposed for recreation should be limited to management of recreation not other resources.	<p>See Table 2.1.3 (Recreation Resources) in the PRMP/FEIS.</p> <p>See Table 2.1.14 (Recreation – Special Recreation Management Areas (SRMAs)) in the PRMP/FEIS.</p> <p>See Table 2.1.18 (Special Designations – Areas of Critical Environmental Concern (ACECs) in the PRMP/FEIS.</p> <p>See Table 2.1.19 (Special Designations – Wild and Scenic Rivers (SWR)) in the PRMP/FEIS.</p> <p>See Table 2.1.20 (Special Designations – Wilderness Study Areas (WSA)) in the PRMP/FEIS.</p> <p>See Table 2.1.24 (Visual Resource Management) in the PRMP/FEIS.</p>	No

<b>Comment Period</b>	<b>Comment Number &amp; Resource Category</b>	<b>Comment Text</b>	<b>Response to Comment</b>	<b>Document Modified</b>
			Management decisions related to NSO and oil and gas closure are primarily related to special designations, special status species and wildlife decisions, and VRM classification. NSO stipulations and oil and gas closures may overlap with areas within which recreation is anticipated, but are not implemented specifically for the purpose of recreation.	
Draft RMP/EIS	ME42	The statement that none of the alternatives would result in more than a 0.4% net decrease in the number of predicted oil and gas wells is deceiving. Based on the information in Tables 4.8.2, 4.8.3, 4.8.4 and 4.8.5, Alternatives A, B and C all provide more opportunity for oil and gas well drilling than Alternative D (No Action). However, the difference between Alternatives B and C is about 2.5%.	Sections 4.8.3 and 4.8.4 in the PRMP/FEIS have been revised to read:  "Under all action alternatives there would be a net increase in the number of predicted oil, gas, and CBNG wells as compared to the No Action alternative."	Yes
Draft RMP/EIS	ME45	This text implies that Alternative B will have substantial impacts and jeopardize plant species when compared to the impacts of Alternative A, yet Tables 4.8.2 and 4.8.3 indicate that Alternative B anticipates only 13 more oil wells, 34 more gas wells and 2 more coal bed methane wells than Alternative A in the vast southern part of the VPA. The alarming text in this paragraph should be toned down.	The small increase in the number of wells between Alternatives A and B is not as important as are the locations of those additional wells. As stated in Section 4.15.2.3.2.1:  "...the increase in mineral and energy development is concentrated in the southern part of the VPA, which would place the Book Cliffs soil endemics at substantial risk and potentially result in jeopardy to listed species and/or the listing of previously candidate or sensitive species as threatened or endangered."	No
Draft RMP/EIS	PA2	This section recognizes the benefits of paleontological studies associated with mineral development mitigation; however, such benefits are not mentioned in the analysis of Alternatives A and D	Language acknowledging the scientific benefit (e.g., increasing the body of knowledge) of paleontological investigations conducted in association with minerals development has been	Yes

<b>Comment Period</b>	<b>Comment Number &amp; Resource Category</b>	<b>Comment Text</b>	<b>Response to Comment</b>	<b>Document Modified</b>
		(No Action) that follow.	added to the discussions of Alternatives A, D (No Action), and E.	
Draft RMP/EIS	RE41 (RE-U)	Paragraph 2 line 7: The reference to "unmanaged OHV use" under Alt B is not logical given the data in Table 2.3 and elsewhere indicating that the amount of land open to unrestricted OHV use in Alt B is very similar to Alt A and C (yet "unmanaged OHV use" is not mentioned in the analysis under those alternatives).	The PRMP/FEIS has been revised to remove "unmanaged" from the text in Section 4.10.2.6.2.2.	Yes
Draft RMP/EIS	RE42 (RE-V)	2nd paragraph: Why is it stated that there would be "minimal management of OHV use" only in Alt B when the amount of acreage open to OHV travel in Alt B is the same as ALT C and less than Alt A" The amount of acreage available in Alt B for limited OHV travel is very similar to that available in Alt A.	This paragraph refers to the minimal level of OHV management under Alternative B in the areas mentioned: White River, Blue Mountain, Fantasy Canyon, Book Cliffs, Browns Park, Red Mountain-Dry Fork, and Nine-Mile Canyon. Under Alternative A, these areas would be designated as SRMAs and would receive a higher level of OHV management. While the total acres for Open, Limited, and Closed OHV use are roughly similar for Alternatives A and B, this paragraph is an analysis of impacts from OHV use on the above-mentioned areas.	No
Draft RMP/EIS	RW3	It is the position of Duchesne County that the statutory requirement regarding the management of riparian areas is to provide "reasonable protection," not to prevent against any and all impacts. The intent is to "maintain function." Riparian area buffer zones of no surface disturbance should be determined in an adaptive and flexible manner and only when site-specific analysis shows it is necessary to reasonably protect the area. RMP and Forest Plans must require that waters and riparian areas be managed so as to not impair function and reduce grazing allotments	This is beyond the scope of the PRMP/FEIS. BLM must adhere to Executive Order 11988 (1977) for Floodplains/Utah Riparian Management Policy which states that:  "No new surface-disturbing activities will be allowed within 100 meters of riparian areas unless it can be shown that (1) there are no practical alternatives or (2) all long-term impacts can be fully mitigated or (3) the activity will benefit and enhance the riparian area."	No

**Table 5.12c. Public Comments and Responses: Duchesne County**

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		<p>based on AUM's (sic) or create expansion of NSO requirements on lands historically open to mineral development. In keeping with BLM IM 2003-233 and 2003-234, the riparian buffer distance should be set based on site specific analysis and should be no greater than the least amount necessary to accomplish the desired resource protection. Providing a blanket 100-meter buffer is not acceptable.</p>	<p>The Proposed RMP includes the exceptions noted above in Appendix K.</p>	
<p>Draft RMP/EIS</p>	<p>SD8</p>	<p>It is the position of Duchesne County that Special Recreation Management Areas are improper if they are used or managed to diminish the multiple use-sustained yield mandate of FLPMA and NFMA, or provide BLM with an excuse to carry out wilderness non-impairment standards of land management. An RMP should specify the precise parameters of SRMA uses and management. SRMA's are not to be considered as strictly recreation areas to the exclusion or elimination of other uses. The RMP should specify the precise parameters of SRMA uses and management before Duchesne County will feel comfortable with Alternative A. Absent such assurances, Duchesne County supports Alternative B.</p>	<p>The CEQ regulations (40 CFR 1502.1) require BLM to consider reasonable alternatives, which would avoid or minimize adverse impacts or enhance the quality of the human environment, based on the nature of the proposal and facts in the case (CEQ 40 Most Asked Questions 1b.). While there are many possible management prescriptions or actions, the BLM used the scoping process to determine a reasonable range alternatives that best addressed the issues, concerns, and alternatives identified by the public. Public participation was essential in this process and full consideration was given to all potential alternatives identified.</p> <p>The BLM determined that a single alternative analyzing the protection of all Non-WSA lands with wilderness characteristics would best provide a reasoned choice among the alternatives. Although the other alternatives do not provide specific management prescriptions to protect Non-WSA, these alternatives analyze and disclose the impacts of the proposed resource management prescriptions, uses and actions on</p>	<p>No</p>

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			<p>the Non-WSA lands with wilderness characteristics. This gives the public the ability to fully compare the consequences of protecting or not protecting the wilderness characteristics on these Non-WSA lands. If all alternatives contained comparable protections of the Non-WSA lands with wilderness characteristics, the alternatives would have substantially similar consequences and would not be significantly distinguishable.</p> <p>The BLM, in developing the PRMP/FEIS, can chose management actions from within the range of the alternatives presented in the DRMP/DEIS and create a management plan that is effective in addressing the current conditions in the planning area based on FLPMA's multiple-use mandate.</p>	
Draft RMP/EIS	SD9	Under [Alternative B], 44,181 acres in Nine Mile Canyon would continue to be managed as a SRMA. Duchesne County does not support increasing this SRMA to 81,168 acres under Alternative A.	The BLM concurs that the Nine Mile ACEC boundary should not extend beyond the upper rim and BLM has provided that determination in the Proposed RMP. This revision is consistent with the Price FEIS boundary.	No
Draft RMP/EIS	SD10	Duchesne County is opposed to the extension of the existing ACEC in Nine Mile Canyon beyond the upper rim of the canyon. On page 3-83 of the RMP/DEIS, it appears that the proposed expansion of the Nine Mile Canyon ACEC covers a total of 36,987 acres. On Page 2-56, it indicates that the Nine Mile Canyon ACEC (in Alternative A) would expand from 44,181 to 48,000 acres (an increase of	See Response to Comment SD9-G-9.	No

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		3,819 acres). This leads Duchesne County to conclude that the remaining 33,168 acres of ACEC expansion in Nine Mile Canyon would occur in Carbon County. If this is true and the ACEC boundaries stay within the canyon upper rim, Duchesne County would not object to Alternative A.		
Draft RMP/EIS	SD11	<p>Duchesne County asserts that the RMP/DEIS does not address all of the five criteria listed [below] and that no additional Wild and Scenic Rivers shall be designated in Duchesne County:</p> <p>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 conclusions shall be disclosed; (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; (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,</p>	<p>The criteria the commenter is referring comes from Utah Code Section §63-38d-401.</p> <p>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</p>	No

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		and the results disclosed. All valid existing rights, including grazing leases and permits shall not be affected.	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 consistent with the Utah Code 63j-4-401.	
Draft RMP/EIS	SD12	<p>The Duchesne County General Plan contains the following policies regarding ACEC's:</p> <p>All plans and management decisions must ensure that special designations do not influence the use of resource on lands not listed. 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. The County also opposes the imposition of Areas of Critical Environmental Concern (ACEC) classifications or Visual Resource Management (VRM) classifications as substitutes for former Wilderness Inventory Units or so-called Citizens' Proposed Wilderness Units, or as mean to displace formerly valid surface occupying multiple use activities. ACEC and VRM classifications are improper management tools unless narrowly drawn and tailored, both geographically and programmatically, to effect only those minimal restrictions that are actually necessary to prevent irreparable damage to valid and relevant resource values. Imposing ACEC classifications in the name of "protecting scenic values" is an improper use of the ACEC tool, which contradicts this County Policy.</p> <p>Special designations include wilderness</p>	<p>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)). As a consequence, where State and local plans conflict with Federal law there will be an inconsistency that cannot be resolved or reconciled.</p> <p>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. The BLM will identify these conflicts in the FEIS/DRMP, so that the State and local governments have a complete understanding of the impacts of the DRMP on State and local management options. A consistency review of the PRMP/FEIS with the State and County Master Plans is included in</p>	No

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		<p>designations, wild and scenic rivers, areas of critical environmental concern (ACEC), critical habitat, semi-primitive and non-motorized travel areas, and other designations that may result in non-use, restricted use, or environmental impacts on public and private lands. Special designations dictate practices that restrict access or use of the land that impact other resources or their use. Such designations cause resource waste, serious impacts to other important resources and actions, and are inconsistent with the principles of multiple use and sustained yield. 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; (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;</p>	Chapter 5.	

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		<p>(iv) It is clearly demonstrated that the proposed designation is not a substitute for a wilderness suitability recommendation; and</p> <p>(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. (vi) Any impacts on private property rights are evaluated and mitigated.</p> <p>Based on these Duchesne County policies above, the County supports Alternative B for Areas of Critical Environmental Concern.</p>		
Draft RMP/EIS	SD13	<p>The Duchesne County General Plan contains the following policies regarding Wild and Scenic Rivers:</p> <p>County support for the addition of a river segment to the Wild and Scenic Rivers System shall be withheld until:</p> <p>(i) It is clearly demonstrated that water is present and flowing at all times;</p> <p>(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 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</p>	See Response to Comment SD12-G-9.	No

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		<p>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</p> <p>(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>Based on the policies listed above, Duchesne County is in support of Alternatives A or B in this section of the RMP.</p>		
Draft RMP/EIS	SD240 (SD-JJJ)	1st paragraph: It states that, under Alternative A, the upper and lower segments of the Green River would be determined suitable for WSR status. However, on pg. 4-212 and 4-214, it implies that these Green River segments have already been determined to be suitable. Has suitability been determined for these segments; and if so, when?	Chapter 4 in the PRMP/FEIS has been revised to clarify the status of WSR river segments under Alternative A.	Yes
Draft RMP/EIS	SD241 (SD-KKK)	Does the designation of a route as a backcountry byway actually result in regulation of surface-disturbing activities as implied here? Or is it the SRMA designation that provides for such regulations.	The Back Country Byway Program of the BLM is a special designation program wherein the BLM can regulate land uses in accordance with the maintenance of the resource values for which the byway was designated.	No
Draft	SD242	Contrary to EPCA and NEP policy, the designation of	See Response to Comment SD14-G-13.	No

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RMP/EIS	(SD-LLL)	Segments 1 and 2 of the White River as suitable for inclusion in the Wild and Scenic River System would result in overlapping restrictions, since the lands adjacent to these river banks are frequently wetland habitats and within the 100-year floodplain, which are under NSO stipulations or closed to mineral development. We recommend that stipulations not necessary to accomplish desired protection be modified or dropped through the planning process. NEP, pp. 5-7; IM 2003-233, p.3. Preferred actions in the DEIS/RMP must be analyzed and developed in the context of these statutory and executive policies that promote and facilitate oil and gas development.		
Draft RMP/EIS	SO6	In addition to tourism impacts on law enforcement and emergency services, tourism on public lands impacts the county road systems.	There is no requirement in NEPA to do the detailed analysis that the commenter demands. This is outside the scope of the RMP and EIS. Administrative Actions by the BLM do not require a specific planning decision to implement.	No
Draft RMP/EIS	TR1 (TR-N)	We request that the BLM articulate its policies regarding the granting of Title 5 rights of way to counties and provide a Title 5 right of way agreement template in an appendix of the RMP.	The request is beyond the scope of this document. Title V rights-of-way are clearly explained in FLPMA. It is not necessary to repeat that information in this document.	No
Draft RMP/EIS	TR2	This item talks about the elimination of "unneeded travel routes." This item should be modified to indicate who makes such a determination.	Recreation management guidelines were developed to help achieve and maintain healthy public lands as defined by the Rangeland Health Standards. Refer to Table 2.1.13 (Recreation Resources) of the PRMP/FEIS under Rangeland Health Standard 1 for the Recreation Management Guidelines. The BLM will make the determination of unneeded travel routes in a Travel Management Plan which will be prepared	No

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			after the Record of Decision. The public and the PRMP cooperating agencies will be involved in scoping for the plan.	
Draft RMP/EIS	TR3	This item should be modified to indicate that determinations as to whether travel routes are "unneeded" would take into account county transportation plans and county comments.	See comment response TR2.	No
Draft RMP/EIS	TR4	The RMP should include a discussion of BLM's policies regarding granting Title V rights-of-way.	See comment response TR1.	No
Draft RMP/EIS	TR5	There are many roads on BLM land that are not officially "county roads," but are public (Class D) roads that have RS 2477 rights. Many of these appear on the Duchesne County Transportation Plan that has been provided to the BLM. Can the BLM recognize such rights in this part of the document?	<p>A "D" route does not equate to a County road assertion. The routes identified as "D" routes in the DRMP/DEIS are roads located on public lands and managed by the BLM until properly adjudicated. The DRMP/DEIS proposes four different alternatives to manage these routes.</p> <p>As specified in the Draft RMP/DEIS Section 1.8 these issues are addressing RS 2477 assertions and are beyond the scope of this planning effort. However, nothing extinguishes any right-of-way or alters in any way the legal rights the State and Counties have to assert and protect RS 2477 rights.</p> <p>See comment response TR8.</p>	No
Draft RMP/EIS	TR7	Closing or restricting access over public lands is mentioned in this paragraph. Duchesne County requests that this paragraph make it clear that such closures or restrictions would not effect roads shown on county transportation plans or roads with RS 2477 rights.	This clarification is provided for in Section 1.8, Issues Beyond the Scope of the PRMP/FEIS.	No

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Draft RMP/EIS	TR32 (TR-P)	Construction of new roads across riparian areas does not create an irreversible loss of habitat. If such roads are deemed to no longer serve a public purpose after the activity they serve is completed, such roads can be removed and the habitat restored.	Section 4.11.1 in the PRMP/FEIS has been revised to read as follows:  "Depending upon the types of construction methods and materials used, roads built across riparian areas would result in a direct loss of riparian habitat at the site of the crossing. The loss of habitat would continue until the reclamation of the road occurs and traffic diminishes to a point that riparian habitat can reestablish itself."	Yes
Draft RMP/EIS	VE1	Duchesne County has adopted a list of noxious weeds, which was provided to the BLM staff at the February 9, 2005 open house in Duchesne. The status column in this table may need to be amended accordingly.	All of the plants listed in the comment are already included in Table 3.16.6 except for Tamarisk, which is discussed at the end of Section 3.16.2. The "Status" column of Table 3.16.6 has been revised to identify which of the plants are listed by Duchesne County as noxious weeds.	Yes
Draft RMP/EIS	VE3	Alternative C would have lesser beneficial impacts on vegetation resources than Alternative A (not more). This is because Alternative C would not automatically provide for the same level of vegetation removal as Alternative A, which increases the chances for catastrophic wild fires (see Section 4.13.2.14.3).	The woodland and forest species salvaging is proposed for Alternative A and limited in Alternative C (Section 4.13.2.14.3). The level of this activity under Alternative A would have long-term adverse impacts to soil and water resources because of surface disturbance and subsequent soil erosion and sedimentation in streams. These effects would adversely affect the vegetation under Alternative A, and less so under Alternative C. In fact, the two alternatives are probably comparable in their effect on vegetation. The PRMP/FEIS has been revised to reflect this analysis.	Yes
Draft	VI1	It is the position of Duchesne County that RMP's should not apply VRM classifications in such a way	According to BLM Manual 8400.06(2) Visual Resource Management, VRM classes shall result	No

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RMP/EIS		as to diminish historically permitted or leased "domestic livestock grazing," "mineral exploration and production," "timber production," and principal and major uses of the land as mandated by FLPMA Section 1702(1).	from, and conform to, the resource allocations made in RMPs. This would include domestic livestock grazing, mineral exploration and production, timber production, etc.	
Draft RMP/EIS	VI1A	VRM classifications and goals must be limited to protecting against only damage that is permanent and irreparable, while recognizing and allowing for overall multiple use and quality of life for local communities (who enjoy the land and who rely on balanced, sustained-yield economic use of natural resources in the planning area) and visitors to public lands [see FLPMA Section 1702(1)].	The purpose of VRM classifications is not tied to protecting permanent and irreparable damage. VRM classifications are assigned to public lands based on scenic quality, sensitivity level, and distance zones. The VRM classification has an objective which prescribes the amount of change allowed in the characteristic landscape. See the Glossary of Terms in BLM Manual 8400.	No
Draft RMP/EIS	VI1B	VRM I and II classifications constitute de facto wilderness management in violation of the multiple use mandate of FLPMA, and required by BLM Manual H 8410 and NEPA to impose VRM restrictions.	VRM classifications are not the mechanism for designating wilderness areas. Wilderness Study Areas are managed by their own set of rules and regulations (see BLM Manual H-8550-1, Interim Management Policy and Guidelines for Lands Under Wilderness Review). BLM Handbook 8410-1, Visual Resource Inventory, states in III(5),  "Special Areas. Management objectives for special areas such as Natural Areas, Wilderness Areas or Wilderness Study Areas, Wild and Scenic Rivers, Scenic Areas, Scenic Roads or Trails, and Areas of Critical Environmental Concern (ACEC), frequently require special consideration for the protection of the visual values. This does not necessarily mean that these areas are scenic, but rather than one of the management objectives may be to reserve the	No

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			<p>natural landscape setting. The management objectives for these areas may be used as a basis for assigning sensitivity levels."</p> <p>Furthermore, BLM IM-2000-96 (Use of Visual Resource Management Class I Designation in Wilderness Study Areas states:</p> <p>"... that all WSAs should be classified as Class I, and managed according to VRM Class I management objectives until such time as the Congress decides to designate the area as wilderness or release it for other uses. If a WSA is designated as wilderness, the area would continue to be managed as VRM Class I."</p>	
Draft RMP/EIS	VI1C	VRM analysis should be based on certain visual reference points. For example, analysis should be based on that which is visible from the resource that is intended to be protected. Classifications for VRM should not be "overly broad." All VRM's must be developed based on a specific point of reference such as a river, a stream, a road, etc. RMP's are legally flawed that lack such articulation of existing character and why retention of such is important, a statement of acreage affected, etc..	<p>VRM classifications are made to meet management goals and objectives. Although an inventory may be used, it is not required.</p> <p>The current classifications were brought forward from the Book Cliffs and Diamond Mountain RMPs.</p> <p>H1601-1 – Land-use planning Handbook, Appendix C, I. Visual Resources states, "Land-use plan Decisions. Manage visual resource values in accordance with visual resource management (VRM) objectives (management classes). Designate VRM management classes for all areas of BLM land, based on an inventory of visual resources and management considerations for other land uses. VRM</p>	No

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			<p>management classes may differ from VRM inventory classes, based on management priorities for land uses (see BLM Handbook H8410-1 for a description of VRM classes)."</p> <p>The commenter is correct in stating that VRM classifications should be prescribed to areas as seen from specific places only. Called "Key Observation Points" (KOP), i.e. a scenic overlook, a frequented canyon rim, or a particular feature, the VRM classification given would be managed to protect that view shed from that point. Another way to protect an area like the White/Green River corridors or a Scenic Byway would be to manage for whatever classification is determined along the entire river corridor. This has been analyzed in the past by projecting a computer generated viewer from 3 feet above the river surface (similar to a canoeist) located in the middle of the waterway and then asking the computer to generate a 360 degree view for the length to be analyzed. The results demonstrate the frequency of sightings, the distance seen, and the areas observed.</p>	
Draft RMP/EIS	VI1D	VRM I rating shall be restricted to Class I wilderness areas, congressionally designated wild and scenic river segments, and other areas where congressional decisions or legitimate administrative decisions have been made to preserve a natural landscape.	VRM Class I can be designated for other areas that are not national wilderness areas, wild and scenic river segments, and other congressionally and administratively designated areas. The language of H-8410-1 states that in areas where the natural landscape is to be maintained includes areas such as WSAs, wild and scenic rivers, etc. This does not eliminate other naturally scenic areas from designation as VRM I. The	No

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			BLM can designate other areas as VRM I if the land use objectives for that area deem it important to maintain the natural scenic quality and if the area proposed for VRM I designation possesses scenic quality and natural landscape characteristics. The alternatives present a range of VRM categories from which management can select from.	
Draft RMP/EIS	VI1E	RMP's are contrary to law to the extent they authorize VRM ratings beyond these parameters. VRM I ratings are illegal in WSA's (see BLM IM 2000-96 and BLM H-8550-1). Moreover, a VRM I classification on WSA's conflicts with FLPMA Section 1782(c), which expressly allows for the continuation of existing mining and grazing uses and mineral leasing in the manner and degree in which the same was conducted when FLPMA took effect.	Visual Resource Management in class I and II areas does not preclude oil and gas development, but it does mean that the BLM has to try harder to accommodate both the visual concerns as well as the valid and existing rights. Through screening techniques such as topography, vegetation, coloration, and adaptation of facilities, we have been successful in fully mitigating the visual concerns of some VRM II areas.  See comment response SD174 regarding valid existing rights. This would include both mining and grazing uses.	No
Draft RMP/EIS	VI1F	Duchesne County has adopted a policy in its General Plan stating, "Imposing VRM classifications that result in the prohibition of formerly valid surface occupying or surface-disturbing activities is an improper use of the VRM tool."  Based on the above, Duchesne County expresses support of Alternative A, depicted on Figure 29 of the Draft EIS. This alternative contains no Class I VRM in Duchesne County and the only Class II VRM is	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, BLM is bound by Federal law. FLPMA requires that the development of resource management planning for public land must be coordinated with and consistent with county plans to the maximum extent possible by law, and resolve to the extent practicable, inconsistencies between federal and	No

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		located along Nine Mile Canyon, east of Gate Canyon. Duchesne County opposes Alternatives B, C, and D, which designate more Class II VRM areas in the county.	non-federal government plans (FLPMA, Title II Sec. 202 (c) (9)). As a consequence, 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 practicable, the federal agency planning process is not bound by or subject to county plans, planning processes, or planning stipulations. BLM will identify these conflicts in the FEIS/Vernal RMP so that the State and local governments have a complete understanding of the impacts of the Vernal RMP on State and local management options. A consistency review of the Vernal RMP with the State and County Master Plans has been included in Chapter 5.	
Draft RMP/EIS	VI25	Under Alternative C, the reduction in short-term adverse impact is recognized but the reduction in long-term beneficial impacts (associated with restrictions on fuel reduction in ACEC's) is not.	Section 4.17.2.12.3 has been revised in the PRMP/FEIS as follows:  "Alternative C would have similar impacts as Alternative A, except that up to 552,663 acres of forest and woodlands would be available for treatments or harvesting. Forest and woodland species salvage would be allowed only when the woodland or forest resource were threatened, which would reduce the short-term, adverse impacts on visual resources. Excluding woodland salvage within 242,760 acres of proposed ACECs would reduce the long-term beneficial impacts on woodlands because this form of fuel load reduction would not be conducted to reduce	Yes

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			the risk of catastrophic wildland fire."	
Draft RMP/EIS	WF35	This conclusion does not appear to be adequately supported by findings in the chapter and is an overstatement of the potential impacts.	Section 4.15.6 in the PRMP/FEIS has been revised to include supporting statements for the conclusion reached in this section.	Yes
Draft RMP/EIS	WF36	Efforts have not been made in Alternative B to allocate forage to wild horses.	The commenter is correct. Alternative B represents part of the range of alternatives by CEQ regulations (40 CFR 1502.1).	Yes
Draft RMP/EIS	WF37	Alternative B should be amended to allow for UDWR involvement in analyzing exceptions to the dates as in Alternatives A and C.	<p>The CEQ regulations (40 CFR 1502.1) require BLM to consider reasonable alternatives, which would avoid or minimize adverse impacts or enhance the quality of the human environment, based on the nature of the proposal and facts in the case (CEQ 40 Most Asked Questions 1b.). While there are many possible management prescriptions or actions, the BLM used the scoping process to determine a reasonable range alternatives that best addressed the issues, concerns, and alternatives identified by the public. Public participation was essential in this process and full consideration was given to all potential alternatives identified.</p> <p>The BLM determined that a single alternative analyzing the protection of all Non-WSA lands with wilderness characteristics would best provide a reasoned choice among the alternatives. Although the other alternatives do not provide specific management prescriptions to protect Non-WSA, these alternatives analyze and disclose the impacts of the proposed resource management prescriptions, uses and actions on the Non-WSA lands with wilderness</p>	No

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			<p>characteristics. This gives the public the ability to fully compare the consequences of protecting or not protecting the wilderness characteristics on these Non-WSA lands. If all alternatives contained comparable protections of the Non-WSA lands with wilderness characteristics, the alternatives would have substantially similar consequences and would not be significantly distinguishable.</p> <p>The BLM, in developing the PRMP/FEIS, can chose management actions from within the range of the alternatives presented in the DRMP/DEIS and create a management plan that is effective in addressing the current conditions in the planning area based on FLPMA's multiple-use mandate.</p>	
Draft RMP/EIS	WF54	Alt B does not include the 560 acres per township limitation for wildlife, according to Table 2.3 on pg 2-65. Alts A and C contain this limitation, while Alt B has a 10% habitat threshold. Duchesne Co. supports Alt B and the 10% threshold.	Section 4.16.2.15.1 in the PRMP/FEIS has been revised to correct the analysis error for Alternative B.	Yes
Draft RMP/EIS	WF55	This section is supposed to address the cumulative effects on wildlife and fisheries but seems to focus on the effects to vegetation.	As described in the cumulative impacts (Section 4.22.12), the impacts of the mentioned oil and gas exploration and development projects would impact vegetation. Restated in another way, the Impacts to vegetation and other surface disturbances could have direct and cumulative impacts on wildlife and fisheries by adversely impacting the habitat (e.g., vegetation) upon which they depend for food, shelter, and reproduction.	No

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WSA Supp.	1 WC	<p>On June 25, 2007, the Duchesne County Commissioners approved Resolution #07-15, which amended the Duchesne County General Plan to clarify the county's policies for the management and use of "non-WSA lands with wilderness characteristics" in the Twin Knoll-Wrinkles Road area of Duchesne County, which encompasses the Desolation Canyon non-WSA area identified in the supplement. A copy of this Resolution was forwarded to Selma Sierra, State BLM Director, by letter dated June 25, 2007.</p> <p>At that time, the County Commissioner made it clear that Duchesne County plans call for multiple use of these public lands. The county also submitted maps and photos showing that existing roads, mining and energy operations, spring developments, grazing lease improvements and other evidence of man's influence on the area raises the question whether such lands lying generally between Wrinkles Road and the Carbon County line and generally between the Sand Wash Road and the Uintah County line (Desolation Canyon non-WSA) actually possess wilderness character. We believe the answer to this question for much of the land protected under Alternative E is "no".</p> <p>In accordance with FLPMA, Duchesne County expects that the BLM will consider the county land-use plan, including the June 2007 amendment, in making land management decision that are consistent with local policies to the greatest degree possible under federal law. Proposed Alternatives A and B of the draft RMP come closest to consistency with local plans.</p>	<p>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)). As a consequence, where State and local plans conflict with Federal law there will be an inconsistency that cannot be resolved or reconciled.</p> <p>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. The BLM will identify these conflicts in the FEIS/DRMP, so that the State and local governments have a complete understanding of the impacts of the DRMP on State and local management options.</p>	No

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		Alternatives C and E are inconsistent with local plans and the multiple use mandate of FLPMA.		
WSA Supp.	2 OTH	Page 2-7, Table 2.3, Lands and Realty, bottom sentence: ":An easement for the old Uintah Railroad bed from the Utah/Colorado line to Watson in Evacuation Creek would no be pursued.	The typographical error has been corrected in the Proposed RMP/Final EIS.	Yes
WSA Supp.	3 OTH	Page 2-10, Table 2.3, Recreation: Seep Ridge, Book Cliff Divide, and Atchee Ridge Roads would not be designed as Back Country Byways.	The typographical error has been corrected in the Proposed RMP/Final EIS.	Yes
WSA Supp.	4 WL	Page 2-20, Table 2.3, Wildlife and Fisheries, 1st paragraph: Are the locations of the McCook and Monument Ride mule deer migration corridors mapped so the reader can determine the location of these corridors?	The migration corridors are mapped in the Draft RMP. See List of Maps and Figures – Figure 34	No
WSA Supp.	5 OTH	Page 4-10, Section 4.3.2.3.6, 2nd sentence: "Alternatives A, C, and E are likely to have the greatest beneficial impacts, because all three involve....".	The language has been changed in the Proposed RMP/Final EIS.	Yes
WSA Supp.	6 TRV	Page 4-21, Section 4.3.2.8.5, Alternative E proposes a 99.9% decrease in areas open to unrestricted OHV travel, closure of 392,818 acres to any OHV travel and closure of 228 miles of OHV routes. This action would be inconsistent with the Duchesne County general plan, which states that: "OHV's have become an important segment of the County's recreation industry. They provide an important tool and mode of transportation for farmers, ranchers and resource developers." Reducing the opportunities for OHV use to the degree proposed by Alternative E will negatively affect the area's motorized recreation industry.	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)). As a consequence, where State and local plans	No

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				<p>conflict with Federal law there will be an inconsistency that cannot be resolved or reconciled.</p> <p>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. The BLM will identify these conflicts in the FEIS/DRMP, so that the State and local governments have a complete understanding of the impacts of the DRMP on State and local management options. A consistency review of the DRMP with the State and County Master Plans is included in Chapter 5.</p> <p>Additionally, research shows that there are positive recreational industry benefits associated with the protection of public land. (See section 4.12.3.3.3 pages 4-68 and 4-69.</p>	
WSA Supp.	7	FIR	Page 4-26, Section 4.4.2.5.4, Under Alternative E, it is inaccurate to state that forests and woodlands would be "managed to promote biodiversity and multiple use/sustained yield" when woodland harvesting or salvage would be not allowed and vegetation treatment would be limited to prescribed burns under certain conditions.	The wording of this section will be revised to read- "managed to promote biodiversity and multiple use"	No
WSA Supp.	8	FIR	Page 4-27, Section 4.4.2.7.5, at the end of this paragraph, it should be stated that Alternatives C and E have less beneficial impacts on fire management when compared to Alternative B.	The BLM declines to make the suggested wording change for a variety of reasons including, but not limited to, the following: 1. The BLM does not find the suggested changed	No

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			<p>necessary or appropriate.</p> <p>2. The suggested wording change does not substantively contribute to or clarify the discussion.</p> <p>3. The commenter did not provide any rationale why the suggested change is necessary or how the current data and analysis is incorrect.</p> <p>4. The suggested change expressed personal opinions or preferences.</p> <p>5. The suggested change had little relevance to the adequacy or accuracy of the RMP/EIS.</p>		
WSA Supp.	9	GRA	<p>Page 4-31, Section 4.7.2.2.5 and Page 4-98 (Table 4.14.1) Forage Management under Alternative E would be inconsistent with the Duchesne County land-use plan in that forage for livestock would be reduced 47.1% in favor of wildlife and wild horses. The county plan states as follows": "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. The only justification for decreasing domestic livestock grazing AUM's is for there to be a valid and documented scientific finding that the range district will no longer support the AUM's in question. The BLM and Forest Service are expected to comply with and honor the domestic grazing preference on grazing districts."</p>	<p>In accordance with FLPMA, the BLM reviewed and considered the general plans of Duchesne, Daggett, Uintah, and Carbon counties during development of the management alternatives within the RMP. Where feasible, prudent, and consistent with the purpose and need of the RMP and BLM's multiple-use/sustained yield mandate, the BLM developed a range of alternatives and included them in the RMP/EIS.</p> <p>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 resolved to the extent practical (FLPMA, Title II Sec. 202 (c)(9)). As a consequence, where State and local plans</p>	No

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			<p>conflict with Federal law, there will be an inconsistency that cannot be resolved or reconciled.</p> <p>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. The BLM will identify these conflicts in the FEIS/PRMP, so that the State and local governments have a complete understanding of the impacts of the PRMP on State and local management options. A consistency review of the PRMP with the State and County Master Plans is included in Chapter 5.</p>	
WSA Supp.	10 MOG	<p><i>Page 4-36, Section 4.8.2.1.5, this section should mention the amount of acreage in the non-WSA lands with wilderness characteristics that has already been leased (129,468 acres according to Page 4-220). This data gives the reader a more accurate indication of how Alternative E would impact energy and mineral resources. Alternative E, which proposes a 2% decrease in the amount of land available for energy development, is inconsistent with the Duchesne County land-use plan, which contains policies stating that:</i></p> <p><i>"Access to public lands for mineral development must be increased in the economic interest of the county citizens and government."</i></p> <p><i>"Development of the solid, fluid, and gaseous mineral</i></p>	<p>Table 4.22.1 lists each non-WSA land with wilderness characteristics and provides the number of acres already leased by alternative.</p> <p>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)). As a consequence, where State and local plans conflict with Federal law there will be an</p>	No

<b>Table 5.12c. Public Comments and Responses: Duchesne County</b>					
<b>Comment Period</b>	<b>Comment Number &amp; Resource Category</b>		<b>Comment Text</b>	<b>Response to Comment</b>	<b>Document Modified</b>
			<i>resources of the state should be encouraged.:"</i>	<p>inconsistency that cannot be resolved or reconciled.</p> <p>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. The BLM will identify these conflicts in the FEIS/PRMP, so that the State and local governments have a complete understanding of the impacts of the PRMP on State and local management options. A consistency review of the PRMP with the State and County Master Plans is included in Chapter 5.</p>	
WSA Supp.	11	MIN	Page 4-39, Section 4.8.2.1.5.2, Locatable Minerals: the statements in this paragraph seem inconsistent with Page 12 of the 2004 Mineral Potential Report, which blames the low level of development activity for locatable minerals on withdrawals rather than the lack of such resources in the ground.	The paragraph states that "there is moderate potential for the occurrence of locatable minerals within the VPA". The BLM does not anticipate development activity for locatable minerals due to the large area subject to the oil shale withdrawal.	No
WSA Supp.	13	WL	<i>Page 4-42, Section 4.8.2.6.5, 2nd paragraph: It should be clear that if Alternative D does not specify what percentage of new surface-disturbing activity will be allowed in wildlife habitat areas and Alternative E will limit such disturbance to 2.4% or 560 acres per township, that Alternative E would have a much greater potential impact on energy and mineral resource development compared to Alternative D-No Action.</i>	Alternative D, which is the no action alternative, was formed from the Book Cliffs and Diamond Mountain RMP/FEIS. No percentage of new surface-disturbing activity was calculated for wildlife habitat areas. Therefore, an exact relationship cannot be made.	No

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WSA Supp.	14	MOG	Page 4-43, Section 4.8.2.8.2, management under Alternative E predicts a total of 6,117 oil, gas and CBNG wells, which appears in Table 4.12.1. However, this section (and Section 4.10.2.4.5) indicates that this is a 4% increase compared to 5,856 wells under Alternative D. Actually, Table 4.12.1 shows a predicted 6,331 wells under Alternative D, making Alternative E management result in a decrease of 214 wells or a 3.4% decrease (see Table 4.12.1). It is Duchesne County's position that such a decrease would violate the county land-use plan and EPCA.	Table 4.12.1 in the DRMP was inaccurate in the number of well potential by alternative. The FEIS will be corrected to reflect the correct numbers.  Alternatives A, B, C, and E all reflect a greater well potential than Alternative D due to the proposed availability of lands within the Hill Creek Extension for leasing, which is not the case in Alternative D.	Yes
WSA Supp.	15	GRA	Page 4-47, Section 4.9.2.4.5, 2nd sentence: Why is it that surface disturbances associated with rangeland improvements are deemed beneficial as they would increase the potential of making new paleontological discoveries; while other types of surface disturbances are not found to have the same benefit? For example, in Section 4.9.2.7.5, on Page 4-48, Class I and II VRM management under Alternative E is found to have the fewest adverse impact on paleontological resources. However, using the rationale from Section 4.9.2.4.5, Class I and II VRM would be less beneficial as there would be less surface disturbances and less chance to actually discover and study such paleontological resources.	Section 4.9.2.4.5 indicates that "it is anticipated that the primary indirect impact would be to increase the adverse potential for concentrated trampling of paleontological localities located in areas adjacent to fencing or reservoirs on barren bedrock." This means that more surface-disturbing activities have the greatest potential to impact paleontological resources	No
WSA Supp.	17	REC	Page 4-51, Section 4.10.2.3.5 and elsewhere throughout the supplement: It is the position of Duchesne County that the majority of citizens in our county and across the country do not participate in primitive, non-motorized forms of recreation due to age, mobility, health conditions and economic considerations. The majority needs motorized access	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	No

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		to enjoy recreation opportunities such as hunting, fishing, and wildlife viewing. The Duchesne County public lands plan states that 12% of the county's land area is already wilderness and this area is highly inaccessible, which makes it off-limits for the majority of citizens. The plan states: "Wilderness designation is inconsistent with the philosophy of multiple use and sustained yield and adversely affects the County's economy in terms of grazing, tourism, timber industries, and water resources." Throughout the supplement, the benefits of protecting wilderness characteristics are mentioned without mentioning the detrimental impacts listed in the county plan.	<p>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)). As a consequence, where State and local plans conflict with Federal law there will be an inconsistency that cannot be resolved or reconciled.</p> <p>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. The BLM will identify these conflicts in the FEIS/DRMP, so that the State and local governments have a complete understanding of the impacts of the DRMP on State and local management options. A consistency review of the DRMP with the State and County Master Plans is included in Chapter 5.</p>		
WSA Supp.	18	TRV	<p><i>Page 4-52, Section 4.10.2.4.5, 2nd paragraph, Page 4-58, Section 4.10.2.8.5, Page 4-59, Section 4.10.2.11.5: Closure of 228 miles of vehicle routes under Alternative E would be inconsistent with the Duchesne County land-use plan, which states that "Access to and across public lands, including RS 2477 roads and rights of way, should remain open. All necessary action will be taken to protect access.</i></p>	<p>See Response to Comment 10-6-TRV.</p> <p>With specific regards to RS 2477 roads, direction is given within the Draft RMP on pg 1-11 and states:</p> <p>Revised Statute 2477 assertions, concerning the construction of roads across public lands, as proposed by counties within the planning area would be addressed with current policy.</p>	No

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WSA Supp.	19	TRV	<i>Page 4-64, Section 4.11.2.12.5: In this section and elsewhere throughout the supplement, reference is made to "rehabilitating" roads after it is determined that they no longer serve the permitted purpose. To rehabilitate means to restore, repair, revitalize, recover, regenerate or re-establish. We believe it would be clearer to state that such roads should be obliterated and the land reclaimed to a more natural condition. The Duchesne County plan calls for analysis and county involvement in decisions to obliterate and reclaim roads.</i>	The BLM does not find the suggested change necessary. As a cooperating agency in the RMP process and a local government entity, BLM would involve the county on decisions concerning general purpose roads.	No
WSA Supp.	20	MOG	<i>Pages 4-66, 4-67, Section 4.12.3.2.5: The analysis in this Section 4.13.2.4.5 (Page 4-73) seems to be flawed in that it presumes Alternative E would increase the number of oil, gas and CBNG wells when compared to Alternative D, when actually Alternative E would result in 214 fewer wells according to Table 4.12.1 (6,331 wells in Alternative D versus 6,117 under Alternative E).</i>	See comment response 10-O-14.	Yes
WSA Supp.	21	SOC	Pages 4-68 and 4-69, Section 4.12.3.3.3: Duchesne County disputes the findings of studies concluding that wilderness areas add positive economic benefits to local communities. These studies fail to take into account the negative impacts to the grazing, motorized travel, tourism and timber industries and to water resources needed to support the economy, when multiple use is not allowed. Our experience is that "high dollar recreation, such as hunting," referred to on Page 4-69, does not necessarily mean high dollars to the local economy (most hunters will outfit and supply themselves using sources outside the area, exploit the hunting opportunities locally, spending as little money as possible while here, and then return home).	The cited studies concentrate on the purported economic benefits of wilderness; they do not necessarily conclude that there are no costs, nor even that the benefits always exceed the costs. The analysis in Chapter 4 explicitly states that the cited studies generally were done in the context of designated wilderness, and may or may not apply to WSA's or non-WSA lands with wilderness characteristics. The Proposed RMP/Final EIS discusses in Chapter 4 the positive and negative impacts of all plan decisions, including the impacts from the decision to preserve, protect and maintain 106,178 acres for wilderness characteristics.	No

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WSA Supp.	22 SOC	Page 4-69, Section 4.12.3.4.2: The findings under Alternative E are inconsistent with the socioeconomic statements in the Duchesne County land-use plan which promote motorized access to and multiple use of public lands and conclude that additional wilderness designation shall be opposed.	<p>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)). As a consequence, where State and local plans conflict with Federal law there will be an inconsistency that cannot be resolved or reconciled.</p> <p>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. The BLM will identify these conflicts in the Proposed RMP/Final EIS, so that the State and local governments have a complete understanding of the impacts of the Proposed RMP on State and local management options. A consistency review of the Proposed RMP with the State and County Master Plans is included in Chapter 5.</p>	No
WSA Supp.	23 MOG	Page 4-73, Section 4.13.2.4.5: The figure 1,499,461 acres open for leasing under Alternative E appears to be inconsistent with the acreage figure given in Table	The figures are not inconsistent. The 1,547,090 acreage figure given in Table 4.12.1 and also discussed on page 4-66 of the Supplement is	No

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			4.12.1 (1,547,090 acres).	acreage within the planning area open to oil and gas leasing subject to standard, timing and controlled surface use, or NSO stipulations. The 1,499,461 acreage figure given on page 4-73 of the Supplement is acreage within the planning area open to oil and gas leasing subject to standard or timing and controlled surface use stipulations (did not include NSO areas).	
WSA Supp.	24	OTH	Page 4-74, Section 4.13.2.6.5 (Alternative E should be singular). In the last sentence of this section, "These alternatives should be changed to "this alternative".	The language has been changed in the Proposed RMP/Final EIS.	Yes
WSA Supp.	25	SOL	<i>Page 4-79, Section 4.13.2.16.5, Page 4-103, Section 4.16.2.8.5 (last paragraph), Page 4-105, Section 4.16.2.10.1 (last paragraph): Duchesne County disagrees that Alternative E would have greatest overall benefits to soil productivity and watershed health. Since Alternative E does not allow vegetation management (other than potential prescribed burns) the alternatives that allow a wider range of vegetation management actually hold more promise to benefit soils and watersheds compared to the "hands-off" approach of Alternative E.</i>	Several types of vegetation management are allowed as described in Table 2.1.23 of the SRMP/SEIS: "Management Common to All." This large "tool-box" provides management several options for soil and watershed health.	No
WSA Supp.	26	ACE	Page 4-80, Section 4.14.1.3.1, paragraph 1, last sentence: Because Alternative C would designate both ACEC's... Second paragraph: Just because Alternatives B and D would not designate such ACEC's we question if pinyon pine habitat and watershed health could be enhanced by other management tools. Is an ACEC absolutely necessary to protect these resources or will other tools do the job?	Through FLPMA, BLM has authority to designate ACECs where special management attention is required to protect and prevent irreparable damage to important cultural, historic, or scenic values; fish and wildlife resources; or other natural systems or processes or to protect life and safety from natural hazards. Where ACEC values and wilderness characteristics coincide, the special management associated with an ACEC, if designated, may also protect "wilderness characteristics: (IM-2003-275).	No

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				<p>However, BLM policy directs that "an ACEC designation will not be used as a substitute for wilderness suitability recommendations: (BLM-M-16513). Wilderness characteristics were not considered relevant or important values when evaluating or designing management for potential ACECs.</p> <p>The RMP presents the various management strategies for achieving the desired range of alternatives. Size and management prescriptions vary between the alternatives. If the protection of the relevant and importance values "outweighs" the other resource uses then the ACEC was proposed under all the alternatives.</p> <p>The relevant and important values of the ACEC extend beyond the 160 acres within which the Old Growth Pinion Pine is located. These values include cultural resources, an important watershed, and a critical ecosystem for wildlife and migratory birds. As such, the area encompassed by the ACEC is larger than the 160-acre pinion forest.</p>	
WSA Supp.	27	WSR	Page 4-85, Section 4.14.1.3.6, last paragraph: Would this statement hold true if the White River were designated Wild and Scenic?	<p>The last paragraph in section 4.14.1.3.6 states:</p> <p>Neither Alternative B nor D – No Action would designate the White River corridor as an ACEC. Accordingly, they would result in greater adverse impacts to the previously described resources along the corridor. However, they would also have fewer restrictions to oil and gas development and OHV use.</p>	No

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				<p>Commenter does not give specific portion of the paragraph that he/she wants to know specifics about.</p> <p>If the commenter is asking if WSR designation would provide protection the White River, it should be noted that the BLM does not designate Wild and Scenic rivers, it only identifies, finds eligible or non-eligible and recommends as suitable to congress specific river segments.</p> <p>However, management prescriptions for the White River would add additional protections to the White River should it be found suitable as part of the Record Of Decision. It would , however, be subject to Valid Existing Rights.</p>	
WSA Supp.	29	WC	Page 4-97, Section 4.15.2.10: This section states that Alternative E protects 277,596 acres; however Table 4.15.2 implies that much less land is protected. Is this due to existing leases	Table 4.15.2 does not imply toward impacts on Special Status Species; however, it does apply to Mineral Development.	No
WSA Supp.	30	ACE	Page 4-104, Section 4.16.2.10.1: Alternative B seems to be left out of the analysis for the Coyote Basin and Four Mile Wash ACEC's.	<p>The commenter is correct that the Alternative B analysis has been left out of the analysis. This will be updated in the Final EIS.</p> <p>Four Mile wash would not be designated under alternative B, and as a result would not impact, or would have the same impact as alternative D.</p>	Yes
WSA Supp.	31	VEG	Page 4-106, Section 4.16.2.12.1, last paragraph and Section 4.16.2.13.3: Closing 228 miles of travel routes and designating Class I and II VRM will likely be detrimental to vegetation resources long-term in that such closures and restrictions will make it more	The benefits from closing 228 miles of travel routes will reduce the amount of weed seed being introduced and dispersed and will likely outweigh the impact to vegetation from reduced weed management.	No

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			difficult to control noxious weeds or manage vegetation for better habitat and reduce fuel loads. This is not mentioned in the supplement until the end of Section 4.16.2.16.5 on Page 4-108.		
WSA Supp.	32	WC	Page 4-109, Section 4.16.2.17.2 and elsewhere in the supplement: The amount of protection is overstated (277,596) due to the presence of valid, existing leases.	The commenter does not provide data to support the amount of valid and existing leases.	No
WSA Supp.	33	VRM	<i>Page 4-118, Section 4.17.2.10.3, last paragraph: It should be noted here that Alternative E has the fewest beneficial long-term impacts as beneficial vegetation treatment would be severely restricted in the areas deemed to have wilderness character.</i>	The BLM declines to make the suggested wording change. The section is concerned with the impacts of vegetation decisions on visual resources. Alternative E emphasizes the protection of all non-WSA lands with wilderness characteristics. The fact that vegetative treatments are severely restricted in wilderness characteristics means that Alternative E does have the greatest long-term beneficial impacts to visual resources and non-WSA lands with wilderness characteristics.	No
WSA Supp.	34	VRM	<i>Page 4-113, Section 4.17.2.6.5, 4th paragraph: ...the long-term adverse impacts of light pollution adjacent to the Dinosaur National Monument would be mitigated, which would benefit night-time visual quality in that portion of the VPA near the monument.</i>	The BLM agrees that the recommended text would more accurately describe VRM impacts. The text has been changed in the document.	Yes
WSA Supp.	35	WD	Pages 4-118 and 4-119, Section 4.17.2.12.5: The 1st paragraph of this section notes that woodland salvage and harvesting would be prohibited under Alternative E. However, in the second paragraph, it gives the impression that woodland salvage and harvesting would be allowed. This apparent inconsistency should be clarified.	Section 4.20.1-Impacts Common to the Proposed RMP and all Alternatives, states: "Woodland resources would be treated or harvested under the Proposed RMP and all of the alternatives; however, under the Proposed RMP and Alternative E, non-WSA lands with wilderness characteristics would be managed with prohibitions on woodland and timber harvesting and salvage. These prohibitions would have adverse impacts on harvesting opportunities in the long term.	Yes

<b>Table 5.12c. Public Comments and Responses: Duchesne County</b>					
<b>Comment Period</b>	<b>Comment Number &amp; Resource Category</b>		<b>Comment Text</b>	<b>Response to Comment</b>	<b>Document Modified</b>
				The section has been revised in the Proposed RMP/Final EIS. The section number has been changed to Section 4.20.2.9-Alternative E.	
WSA Supp.	36	VRM	<i>Page 4-120, Section 4.17.2.13.2: This section fails to account for the loss of benefits associated with the reduction in vegetation management options under Alternative E (as stated in Section 4.17.2.12.5).</i>	The sections quoted by the commenter concern impacts to visual resources and the beneficial impacts to visual quality. BLM states in the Supplement on page 4-106 that Alternative E would provide long-term beneficial impacts to vegetation by limiting surface and vegetation disturbances.	No
WSA Supp.	37	OTH	Page 4-122, Section 4.18.2.3.3: The acronym "HA" (which means Herd Area), is not listed in the list of acronyms included in the RMP.	The acronym has been included in the list of acronyms in the Proposed RMP/Final EIS.	Yes
WSA Supp.	38	WHB	<i>Page 4-123 and 4-124, Section 4.18.2.5.3: This section correctly concludes that Alternatives C and E have more beneficial long-term impacts on wild horses than Alternative D; however, it fails to note that these two alternatives would have fewer long-term beneficial impacts than Alternative B, which provides for more rangeland improvements and vegetation treatments than Alternatives C or E (see Table 4.18.2).</i>	A goal and objective of the Proposed RMP/Final EIS is to provide for the interim management of wild horses as the gathering and removal of all wild horses is completed. In the Proposed RMP FEIS, all wild horses are going to be removed from the Planning Area due to the complexity of surface ownership, manageability of the wild horses, and the continued presence of a the highly infectious disease – Equine Infectious Anemia (EIA).  As stated in the "Dear Reader" letter at the front of the Supplement to the Draft RMP/EIS, "Under Alternative E, the proposed decisions that apply to the lands outside of non-WSA lands with wilderness characteristics remain the same as those in Alternative C." The commenter needs to look at both the DRMP and SDEIS to have a full context of the document including a description of	No

<b>Comment Period</b>	<b>Comment Number &amp; Resource Category</b>		<b>Comment Text</b>	<b>Response to Comment</b>	<b>Document Modified</b>
				<p>the alternatives, environment, and anticipated impacts.</p> <p>Section 4.18.2.5.2 of the Draft EMP/EIS has been revised in the Proposed RMP/Final EIS to identify short-term benefits. The section has also been renumbered as 4.18.2.5.3</p> <p>Section 4.18.2.5.3 of the Draft RMP/EIS has been renumbered as 4.18.2.5.4.</p>	
WSA Supp.	39	WHB	Page 4-125, Section 4.18.2.7.2: This section fails to recognize that limited vegetation management options under Alternative E will prohibit some beneficial treatments from taking place to the benefit of wild horses.	See comment response 10G-38.	No
WSA Supp.	40	GRA	Page 4-125, Section 4.18.2.8.3: This section gives the reader the impression that Alternatives C and E provide the most range improvements. Table 4.18.2 shows that Alternative B actually provides the most range improvements.	Table 4.18.2 indicates that Alternatives B would provide more acres of vegetation treatment miles of fencing, and miles of water pipelines than Alternatives C and E. However, Alternatives C and E would allow the development of more wells/springs than Alternative B.	No
WSA Supp.	41	GRA	Page 4-132, Section 4.19.2.6: This section favorably compares Alternatives C and E to Alternative D; however, it fails to recognize that Alternative C and E offer fewer rangeland improvements than Alternative B (see Table 4.19.8).	See comment response 10-O-40.	No
WSA Supp.	42	WD	Page 4-139, Section 4.20.2.2.3 and Page 4-142, Section 4.20.2.6.3: These sections maintain that Alternative E would have long term beneficial impacts on woodland resources by maintaining woodland productivity in those areas. However, if no woodland harvesting or salvage were allowed under Alternative	Section 4.20.2.2.3 is referring to the impacts of Lands and Realty Decisions on Woodland Resources. If ROWs and mining-related surface disturbances are prohibited under Alternative E, then no adverse impacts would occur for lands and realty decisions in non-WSA lands with wilderness	No

<b>Comment Period</b>	<b>Comment Number &amp; Resource Category</b>		<b>Comment Text</b>	<b>Response to Comment</b>	<b>Document Modified</b>
			E, woodland productivity would actually drop to zero. How can woodland productivity be enhanced by making salvage and harvest impossible?	<p>characteristics.</p> <p>The last paragraph of Section 4.20.2.6.3, page 4-142, states that there would be long-term, adverse impacts on harvesting opportunities and beneficial impacts on resource protection and productivity.</p> <p>A Forest and woodland management plan would be prepared after the Record of Decision is signed. This plan would provide guidance on: the status of forest and woodland management resources; current conditions of the forest and woodland resources; the current level of forest and woodland management activity; opportunities and rational for increasing management activity; resources necessary to increase management activity; and, potential impediments to successfully increasing management activity.</p>	
WSA Supp.	43	WD	Pages -144, 4-145, and 4-212, Sections 4.20.2.10.5, 4.20.2.12.5 and 4.21.2.13.5: Duchesne County does not agree that prohibitions on woodland harvesting and gathering have beneficial impacts on woodland resources. The decades of "hands-off" management of woodlands has led to insect infestation, build-up of fuels and degradation of habitat. Proposed woodland management under Alternative E would actually be detrimental to forest health (providing the least level of woodlands resource protection long-term).	<p>The sections referenced by the commenter refer to the impact of a variety of resource program activities on Woodland Resources. Some of the resource program activities do provide beneficial impacts while others cause adverse impacts. These impacts are discussed in the Supplement to the Draft EIS.</p> <p>A Forest and woodland management plan would be prepared after the Record of Decision is signed. This plan would provide guidance on: the status of forest and woodland management resources; current conditions of the forest and woodland resources; the current level of forest and woodland</p>	No

<b>Table 5.12c. Public Comments and Responses: Duchesne County</b>					
<b>Comment Period</b>	<b>Comment Number &amp; Resource Category</b>		<b>Comment Text</b>	<b>Response to Comment</b>	<b>Document Modified</b>
				management activity; opportunities and rational for increasing management activity; resources necessary to increase management activity; and, potential impediments to successfully increasing management activity.	
WSA Supp.	44	GRA	Page 4-153, Section 4.21.2.4.1: This section focuses on removal of livestock from the Nine Mile--Desolation Canyon areas. It is not clear from this section how the other 24 non-WSA areas will be treated...will livestock be removed from all of them? Does the grazing restriction apply only to lands in Nine Mile Canyon itself or would it also affect the numerous grazing allotments in Duchesne County north of the canyon rim?	As Page 4-153, Section 4.21.2.4.1 states "Under these alternatives, lands acquired in the Nine Mile area would not be grazed by livestock to enhance riparian and watershed values." This only applies to lands acquired in Nine Mile as stated above.	No
WSA Supp.	45	MOG	Pages 4-166 to Page 4-178, Table 4.21.1: Change heading "Oil & as Development Potential" to "Oil & Gas Development Potential".	The FEIS will reflect this correction.	Yes
WSA Supp.	46	WC	Page 4-166 to 4-178, Table 4.21.1, Bourdette Draw: Why 0 acres affected when 5,744 acres are already leased?	The term "Leased" does not pertain to surface disturbance. Areas may have valid and existing leases but do not have surface disturbances.	No
WSA Supp.	47	WC	Cold Springs Mountain: 8,764 acres vs. 8,674?	8,764 is the correct acreage. BLM will make the correction in the Final RMP.	Yes
WSA Supp.	48	WC	Daniels Canyon: Why 0 acres affected when 322 acres are already leased?	Please see Response to ID No. G-10-Comment 46.	No
WSA Supp.	49	WC	Diamond Mountain: Why 0 acres affected when 5,475 acres are already leased?	Please see Response to ID No. G-10-Comment 46.	No

<b>Comment Period</b>	<b>Comment Number &amp; Resource Category</b>		<b>Comment Text</b>	<b>Response to Comment</b>	<b>Document Modified</b>
WSA Supp.	50	REC	Page 4-183, Sections 4.21.2.6.5 and 4.21.2.6.6: Are any of the areas proposed for SRMA's located within areas subject to existing energy leases? If so, the conclusions reached by these sections would not be true.	<p>In Section 1.4.1.2 of the Vernal DRMP/DEIS under Planning Criteria, it is noted that "The revised RMP would recognizes valid existing rights.</p> <p>Thus, all SRMAs are subject to Valid existing rights, and would be subject to existing rights for all resources.</p> <p>The Conclusions reached by the sections would remain consistent with SRMA identifications. The goals and objectives for Each SRMA would be maintained and Valid existing rights not be removed as a result of SRMA identification.</p>	No
WSA Supp.	51	TRV	Page 4-184, Section 4.21.2.7.1, end of 2nd paragraph: While it is recognized that there would be long-term, adverse impacts associated with OHV trail widening and extension of the trail system, if the BLM can offer IHV riders sufficient, authorized trails to ride, this should reduce unauthorized cross country use, which would have long-term beneficial impacts on resources. Recent US Forest Service Travel Management Planning shows a 360% increase in OHV use in the Uintah Basin in the past eight years. Sufficient trails are needed to ensure that this increased use occurs in appropriate areas.	<p>Although this issue was raised during scoping, the application in the DRMP/EIS is limited. Under Management Actions Common to All Alternatives, travel routes can be added or deleted from the Travel Plan based on public demand or unacceptable impacts to resources. This action would be based on monitoring and site specific NEPA analysis.</p> <p>A comprehensive travel management plan will be completed within 1-5 years after the Record of Decision.</p> <p>General Planning maps to provide a framework for the Comprehensive plan have been included within the Draft RMP (see figures 25-28) and the Supplement (see figure 28e).</p>	No
WSA Supp.	52	TRV	Pages 4-186 and 4-187, Section 4.21.2.7.3: The 3rd and last paragraphs in this section appear to be repetitive.	The document will be revised to reflect the comment.	Yes

<b>Comment Period</b>	<b>Comment Number &amp; Resource Category</b>		<b>Comment Text</b>	<b>Response to Comment</b>	<b>Document Modified</b>
WSA Supp.	53	WC	pages 4-190, Section 4.21.2.8.6: This section fails to recognize that, under Alternative E, surface disturbance would be allowed in areas subject to valid, existing energy lease rights.	As stated in Sections 4.21.2.8.5 Alternative E "As with Alternative C, no surface disturbance would be permitted on slopes between 21% and 40% without an approved erosion-control strategy. Further, surface disturbance would not be allowed on slopes over 40%. However, under this alternative, no surface disturbance would be permitted that would impact the natural character of the non-WSA lands with wilderness characteristics. The effects of these actions would preserve the wilderness characteristics of non-WSA lands with wilderness characteristics.  Valid and existing lease rights are subject to surface disturbance stipulations.	No
WSA Supp.	54	ACE	Pages 4-198 and 4-199, Section 4.21.2.9.3: In the paragraph associated with the Mine Mile Canyon ACEC and Desolation Canyon, it should be noted that 66% of this area is currently leased for energy development.	Comment noted The BLM declines to add the recommended language.	No
WSA Supp.	55	WSA	<i>Pages 4-200 and 4-201, Sections 4.21.2.9.4 and 4.21.2.9.5: In the last paragraph of each section, how can there be opportunities for solitude and primitive recreation in the Cripple Cowboy and Bull Canyon areas when they are 85% and 89% leased for energy development, respectively, according to Table 4.21.1?</i>	Leasing does not always mean intensive development. Stipulations and mitigation can be included in lease sales to include NSO or timing constraints on development. It is feasible that a large tract of land can be leased and still allows opportunities for solitude and primitive recreation.  One example would be along the White River within the VPA. Although a large portion of the area around the White River is leased, river runners report that a major reason they choose the White River are the opportunities for solitude and	No

<b>Table 5.12c. Public Comments and Responses: Duchesne County</b>					
<b>Comment Period</b>	<b>Comment Number &amp; Resource Category</b>		<b>Comment Text</b>	<b>Response to Comment</b>	<b>Document Modified</b>
				primitive recreation.	
WSA Supp.	56	OTH	Page 4-203, Section 4.21.2.10.6, 1st sentence: "Alternative" should be plural.	The typographical error has been corrected in the Proposed RMP/Final EIS.	Yes
WSA Supp.	57	OTH	Page 4-208, Section 4.21.2.11.6: "150,001 acre" should be plural.	The typographical error has been corrected in the Proposed RMP/Final EIS.	Yes
WSA Supp.	58	OTH	Page 4-213, Section 4.21.2.14.2: 1st line: ...would be managed by the following prescriptions: 12th bullet: Construction of wildlife watering facilities.	The language has been changed in the Proposed RMP/Final EIS.	Yes
WSA Supp.	59	WC	Page 4-218, Section 4.21.6, 2nd paragraph: Does the estimate of 124,215 acres losing their wilderness character due to existing leases also take into account the potential leasing and development of SITLA lands that "checkerboard" the region? Duchesne County expects that development of SITLA lands will result in the loss of even more wilderness character on adjoining BLM lands, which makes management of these areas for wilderness even less feasible or desirable.	SITLA lands are not included in the determination of Wilderness Character.	No
WSA Supp.	60	WC	Page 4-219, Section 4.22, 2nd paragraph on this page: The list of other land management agencies in this paragraph fails to mention SITLA, which owns many sections of land abutting non-WSA lands managed by the BLM.	Comment Noted.  SITLA will be added.	Yes
WSA Supp.	61	REC	Page 4-219, Section 4.22, last paragraph on this page: Duchesne County questions the listing of "primitive forms of recreation:" to include hunting, fishing, and wildlife viewing, when the majority of the population	The activities can be and are accomplished by both motorized enthusiasts, and non-motorized enthusiasts, and are therefore correctly categorized within primitive forms of recreation, but	No

<b>Table 5.12c. Public Comments and Responses: Duchesne County</b>					
<b>Comment Period</b>	<b>Comment Number &amp; Resource Category</b>		<b>Comment Text</b>	<b>Response to Comment</b>	<b>Document Modified</b>
			uses motorized vehicles to participate in such activities. Creation of wilderness makes such activities difficult to participate in for the majority of citizens.	not excluded from motorized forms of recreation.  The commenter offers an opinion of wilderness as follows:  "Creation of wilderness makes such activities difficult to participate in for the majority of citizens."  This is a general opinion dealing with the philosophy of wilderness and is beyond the scope of the Draft RMP and Supplement.	
WSA Supp.	62	REC	Page 4-221, Section 4.22.19, last paragraph on this page: Focusing on primitive forms of recreation and limiting motorized recreation may increase opportunities for solitude and primitive recreation, but this occurs at the expense of the majority, who don't seek solitude or primitive recreation and need motorized access to enjoy these lands.	Comment noted.  The BLM considered a wide range of alternatives for motorized use, including constructing/designating up to 800 miles of additional motorized trails and 400 miles of non-motorized trails (Alt A.)  Acres and miles for motorized use (as it relates to OHV's) are clearly stated within the DRMP on table S.1 within the executive summary of the Draft RMP, and additional OHV numbers are stated within table S.4 as part of the Supplement. The BLM has Clearly offered opportunities for Motorized use within the VPA.	No
WSA Supp.	63	WC	Page 4-222, Section 4.22.19, 3rd sentence in 1st paragraph: Remove reference to "a more industrial landscape" and use "reduction of natural landscapes."	Comment noted.  The BLM declines to make the suggested wording changes for a variety of reasons including, but not limited to, the following:	No

**Table 5.12c. Public Comments and Responses: Duchesne County**

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
			<ol style="list-style-type: none"> <li>1. The BLM does not find the suggested changes necessary or appropriate.</li> <li>2. The suggested wording change does not substantively contribute to or clarify the discussion.</li> <li>3. The commenter did not provide any rationale why the suggested change is necessary or how the current data and analysis is incorrect.</li> <li>4. The suggested change expressed personal opinions or preferences.</li> <li>5. The suggested change had little relevance to the adequacy or accuracy of the RMP/EIS.</li> </ol>	

**Table 5.12d. Public Comments and Responses: Uintah County**

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
Draft RMP/EIS	GC139 (JSO-19)	Oil shale needs to be added to land use and economic resources.	Oil shale will be addressed in the programmatic EIS. Please see Section 1.12 of the PRMP/FEIS for more information.	No
Draft RMP/EIS	GC140 (JSO-48)	Is this document supposed to be good for 15 or 20 years?	The RMP document is intended to be relevant for as long as 20 years from the completion date. However, the BLM will continually consider the accuracy and applicability of the resource management needs within the planning area and will update the RMP through addenda as needed. The BLM will consider the complete re-writing of	No

Table 5.12d. Public Comments and Responses: Uintah County

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
			the RMP approximately 15 years from the completion date, unless conditions or policy require early consideration.	
Draft RMP/EIS	SO57 (JPR-9)	As cooperating partners, Uintah County and Duchesne County provided two socioeconomic reports for incorporation into the RMP. They were not included. They must be included before any alternative can be properly analyzed and the impacts disclosed. Reports were: #1 UEO Report addressing cost and related impacts of Drilling a well in Uinta and Duchesne counties, and #2 Uinta Basin Industry Impact Study	See comment response SO2.	No
Draft RMP/EIS	SO62 (JSO-14)	Outdated insufficient or incorrect data and graphs have been used to provide socio-economic information; additional information supplied to BLM was not generally incorporated. Accurate and comprehensive analysis of impacts is not included in all sections and is not consistent throughout document (some sections, like oil/gas mention number of jobs, other areas like grazing or agriculture do not).	The PRMP/FEIS incorporates recent data provided by the US Bureau of Labor Statistics and the State of Utah Division of Oil, Gas and Mining. This data has been used in the recent (November, 2007) study commissioned by the State of Utah: The Structure and Economic Impact of Utah's Oil and Gas Exploration and Production Industry Phase I - The Uinta Basin.	No
Draft RMP/EIS	SO63 (JSO-15)	We provided you with specific data source; there is no reference or indication that it was ever used. (Uinta Basin Industry Impact Study)	This document has been reviewed, and the relevant information has been incorporated into the Final RMP/EIS.	Yes
Draft RMP/EIS	SO64 (JSO-16)	We provided you with specific data source; there is no reference or indication that it was ever used. (UEO Report addressing cost and related impacts of Drilling a well in Uintah and Duchesne counties.) The Draft RMP drilling costs differ by more than 300% from this report, making it impossible to accurately analyze and disclose impacts.	This document has been reviewed, and the relevant information has been incorporated into the Final RMP/EIS. The BLM accepts the identified document as a valid source of information, and the socioeconomic analysis was redone based upon the information provided.	Yes

Table 5.12d. Public Comments and Responses: Uintah County

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
Draft RMP/EIS	SO65 (JSO-17)	You need to update data given economic changes--especially energy prices--since DEIS data was gathered. Failure to do so could constitute a flawed document.	NEPA does not require agencies to wait on studies to be completed, but if there is more current information please acknowledge or show that it does not significantly modify the impacts.	No
Draft RMP/EIS	SO66 (JSO-18)	RMP does not adequately disclose the degree to which BLM lands affect local economy. "...these often-conflicted uses need to be addressed in terms of how they affect local communities..." Without a full economic and fiscal analysis of each alternative, this objective is not met.	The socioeconomic impacts analysis can be found in Section 4.12 and its subsections.  See comment response S037.	No
Draft RMP/EIS	SO67 (JSO-20)	The RFD "projects environmental impacts through the next 15-year period." RFD should address economic impacts, too.	Similar to the RFD, the life of the RMP is expected to be 15-20 years. Anticipated economic impacts from management decisions under consideration in the PRMP/FEIS are discussed in Section 4.12.3.2 and its subsections.	No
Draft RMP/EIS	SO68 (JSO-21)	Summary of Impacts, Discipline, Social and Economic Consideration: Mineral Development is erroneous. There is no reference as to where and how these numbers were calculated. Based on upon UEO report, these numbers need to be recalculated. It does not make sense to have \$3.8 billion in cost to recoup \$437 million in sales.	This document has been reviewed, and the relevant information has been revised into the Final PRMP/FEIS. The BLM accepts the identified document as a valid source of information, and the socioeconomic analysis was redone based upon the information provided.  See comment responses to SO31 and SO54.	Yes
Draft RMP/EIS	SO69 (JSO-22)	Recreation section. We question these numbers, are they for BLM managed land only? All 3 counties? Are oil field workers staying in local motels being counted as tourists? Again, there is not reference to check where these stats came from.	It is unclear which statistic in the Recreation Section of Table 2.5 is being questioned.  Section 4.12.3.2 in the PRMP/FEIS has been revised to reflect the impact of oil workers in local motels.	Yes

Table 5.12d. Public Comments and Responses: Uintah County

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
Draft RMP/EIS	SO70 (JSO-23)	The RFD is inadequate and not realistic. Estimates for new wells are extremely low. This number should be increased to a more realistic number.	See comment responses ME47 and ME70.	No
Draft RMP/EIS	SO71 (JSO-24)	Note that a large portion of "tourism tax dollars" come from the oil and gas industry (local motels for housing for oil field workers etc). This should be made clear in all sections of the RMP discussing tourism impacts.	Section 4.12.3.2 in the PRMP/FEIS has been revised to clarify the relationship between oil and gas workers and "tourism tax dollars."	Yes
Draft RMP/EIS	SO72 (JSO-25)	This data from 2000; table needs to be updated. Should use info from Utah Division of Travel not Utah Travel Council. Also this table reflects a percentage change, but does not say what it is changing from.	Table 3.10.1 in the PRMP/FEIS has been revised to incorporate information from the Utah Division of Travel Development.	Yes
Draft RMP/EIS	SO73 (JSO-26)	Update the population data. Although census from 2000, recognized agencies have more updated population data and this data should be used.	There may be more up to date population numbers, but the commenter did not provide that information to use. Population projections for 2020 are given and updated data has been used where applicable.  Also, an RMP will never have current, up-to-date information due to the length of time it takes to publish the document. The data is provided for comparison purposes.  See comment response SO53.	Yes
Draft RMP/EIS	SO74 (JSO-27)	The information in this table is at least 3 years outdated and does not reflect present employment base. The table should be updated. In addition, numbers shown for 2001 are incorrect. See DWS latest fact sheet.	An RMP will never have current, up-to-date information due to the length of time it takes to publish the document. The data is provided for comparison purposes.	No

Table 5.12d. Public Comments and Responses: Uintah County

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
Draft RMP/EIS	SO75 (JSO-28)	Table needs to be updated with FY2004 data. Old data does not accurately show present impacts.	Due to changes in recordation at the Minerals Management Service, this information is not available for more recent years. However, Table 3.12.4 in the PRMP/FEIS has been revised to incorporate new minerals revenue figures.	Yes
Draft RMP/EIS	SO76 (JSO-29)	Charts from Utah Division of Oil, Gas and Mining are 2002; need to be updated with 2004.	The charts following Table 3.12.4 in the PRMP/FEIS have been revised to reflect 2004 figures from the Utah Division of Oil, Gas and Mining.	Yes
Draft RMP/EIS	SO77 (JSO-30)	Gas and oil prices per barrel in RMP need to be adjusted to reflect current conditions.	Section 3.12.2.2.3 in the PRMP/FEIS has been revised to reflect 2004 figures from the Utah Division of Oil, Gas and Mining	Yes
Draft RMP/EIS	SO78 (JSO-31)	Conflict between Tax Revenue text and Table 3.10.1 data. (\$951,000 vs. \$334,514). Use most current data.	Section 3.12.2.2.4 in the PRMP/FEIS has been revised to reflect the correct tax revenue figures. See response to SO6.	Yes
Draft RMP/EIS	SO79 (JSO-32)	Data doesn't truly reflect actual tourism dollars (high % of industry in them).	This has been noted in Sections 3.12.2.2.4 and 4.12.3.2	Yes
Draft RMP/EIS	SO80 (JSO-33)	ALL county revenue should be included in data. Show what portion of revenue goes to state and not county.	Sections 3.12.2.2.3 and 4.12.3.2.1 in the PRMP/FEIS have been revised to indicate what portion of county revenue goes the state.	Yes
Draft RMP/EIS	SO81 (JSO-34)	Chapter 4 deals with environmental consequences but fails to deal with economic ones. Chapter 4 should include economic impacts within each resource section.	The socioeconomic impacts analysis is contained in Section 4.12 and its subsections.	No
Draft RMP/EIS	SO82 (JSO-35)	Agriculture impacts to the local economy were omitted in Chapter 4.	See Sections 4.12.2.1 and 4.12.3.1 for impacts to grazing as a result of BLM management decisions.	No
Draft RMP/EIS	SO83 (JSO-36)	Need consistency in whether this plan is projecting for 15 or 20 years.	15 to 20 years is the planned projected life of this RMP which is reflected in the analysis. If significant changes were found, a plan	No

Table 5.12d. Public Comments and Responses: Uintah County

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
			amendment would be done.	
Draft RMP/EIS	SO84 (JSO-37)	Table 4.2 underestimates potential for development and needs to be re-analyzed to reflect a more accurate development scenario based on today's activity.	The commenter does not provide an alternative estimate of future development or an indication of what would be a "more accurate scenario based on today's activity." As such, the BLM is unable to respond to this comment.	No
Draft RMP/EIS	SO85 (SO-38)	Last paragraph 2nd sentence should read "to the federal government and the State of Utah" rather than "or"	Section 4.8.1.1 in the PRMP/FEIS has been revised to incorporate the change suggested in the comment.	Yes
Draft RMP/EIS	SO86 (JSO-39)	Inconsistency in number of wells between various sections of RMP and Mineral Potential Report. Figure of 6,530 more accurately reflects a minimum for wells, not a maximum.	Errors in the numbers of wells between various sections will be corrected in the FEIS. The maximum number of wells predicted in the RFD was based on the best information available at the time of the report.  See comment response AT29.	Yes
Draft RMP/EIS	SO87 (JSO-40)	"Tourism generates tax revenue that is used to support the local community, which would potentially decrease". This is irrelevant. Tourism tax dollars are not applicable to Uintah County BLM lands, nor are there tourist focal points.	Potential tourism-related tax revenue could result from a range of recreation opportunities on BLM lands including Backcountry Byways, SRMA's and trails in the planning area. See section 4.10.2.6 for recreation opportunities in the VPA.	No
Draft RMP/EIS	SO89 (JSO-42)	This statement does not adequately convey the layering of restrictions and their impacts on inhibiting development. Needs to be spelled out to laypeople.	"Layering" is a planning tool. Under FLPMA's multiple-use mandate, the BLM manages many different resource values and uses on public lands. Through land-use planning BLM sets goals and objectives for each of those values and uses, and prescribes actions to accomplish those objectives. Under the multiple-use concept, the BLM does not necessarily manage every value and use on every acre, but routinely manages many different values and uses on the same	No

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			<p>areas of public lands. The process of applying many individual program goals, objectives, and actions to the same area of public lands may be perceived as "layering". The BLM strives to ensure that the goals and objectives of each program (representing resource values and uses) are consistent and compatible for a particular land area. Inconsistent goals and objectives can lead to resource conflicts, failure to achieve the desired outcomes of a land-use plan, and litigation. Whether or not a particular form of management is restrictive depends upon a personal interest or desire to see that public lands are managed in a particular manner. Not all uses and values can be provided for on every acre. That is why land-use plans are developed through a public and interdisciplinary process. The interdisciplinary process helps ensure that all resource values and uses are considered to determine what mix of values and uses is responsive to the issues identified for resolution in the land-use plan. Layering of program decisions is not optional for BLM, but is required by the FLPMA and National BLM planning and program specific regulations.</p> <p>The FLPMA directs BLM to manage public lands for multiple use and sustained yield (Section 102(a) (7)). As a multiple-use agency, the BLM is required to implement laws, regulations and policies for many different and often competing land uses and to resolve conflicts and prescribe land uses through its land-use plans. The BLM's</p>	

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			<p>Land-use planning Handbook requires that specific decisions be made for each resource and use (See, Appendix C, Land-use planning Handbook "H-1601-1"). Specific decisions must be included in each of the alternatives analyzed during development of the land-use plan. As each alternative is formulated, each program decision is overlaid with other program decisions and inconsistent decisions are identified and modified so that ultimately a compatible mix of uses and management prescriptions result.</p> <p>For example, the BLM has separate policies and guidelines, as well as criteria, for establishing ACECs and when the WSAs were established. These differing criteria make it possible that the same lands will qualify as both an ACEC and a WSA but for different reasons. The BLM is required to consider these different policies.</p>	
Draft RMP/EIS	SO90 (JSO-43)	Cost of drilling as stated in RMP is incorrect and results in need for reassessment of all alternatives.	Section 4.12.3.2 in the PRMP/FEIS has been revised to consider the cost of drilling based upon data received by the BLM.	Yes
Draft RMP/EIS	SO91 (JSO-44)	Data on state and local revenues from wells must be included as much wages, support jobs, etc.	See comment responses SO2 and SO28.	No
Draft RMP/EIS	SO92 (JSO-45)	Discrepancy in well numbers (6,312 v. 6,340) in document text vs table. Also well number from MPR of 6,530 not reflected in any alternative.	Section 4.12.3.2.1 in the PRMP/FEIS has been revised so that the number of wells are consistent throughout the RMP. The well number of 6,530 is the maximum RFD. The maximum number of wells was adjusted by the percent of area open for development under each alternative.	Yes
Draft	SO93	All of the impacts are incorrect based on the	See comment responses SO31 and SO54.	No

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RMP/EIS	(JSO-46)	information from the UEO.		
Draft RMP/EIS	SO94 (JSO-47)	Royalties and PILT not connected in any way and the statement that they are suggests that the preparer has no knowledge of BLM and local, or state revenue sources.	Sections 4.12.3.2.2 thru 4.12.3.2.4 in the PRMP/FEIS have been revised to clarify the impacts of royalties and Payments in Lieu of Taxes (PILT).	Yes
Draft RMP/EIS	SO96 (JSO-49)	All three of these sections have inaccurate well counts and extrapolations of impacts. Also they assume that PILT is a royalty payment, this is not correct.	See comment response SO93.	No
Draft RMP/EIS	SO97 (JSO-50)	Table 4.12.1 should be deleted and a new chart prepared with accurate and updated information. The table should also include additional fiscal items (state local revenues, direct/indirect jobs etc) needed for true analysis as required by FLPMA.	An RMP will never have current, up-to-date information due to the length of time it takes to publish the document. The data is provided for comparison purposes.  See comment responses SO31 and SO54.	No
Draft RMP/EIS	SO98 (JSO-51)	Section is inadequate and insufficiently detailed to specific locations and counties and does not tie wages to jobs. Also, references are not cited.	The document has been revised such that references used have been cited the text.	Yes
ACEC NOA	1 ACE	The BLM must make a determination for each potential and proposed ACEC that special management attention is required to protect the identified relevant and important values. It has failed to do so in the DEIS/RMP.	The BLM determined that the potential ACECs identified in the PRMP/FEIS have relevant and important values and this provides the need for protection. Where potential ACECs are designated special management attention would be directed at the relevant and important values.	No
ACEC NOA	2 ACE	Similarly, on page 4-203, the draft RMP indicates the lack of designation of some potential ACECs may place the relevant and important values "at some risk of irreparable damage during the life of the plan". This statement is completely backward. BLM must make a determination that a threat of irreparable damage from	The ACEC evaluation appendix (Appendix G) was modified, and a section added to Chapter 2 discussing threats to the relevant and important ACEC values; however, whether the threats currently exist does not preclude a potential ACEC from being considered in the action alternatives. All	Yes

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		<p>some authorized multiple-use activity exists, and is directed toward the identified relevant and important value in order to complete the fundamental requirements for an ACEC.</p>	<p>nominated areas, where the BLM has determined to have relevant and important values, are identified as potential ACECs and are addressed in the action alternatives. Threats to relevant and important values are likely to vary by alternative. The PRMP/FEIS was revised from the draft document to better address potential threats and impacts associated with each alternative.</p> <p>On August 27, 1980, the BLM promulgated final ACEC guidelines (45 Federal Register 57318) clarifying the term "protects" – "To defend or guard against damage or loss to the important environmental resources of a potential or designated ACEC. This includes damage that can be restored over time and that which is irreparable. With regard to a natural hazard, protect means to prevent the loss of life or injury to people, or loss or damage to property." Thus, BLM is to consider the potential for both reparable and irreparable damage when protecting important historic, cultural, or scenic values; fish and wildlife resources; or other natural systems through ACEC designation. This interpretation is consistent with FLPMA's legislative history and implementing policy.</p> <p>Section 2 of the guidelines clarifies that ACECs are special places within the public lands. It states: "In addition to establishing in law such basic protective management policies that apply to all the public lands, Congress has said that 'management of national resource lands [public lands] is to include</p>	

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			giving special attention to the protection of ACECs, for the purpose of ensuring that the most environmentally important and fragile lands will be given early attention and protection' (Senate Report 94-583, on FLPMA). Thus, the ACEC process is to be used to provide whatever special management is required to protect those environmental resources that are most important, i.e., those resources that make certain specific areas special places, endowed by nature or man with characteristics that set them apart. In addition, the ACEC process is to be used to protect human life and property from natural hazards."	
ACEC NOA	3 ACE	The manual section (1613.22) further requires the BLM to consider whether the values within the proposed and potential ACEC are already afforded protection through other designations. BLM Manual Section 1613.33E allows that BLM may decline to designate an ACEC "because standard or routine management prescriptions are sufficient to protect the resource or value from risks or threats of damage/degradation", which is clarified to mean that "the same management prescriptions would have been provided for the area in the absence of the important and relevant values". Examples of values that have been used to justify need for protection management are the species cultural resources, riparian and wetland areas and special status species. The counties cannot find any analysis of these factors within the draft RMP and EIS. In fact, the majority of the relevant and important values identified are already afforded such protection.	See comment response 2-2.	No

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ACEC NOA	4 ACE	The failure to conduct the analysis required in section (1613.12) is evidenced by the proposal to create an ACEC in the Winter Ridge WSA and on the White River. These areas are currently protected by Interim Management Plan for WSAs and Provisions of the Threatened and Endangered Species Act.	<p>The BLM has separate policies and guidelines, as well as criteria, for establishing ACECs and WSAs. These differing criteria make it possible that the same lands will qualify as both an ACEC and a WSA but for different reasons. The BLM is required to consider these different policies.</p> <p>The values protected by WSA management prescriptions do not necessarily protect those values found relevant and important in ACEC evaluation, and vice versa. The relevant and important values of ACECs within or adjacent to WSAs were noted in the ACEC Evaluation (Appendix I). The ACECs are evaluated and ranked based on the presence or absence of the stated relevant and important values. None of these values includes wilderness characteristics. Additionally, the management prescriptions for the ACECs is limited in scope to protect the relevant and important values, and the BLM maintains that the size of the ACEC areas is appropriate for protection of the relevant and important values identified.</p>	No
ACEC NOA	5 ACE	Further, BLM Manual Section 1613.22(A)(2) requires the BLM to consider the value of other resources when considering the protection of important and relevant values of a proposed and potential ACEC. The intent is that BLM balance the various multiple-uses within the proposed RMP, and consider whether the need for other multiple-uses in the area "outweigh" the need for the ACEC. The discussions in the draft RMP and EIS do not analyze any such balancing, and do not discuss	The rationale for designation of individual ACECs carried forward into the PRMP/FEIS will be provided in the Record of Decision (ROD) including the identified benefits of ACEC designation versus other resource uses. The analysis that forms the basis of the rationale for the final decision to designate or not designate an ACEC can be found in Chapter 4 of the PRMP/FEIS.	No

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		the potential benefits of ACEC designation versus other resource uses for any of the potential and proposed ACECs. As stated above, the impacts on RFD are not disclosed to a level that such analysis could be made.		
ACEC NOA	6 ACE	The counties are concerned that the draft RMP is not specific about the sources and goals of many of the special management designations available to it, leading to the circular and non-responsive reasoning in the analysis. For example, on page 4-284, the impacts analysis for visual resources and special designations indicates that visual resources will be protected by designation of ACECs and Wild and Scenic River designations. This analysis proceeds under the general presumption that ACECs and WSR segments are "good" for visual resources, but fails to indicate the management prescriptions which actually accomplish this goal. On page 4-280 under a discussion of recreation, the draft RMP indicates that the designation of Special Recreation Management Areas would benefit scenic quality by "limiting surface-disturbing activities". On the other hand, the explanation of management prescriptions for the proposed Bitter Creek ACEC indicates possible use of three of four existing VRM categories. Which designation - ACEC, WSR, SRMA or VRM management - is being proposed for the protection of visual resources? The VRM discussion mentions the others, while the ACEC discussion mentions the use of VRM classifications. This lack of clarity in proposed management prescriptions doesn't meet the requirements of full disclosure under the provisions of NEP A, and doesn't allow counties to determine	The PRMP/FEIS has been revised to include the Proposed RMP that reflects the selection of management direction from all alternatives to mitigate impacts to resources  "Layering" is planning tool. Under FLPMA's multiple-use mandate, the BLM manages many different resource values and uses on public lands. Through land-use planning BLM sets goals and objectives for each of those values and uses, and prescribes actions to accomplish those objectives. Under the multiple-use concept, the BLM does not necessarily manage every value and use on every acre, but routinely manages many different values and uses on the same areas of public lands. The process of applying many individual program goals, objectives, and actions to the same area of public lands may be perceived as "layering". The BLM strives to ensure that the goals and objectives of each program (representing resource values and uses) are consistent and compatible for a particular land area. Inconsistent goals and objectives can lead to resource conflicts, failure to achieve the desired outcomes of a land-use plan, and litigation. Whether or not a particular form of management is restrictive depends upon a personal interest or desire to see that public lands are managed in a particular manner. Not all uses	Yes

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		<p>whether or not the BLM is proposing duplicate prescriptions, contrary to the provisions of State law, and the BLM's Manual on designation of ACECs, as discussed above.</p>	<p>and values can be provided for on every acre. That is why land-use plans are developed through a public and interdisciplinary process. The interdisciplinary process helps ensure that all resource values and uses are considered to determine what mix of values and uses is responsive to the issues identified for resolution in the land-use plan. Layering of program decisions is not optional for BLM, but is required by the FLPMA and National BLM planning and program specific regulations.</p> <p>The FLPMA directs BLM to manage public lands for multiple use and sustained yield (Section 102(a)(7)). As a multiple-use agency, the BLM is required to implement laws, regulations and policies for many different and often competing land uses and to resolve conflicts and prescribe land uses through its land-use plans. The BLM's Land-use Planning Handbook requires that specific decisions be made for each resource and use (See, Appendix C, Land-use Planning Handbook "H-1601-1"). Specific decisions must be included in each of the alternatives analyzed during development of the land-use plan. As each alternative is formulated, each program decision is overlaid with other program decisions and inconsistent decisions are identified and modified so that ultimately a compatible mix of uses and management prescriptions result.</p>	

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WSA Supp.	1 PRP	Adopting Alternative E would violate the restrictions of BLM's own Instruction Memorandum No. 2003-275, which states, "it is no longer BLM policy to continue to make formal determinations regarding wilderness character, designate new WSAs through the land-use planning process, or manage any lands --[except Section 603 WSAs] in accordance with the non-impairment standard prescribed in the IMP [Interim Management Policy for WSAs]."	See comment response 154-B-6.	No
WSA Supp.	2 PRP	The proposed Alternative E's restrictive management standards that would effectively treat Subject Lands as if they are WSAs, are largely built around BLM's 1999 Utah Wilderness Reinventory. Yet in 2003 the Department of Interior promised the State of Utah, among other things, not to use the 1999 Utah Wilderness Reinventory to manage public lands "as if" they are, or may become, WSAs. Utah v. Norton settlement agreement of April 11, 2003 at p. 13 para 14.	The Utah v. Norton Settlement Agreement does not affect BLM's authority to manage public lands. This Agreement merely remedied confusion by distinguishing between wilderness study areas established under FLPMA §603 and those lands required to be managed under §603's non-impairment standard, and other lands that fall within the discretionary FLMPA §202 land management process. See also comment response 154-B-6.	No
WSA Supp.	3 PRP	The State of Utah's policy and plan for managing BLM lands is substantially set forth in Utah Code 63-38d-401(6), (7) and (8). A copy of that portion of the Utah Code (Exhibit 2) is enclosed for your reference. It is self evident that the management prescriptions and restrictions in the proposed Alternative E are not inconsistent with the standards and policies set forth in this State statutory provision.	See comment response 150-B-2.	No
WSA Supp.	5 WSR	The Wild & Scenic Rivers Act expressly provided that no pre-existing rights shall be impinged, etc. Therefore, BLM should conclude that no proposed segment in Uintah County is suitable for designation, for the addition reason that prohibitions on	Barring congressional action, there is no effect on water rights or in-stream flows related to suitability findings made in a land-use plan decision. Even if Congress were to designate rivers into the National Wild and Scenic Rivers System, any such	No

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			impoundment that accompany designations would violate the pre-existing rights of impoundment granted under the 1922 Colorado River Compact.	designation would have no effect on existing water rights. Section 13(b) of the Wild and Scenic River Act states that jurisdiction over waters is determined by established principles of law. In Utah, the State has jurisdiction over water. Although the Wild and Scenic Rivers Act implies a Federal reserved water right for designated rivers, it does not require or specify any amount, and as noted above, confirms that Utah has jurisdiction over water rights. The BLM would be required to adjudicate the water right, in the same manner as any other entity, by application through State processes. Thus, for congressionally designated rivers, the BLM may assert a Federal reserved water right for appurtenant and unappropriated water with a priority date as of the date of designation (junior to all existing rights), but only in the minimum amount necessary to fulfill the primary purpose of the reservation.	
WSA Supp.	6	GRA	The "close an entire grazing allotment" standard misses the mark of House Bill 264 and is inconsistent with Uintah County Public Land Policy and Plans by a serious margin.	The BLM does not manage public land based on pending draft or proposed legislation.	No
WSA Supp.	7	GRA	From time to time a bonafide livestock permittee in the VFO planning area, acting in good faith and not to circumvent the intent of the BLM's grazing regulations, may temporarily cease grazing operations without losing his or her permitted AUMs. It is proposed in Alternative E to transfer these AUMs to wildlife or to watersheds. This is contrary to BLM regulations that provide for non use, Utah State law, and Uintah County policy.	The different alternatives present a range of forage allocations between livestock and wildlife if adjustments in AUMs are made. The Vernal Field Office RMP determines the allowable uses of the public lands as provided for in FLPMA. FLPMA states in section 202(a) that land-use planning provides for the use of the public lands "regardless of whether such lands previously have been classified, withdrawn, set aside, or	No

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			<p>otherwise designated for one or more uses". FLPMA further provides in Section 202(e) the authority to issue management decisions which implement newly developed or revised land-use plans. Such decisions, including those that exclude one or more uses, are subject to reconsideration, modification and termination through revision of the land-use plan.</p> <p>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 resolved to the extent practical (FLPMA, Title II Sec. 202 (c)(9)). As a consequence, where State and local plans conflict with Federal law, there will be an inconsistency that cannot be resolved or reconciled.</p> <p>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. The BLM will identify these conflicts in the FEIS/PRMP, so that the State and local governments have a complete understanding of the impacts of the PRMP on State and local</p>	

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				management options. A consistency review of the PRMP with the State and County Master Plans is included in Chapter 5.	
WSA Supp.	8	GRA	The RMP fails to articulate a legal or factual basis to reduce domestic livestock, and as written, Alternative E violates BLM grazing regulations. BLM may not implement an acres the board reduction in permitted grazing use in the RMP. Permitted use includes non-use, and BLM may only reduce permitted grazing use when monitoring or field observations or ecological site inventory or other data demonstrate that grazing use is causing an unacceptable level or pattern of utilization, that rangeland health standards are not being met or that use exceeds livestock carrying capacity. Furthermore, changes in permitted use may only be effected by appealable decision after consultation, cooperation and coordination with the affected grazing permittee. 43 C.F.R. 4110.3, 4110.3-2, 4110.3-3. Alternative E's across the board elimination of grazing non-use, therefore is illegal.	<p>The Vernal Field Office RMP determines the allowable uses of the public lands as provided for in FLPMA. FLPMA states in section 202(a) that land-use planning provides for the use of the public lands "regardless of whether such lands previously have been classified, withdrawn, set aside, or otherwise designated for one or more uses". FLPMA further provides in Section 202(e) the authority to issue management decisions which implement newly developed or revised land-use plans. Such decisions, including those that exclude one or more uses, are subject to reconsideration, modification and termination through revision of the land-use plan.</p> <p>See comment response LG45A regarding FLPMA policy to manage the public lands on the basis of multiple use and sustained yield.</p> <p>While it is the goal of the BLM to enhance rangeland health while providing for and recognizing the need for domestic sources of minerals, food, timber and fiber, there is no requirement in the Taylor Grazing Act (TGA) or other applicable law for the BLM to maximize the number of domestic livestock AUMs. According to section 2 of the TGA, it is the objective of the act to regulate the occupancy and use of the Grazing Districts and to preserve these lands.</p>	No

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WSA Supp.	9 GRA	The RMP proposes to exclude from forage allocations all land that produces less than 25 or 32 pounds of forage per year. See DEIS 2-11. The grazing rules require that such changes be made in consultation and coordination with the individual permittee rather than unilaterally throughout the planning area. In addition, the grazing rules require consultation with the permittee before amending the permit to exclude land. 43 C.F.R. 4110.4-2	The Vernal Field Office RMP determines the allowable uses of the public lands as provided for in FLPMA. FLPMA states in section 202(a) that land-use planning provides for the use of the public lands "regardless of whether such lands previously have been classified, withdrawn, set aside, or otherwise designated for one or more uses". FLPMA further provides in Section 202(e) the authority to issue management decisions which implement newly developed or revised land-use plans. Such decisions, including those that exclude one or more uses, are subject to reconsideration, modification and termination through revision of the land-use plan.  The BLM agrees that changes must be done in consultation, coordination, and cooperation with the permittee. 43 C.F.R. §4110.2-3. The BLM has merely provided criteria to use to when adjustments are required.	No
WSA Supp.	10 GRA	We object to the extent the Supplement attempts to authorize the retirement of grazing permits and their reallocation to wildlife. This violates the Taylor Grazing Act, 43 U.S.C. 315, FLPMA, 43 U.S.C. 1742, and the terms of the Executive Orders No 6910, 54 I.D. 539 (1934), and No. 6964 ( Feb. 5, 1935), which withdrew public lands as chiefly valuable for grazing.	Voluntary relinquishments of grazing permits and preference, in whole or in part, by a permittee in writing to the BLM will be handled on a case by case basis. The BLM will not recognize as valid, relinquishments which are conditional on specific BLM actions and BLM will not be bound by them. Relinquished permits and the associated preference will remain available for application by qualified applicants after BLM considers if such action would meet rangeland health standards and is compatible with achieving land-use plan goals and objectives. Prior to re-issuance of the relinquished permit the terms and conditions may be modified to meet LUP goals and objectives	No

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			and/or site specific resource objectives.  However, upon relinquishment, BLM may determine through a site specific evaluation and associated NEPA analysis that the public lands involved are better used for other purposes. Grazing may then be discontinued on the allotment through an amendment to the existing LUP or a new LUP effort. Any decision issued concerning discontinuance of livestock grazing is not permanent and may be reconsidered and changed through future LUP amendments and updates.	
WSA Supp.	11 GRA	By the same token, BLM cannot purport to authorize wildlife grazing by retiring grazing permits in order to allocate the forage for wildlife. This action would also constitute a change in grazing use without following the procedures set out in BLM grazing rules. 43 C.F.R. 4110.3, 4110.4. It is also inconsistent with the grazing rules which provide for BLM to offer a vacant permit to other qualified pemitees.	See comment response 190-O-10.  The different alternatives present a range of forage allocations between livestock and wildlife if adjustments in AUMs are made.	No
WSA Supp.	12 GRA	Of particular concern is the proposal to transfer livestock AUMs associated with the BCCI to wildlife. This proposal is counter to provisions of Utah State law and Uintah County Public Land Policy.	See comment response 190-O-12.	No
WSA Supp.	13 ACE	The ACEC concept gives BLM no authority to discontinue oil and gas development activities already approved under the existing Vernal and Diamond Mountain RMP's, this lies in the statutory definitions of ACEC's found in FLPMA, 43 U.S.C. 1702(a).	The RMP and Supplement recognize all valid existing rights within the Vernal Planning Area and would not retroactively apply management prescriptions to existing rights that would conflict with the currently allowable activities accompanying those rights.	No

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			Also, Section 1.4.1.2, Development of Planning Criteria, states that the Final EIS would recognize valid existing rights.	
WSA Supp.	14 ACE	The conjunctive phrase "to protect and prevent irreparable damage to," mandates that ACEC designation is not appropriate when relevant values are merely subject to some impairment. The threatened negative effect on a give relevant value must rise to the level of outright damage to that value. Thus, the ACEC concept does not authorize the Secretary to manage a piece of public land for mere non-impairment of a perceived wilderness characteristic, as if it were or one day may become a Section 603 WSA. Any such attempt to extend, de facto, the non-impairment management mandate to non 603 WSA's in the name of an ACEC, is therefore groundless.	<p>On August 27, 1980, BLM promulgated final ACEC guidelines (45 Federal Register 57318) that clarify that the term "protects" means: "To defend or guard against damage or loss to the important environmental resources of a potential or designated ACEC. This includes damage that can be restored over time and that which is irreparable. With regard to a natural hazard, protect means to prevent the loss of life or injury to people, or loss or damage to property."</p> <p>Thus, BLM is to consider the potential for both reparable and irreparable damage when protecting important historic, cultural, or scenic values; fish and wildlife resources; or other natural systems through ACEC designation. This interpretation is consistent with FLPMA's legislative history and implementing policy. Section 2 of the guidelines clarifies that ACECs are special places within public lands. It states: "In addition to establishing in law such basic protective management policies that apply to all the public lands, Congress has said that 'management of national resource lands [public lands] is to include giving special attention to the protection of ACECs, for the purpose of ensuring that the most environmentally important and fragile lands will be given early attention and protection' (Senate Report 94-583, on FLPMA). Thus, the ACEC process is to be used to provide</p>	No

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			whatever special management is required to protect those environmental resources that are most important, i.e., those resources that make certain specific areas special places, endowed by nature or man with characteristics that set them apart. In addition, the ACEC process is to be used to protect human life and property from natural hazards."	
WSA Supp.	15 ACE	The term "important" in the phrase "important historic, cultural, or scenic values, fish and wildlife resources or other natural systems or processes," shows that the values sought to be protected must have some objectively recognized importance in order to justify ACEC designations and protection. The Vernal RMP Administrative Draft fails to demonstrate or articulate how the values identified in the proposed ACEC's meet this "importance" threshold.	BLM considered the acreage needed to protect and prevent irreparable damage to relevant and important values. Nominated ACECs or portions of nominated ACECs that failed to meet both relevance and importance criteria were not considered in the Draft RMP/EIS alternatives.	No
WSA Supp.	16 ACE	<p>These other management tools combine with the ACEC proposals to further restrict oil and gas activities on public lands, raising the following additional legal problems under FLPMA:</p> <ol style="list-style-type: none"> <li>1. Any combinations of the above-described management tools which eliminate one or major uses for two or more years on tracts of public land in excess of 100,000 acres, must be reported to the House and Senate for potential veto. 43 U.S.C. 1712(3)(2).</li> <li>2. Regardless of the size of the affected land, any combination of the foregoing management tools which eliminate major uses such as oil and gas exploration arguably constitute a withdrawal triggering FLPMA's</li> </ol>	Comment noted. The lands closed to leasing are not proposed to be withdrawn. Therefore the Department of the Interior would not be required to follow the FLPMA process noted in the comment. If the FEIS contains a decision to withdraw lands from mineral entry that are 5,000 acres or more in size, then the process noted would have to be followed.	No

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		withdrawal provisions.		

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Draft RMP/EIS	LG9	Brown's Park has always been an important winter range for wildlife, and Clay Basin and Brown's Park have been important to farming and ranching. In many areas range lands can continue to be improved with cooperation from the Division of Wildlife Resources. These efforts should not be limited by VRM's or ACEC's.	VRM classification and ACEC designation do not preclude maintenance of rangeland health or range enhancements. Maintenance of rangeland health is listed in Table 2.1.6 Forage – All Localities) in the PRMP/FEI under the subsection entitled Management Common to All Alternatives.	No
Draft RMP/EIS	SD6	Recently the area along the river [the Green River?] has had many recreational facilities put in to take care of public needs such as campgrounds, restrooms, boat ramps, etc. The Division of Wildlife Resources and private land owners divert water from the green River for wildlife refuge and irrigation. Currently the county has an approved application for water that could be sued for the Taylor Flat Subdivision. New diversions and right of way easements will have to be created. The river is currently being managed mostly for recreation. [Daggett County] believes that a proposed designation of "Recreational" is most appropriate for the Green River. Consideration must be given to	The Upper Green River Segment was identified as suitable for designation in the National Wild and Scenic River System in the Diamond Mountain RMP/EIS and has been carried forward in the Proposed RMP/Final EIS.  Appendix C of the PRMP/FEIS details the steps undertaken in the eligibility review process including the identification of outstandingly remarkable values as well as the Suitability Considerations by eligible river segments. The BLM complied with all applicable Federal laws, regulations, and policies in the Wild and Scenic Rivers Study Process.	No

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		changes and development in use, since the analysis was done in 1980.	<p>Manual 8351, Wild and Scenic Rivers, Policy Program Direction for Identification, Evaluation, and Management, states:</p> <p>"In general, a wide range of agricultural, water management, silvicultural, and other practices or structures could be compatible with scenic river values..."</p>	
Draft RMP/EIS	SD7	[Daggett County] questions if proper analysis and review were done on this in the 1991 Diamond Mountain RMP. It appears management of this area hasn't changed since this designation and that the area could be properly managed under normal BLM management practices.	<p>The analysis and rationale for the designation of the Red Creek ACEC in the 1991 Diamond Mountain RMP were disclosed to the public and available for public comment and protest through the EIS and the ROD. No substantive objections were raised at that time.</p> <p>The potential ACECs analyzed 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</p>	No

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			<p>potential ACECs generally do not have redundant special designations 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>	
Draft RMP/EIS	SD14	[Daggett County] believes that the layering, with special designations and other management prescriptions will in many ways, limit how this area can be best managed.	"Layering" is planning tool. Under FLPMA's multiple-use mandate, the BLM manages many different resource values and uses on public lands. Through land-use planning BLM sets goals and objectives for each of those values and uses, and prescribes actions to accomplish those objectives. Under the multiple-use concept, the BLM does not necessarily manage every value and use on every acre, but routinely manages many different values and uses on the same areas of public lands. The process of applying many individual program goals, objectives, and	No

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			<p>actions to the same area of public lands may be perceived as "layering". The BLM strives to ensure that the goals and objectives of each program (representing resource values and uses) are consistent and compatible for a particular land area. Inconsistent goals and objectives can lead to resource conflicts, failure to achieve the desired outcomes of a land-use plan, and litigation. Whether or not a particular form of management is restrictive depends upon a personal interest or desire to see that public lands are managed in a particular manner. Not all uses and values can be provided for on every acre. That is why land-use plans are developed through a public and interdisciplinary process. The interdisciplinary process helps ensure that all resource values and uses are considered to determine what mix of values and uses is responsive to the issues identified for resolution in the land-use plan. Layering of program decisions is not optional for BLM, but is required by the FLPMA and National BLM planning and program specific regulations.</p> <p>The FLPMA directs BLM to manage public lands for multiple use and sustained yield (Section 102(a)(7)). As a multiple-use agency, the BLM is required to implement laws, regulations and policies for many different and often competing land uses and to resolve conflicts and prescribe land uses through its land-use plans. The BLM's Land-use Planning Handbook requires that specific decisions be made for each resource and</p>	

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			<p>use (See, Appendix C, Land-use Planning Handbook "H-1601-1"). Specific decisions must be included in each of the alternatives analyzed during development of the land-use plan. As each alternative is formulated, each program decision is overlaid with other program decisions and inconsistent decisions are identified and modified so that ultimately a compatible mix of uses and management prescriptions result.</p> <p>For example, the BLM has separate policies and guidelines, as well as criteria, for establishing ACECs and when the WSAs were established. These differing criteria make it possible that the same lands will qualify as both an ACEC and a WSA but for different reasons. The BLM is required to consider these different policies.</p> <p>The values protected by WSA management prescriptions do not necessarily protect those values found relevant and important in ACEC evaluation, and vice versa. The relevant and important values of ACECs within or adjacent to WSAs were noted in the ACEC Evaluation (Appendix G). The ACECs are evaluated and ranked based on the presence or absence of the stated relevant and important values. None of these values includes wilderness characteristics. Additionally, the management prescriptions for the ACECs is limited in scope to protect the relevant and important values, and the BLM maintains that the size of the ACEC areas is appropriate for protection of the relevant and</p>	

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			important values identified.	
Draft RMP/EIS	SD15	Alternative B would be the preferred alternative of [Daggett County]. [T]here are 18,474 acres along the river corridor. Areas outside of this corridor are more rocky and rugged with pinions and junipers. There have been efforts made to reduce the pinion and juniper encroachment and this needs to continue. The state statute requires that potential and proposed ACEC's be limited in geographic size and that the proposed management prescriptions be limited in scope to the minimum necessary to specifically protect and prevent irreparable damage to the relevant and important values. [Daggett County] requests that BLM re-examine and re-justify the need for the Brown's Park ACEC. We feel that under the 18,474 SRMA the BLM could manage this area adequately.	See Response to Comment SD12-G-9.	No
Draft RMP/EIS	SD255 (ASD-11)	On page 1-8 under 1.4.1.1: Identification of Issues, Wilderness Characteristics it still shows that the BLM is planning to manage for wilderness characteristics in areas outside of WSA lands, which is counter to the Utah vs. Norton settlement. An ACEC or special management areas cannot be a surrogate for a former "wilderness" inventory area. Unfortunately, many of the proposed SMAs or ACECs are exactly that and fail to meet the criteria and policy.  There is little evidence of positive action on the part of the BLM in these areas of Special designations to meet stated objectives. The Counties have made repeated attempts to get the data used to develop the need for maintaining or expanding the areas of	See Response to Comment SD16A-G22.	No

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		these Special Designations and still has not received the requested information and the RMP does not adequately document the need for maintaining or expanding the size of these special designations.		
Draft RMP/EIS	SD256 (ASD-12)	The number, size, and frequency of special designations that limit or disallow "disturbances" illustrate our concern that the BLM is not managing these lands for multiple use. Policy is being set that constricts the economies of local areas to meet the desires of groups that do not live or in most cases even visit the area.	Under FLPMA's multiple-use mandate, the BLM manages many different resource values and uses on public lands. Through land-use planning BLM sets goals and objectives for each of those values and uses, and prescribes actions to accomplish those objectives. Under the multiple-use concept, the BLM does not necessarily manage every value and use on every acre, but routinely manages many different values and uses on the same areas of public lands. The process of applying many individual program goals, objectives, and actions to the same area of public lands may be perceived as "layering". The BLM strives to ensure that the goals and objectives of each program (representing resource values and uses) are consistent and compatible for a particular land area. Inconsistent goals and objectives can lead to resource conflicts, failure to achieve the desired outcomes of a land-use plan, and litigation. Whether or not a particular form of management is restrictive depends upon a personal interest or desire to see that public lands are managed in a particular manner. Not all uses and values can be provided for on every acre. That is why land-use plans are developed through a public and interdisciplinary process. The interdisciplinary process helps ensure that all resource values and uses are considered to determine what mix of values and	No

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			<p>uses is responsive to the issues identified for resolution in the land-use plan. Layering of program decisions is not optional for BLM, but is required by the FLPMA and National BLM planning and program specific regulations.</p> <p>The FLPMA directs BLM to manage public lands for multiple use and sustained yield (Section 102(a)(7)). As a multiple-use agency, the BLM is required to implement laws, regulations and policies for many different and often competing land uses and to resolve conflicts and prescribe land uses through its land-use plans. The BLM's Land-use Planning Handbook requires that specific decisions be made for each resource and use (See, Appendix C, Land-use Planning Handbook "H-1601-1"). Specific decisions must be included in each of the alternatives analyzed during development of the land-use plan. As each alternative is formulated, each program decision is overlaid with other program decisions and inconsistent decisions are identified and modified so that ultimately a compatible mix of uses and management prescriptions result.</p> <p>For example, the BLM has separate policies and guidelines, as well as criteria, for establishing ACECs and when the WSAs were established. These differing criteria make it possible that the same lands will qualify as both an ACEC and a WSA but for different reasons. The BLM is required to consider these different policies.</p>	

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			<p>The values protected by WSA management prescriptions do not necessarily protect those values found relevant and important in ACEC evaluation, and vice versa. The relevant and important values of ACECs within or adjacent to WSAs were noted in the ACEC Evaluation (Appendix G). The ACECs are evaluated and ranked based on the presence or absence of the stated relevant and important values. None of these values includes wilderness characteristics. Additionally, the management prescriptions for the ACECs is limited in scope to protect the relevant and important values, and the BLM maintains that the size of the ACEC areas is appropriate for protection of the relevant and important values identified.</p>	
Draft RMP/EIS	SO7	<p>The BLM is required to incorporate social science and economic considerations into the planning process. The BLM is also required to manage the public lands on the basis of multiple use and sustained yield and to meet the needs of present and future generations. The focus of an RMP should include a detailed analysis for each community based upon current conditions and trends, including projection of future trends.</p>	<p>The RMP is a programmatic document that considers management decisions and impacts analyses on a landscape level, not a site-specific level. As such, the BLM has conducted the socioeconomic analysis at the individual planning area level.</p>	No
Draft RMP/EIS	SO8	<p>The economic effect on Taylor Flat Subdivision and Brown's Park residences from management decisions was not analyzed.</p>	<p>The RMP is a programmatic document that considers management decisions and impacts analyses on a landscape level, not a site-specific level. As such, the BLM has conducted the socioeconomic analysis at the individual planning</p>	No

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			area level.	
Draft RMP/EIS	SO9	The economic effect of proposed management on those outfitting and guiding was not addressed.	The outfitting/guiding/angling industry was included as part of the Tourism industry, which is discussed in Sections 3.12.2.2.4, 3.12.3.2.4, 3.12.4.2.3, 4.12.2.3, and 4.12.3.3.	No
Draft RMP/EIS	VI2	The maximum VRM rating [Daggett County] can see a need for is VRM III. The area you are recommending for VRM I is in view of Taylor Flat Subdivision, which has 1000 lots that are sold and also in view of the Jarvie Ranch Historical Site.	The alternatives present a range of VRM categories from which management can select.  It should be noted that VRM Class I is associated with Cold Spring Mountain Wilderness Study Area. While it is possible to look from the Taylor Flats Subdivision into this WSA, this would not change the Cold Springs Mountain VRM Classification, nor would it change the classification for the subdivision or the Jarvie Ranch Historical Site.	No
Draft RMP/EIS	VI3	The Brown's Park area could have mineral development. Utility lines to the Taylor Flat Subdivision, range improvement programs, burning and chaining the pinion and juniper, watering trough's (sic) etc. that would be limited by VRM I designation. VRM I allow (sic) only "very limited management activity" and VRM III would allow more flexibility in management and the view sheds could still be protected and in some cases enhanced.	See comment response VI2.	No
WSA Supp.	1 AA	Managing the Subject Lands Under Alternative E Would Violate Federal Law, BLM Policy, and the State of Utah/Department of Interior Settlement Agreement of 2003.  Daggett County's position on this point was set forth in	Please see Response to ID No. G-9-Comment 1.  Comment Noted.	No

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		<p>its letter, dated April 2, 2007, jointly addressed to State BLM Director Selma Sierra and Vernal BLM Field Office Manager William Stringer. An extra copy of that letter (Exhibit A) {see attached letter} is enclosed for your reference. At the risk of repeating some of the points in that letter, Daggett County submits the following additional comments concerning the illegality of adopting Alternative E:</p> <p>By adding Alternative E, BLM has exceeded the true intent of the Kimball Decision. Although the Kimball decision itself rests on an adjudged violation of NEPA, Judge Kimball emphasized that NEPA itself is merely procedural, that NEPA does not mandate a particular management standard, but rather NEPA only imposed the duty to analyze the effect of whatever management standard is applied. BLM's duty under Kimball was to analyze the effects of current alternatives on only alleged wilderness characteristics that may be found in the Subject Lands, not to create a non-impairment management standard as to those characteristics. With all respect, the BML has turned the Kimball decision on its head by purporting to create the new Alternative E management standard.</p> <p>Adopting Alternative E would violate the restrictions of BLM's own Instruction Memorandum No. 2003-275, which states "it is no longer BLM policy to continue to make formal determinations regarding wilderness character, designate new WSAs through the land-use planning process, or manage any lands--{except Section 603 WSAs} in accordance with the non-impairment standard prescribed in the IMP {Interim</p>		

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		<p>Management Policy for WSAs}." (Emphasis added.) Under the standard "if-it-walks-like-a-duck-and-quacks-like-a-duck-it-must-be-a-duck" analysis, the prescriptions of proposed Alternative E are substantially similar, if not more restrictive, than the restrictions of the BLM IMP for WSAs. Thus the proposed Alternative E squarely contradicts the BLM's own IM 2003-275.</p> <p>The proposed Alternative E's restrictive management standards that would effectively treat the Subject Lands as if they are WSAs, are largely built around BLM's 1999 Utah Wilderness Reinventory. Yet in 2003 the Department of Interior promised the State of Utah, among other things, not to use the 1999 Utah Wilderness Reinventory to manage public lands "as if": they are or may become WSAs. Utah v Norton settlement agreement of April 11, 2003 at p. 13 Para 14.</p> <p>It has long been the County's position that if these lands had "wilderness character: they would have been included in previous inventories as possible wilderness. A more correct title would be "lands that have characteristics associated with the concept of wilderness."</p>		
WSA Supp.	2 PRP	Managing the Subject Lands Under Alternative E Would Clash With State and Local Policies and Plans for Managing Those Lands, and Would Thus Violate the Consistency Requirement of FLPMA Section 202©(9).	See comment response 9-G-12.  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	No

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		<p>The BLM is mandated by FLPMA at 43 U.S.C. 1712©(9) as follows:</p> <p>Land-use plans of the Secretary under this section shall be consistent with State and local plans to the maximum extent he finds consistent with Federal law and the purposes of this Act.</p> <p>The proposed Alternative E is inconsistent with Utah Law and with Daggett County's General Plan.</p> <p>State Public Lands Policies</p> <p>The State of Utah's policy and plan for managing BLM lands is substantially set forth in Utah Code 63-38d-401(6), (7) and (8). It is self evident that the management prescriptions and restrictions in the proposed Alternative E are not inconsistent with the standards and policies set forth in this State statutory provision. There is no way for the BLM to reconcile these sharp inconsistencies; in other words, there is no way for the BLM to adopt Alternative E for the Subject Lands and meet its legal obligations of consistency under FLPMA Section 202 (c)(9).</p> <p>Daggett County's Policies Specific to the Subject Lands</p> <p>Several months ago, the Daggett County Planning Commission and the Daggett County Commission duly approved amendments to the Daggett County General</p>	<p>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)). As a consequence, where State and local plans conflict with Federal law there will be an inconsistency that cannot be resolved or reconciled.</p> <p>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. The BLM will identify these conflicts in the FEIS/PRMP, so that the State and local governments have a complete understanding of the impacts of the PRMP on State and local management options. A consistency review of the PRMP with the State and County Master Plans is included in Chapter 5.</p>	

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		<p>Plan to clarify Daggett County's policies for managing each of the Subject Land Areas that are now the subject of the Supplement. A copy of those plan amendments with a cover letter were sent to the BLM Vernal Field Office after they were adopted. Those plan amendments for each of the Subject Lands are incorporated herein by reference, and for your addition reference copies of those plan amendments (Exhibit B) are enclosed with this letter.</p> <p>Those County plan amendments are consistent with the above-mentions State Law and Policies for managing public lands. Under those plan amendments for the Subject Lands, it is clear that the proposed Alternative E standard for managing those Subject Lands are not consistent with Daggett County's plans and policies for managing the Subject Lands.</p> <p>In short, Daggett County's General Plan sets forth management specific plans that are directly and specifically applicable to each of the Subject Lands. Thus in accordance with FLPMA Section 202 (c)(9), Daggett County respectfully calls upon BLM to follow FLPMA by conforming its plan for managing the Subject Lands to Daggett County's plan for managing the Subject Lands. A first step toward meeting this statutory obligation is for the BLM to not adopt Alternative E for the Subject Lands. This same request also applies to the Alternative C for the Subject Lands, which is equally inconsistent with Daggett County's plan for managing the Subject Lands.</p>		

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WSA Supp.	3 WC	<p>Managing the Subject Lands Under Alternative E Would Arbitrarily and Capriciously Ignore the Volumes of Documentation and Information Submitted by Daggett County Which Show the Subject Lands Lack True Wilderness Character.</p> <p>Daggett County has assembled and submitted extensive information which shows the Subject Lands have been subjected to past resource uses and impacts that are inconsistent with the notion of wilderness character, and that the Subject Lands are better suited to a continuation of those traditional multiple uses, all under the FLPMA 202 principles of sustained yield and avoidance of undue degradation, of course.</p> <p>A map is enclosed with this letter (Exhibit ____), that clearly shows the majority of the Subject Lands are currently under lease for extractive purposes. This alone both disqualifies those lands for consideration for designation as Non-WSA Lands with Wilderness Characteristics and informs against their being managed under the Alternative E prescriptions proposed.</p> <p>Additionally, we provided information on December 31st, which contained detailed analyses of the Subject Lands. These analyses demonstrate that none of the Subject Lands qualify as having wilderness characteristics. The many attributes of the Subject Lands documented in these volumes, such as roads, mineral and energy development, extractive leasing,</p>	Please see Response to ID No. G-9-Comment 15.	No

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		<p>existing leasing, livestock improvements, need for access for vegetated treatment, and other uses clearly show that the imprint of man and the previous resource allocations preclude any rational finding of solitude and naturalness necessary to rationally designate those areas as having wilderness characteristics.</p> <p>Do any of the Subject Lands possess wilderness character worthy of Alternative E management (even if Alternative E were not illegal and not inconsistent with State and Local Policies)? We believe the answer to this question is "no:"</p>		
WSA Supp.	4 SOC	<p>Economic studies/socio economics</p> <p>Utah State University &amp; the University of Utah completed a number of economic and social-attitude studies regarding the use of and value attributed to public land resources by Utah residents. These studies assess: general attitude of the citizens toward the public lands, off-highway vehicle use on public lands, grazing on public lands, potential Wild and Scenic River designation, and economic impacts of oil and gas exploration.</p> <p>Recent information from that study shows that oil &amp; gas exploration and production (E&amp;P) accounts for 60 percent of all wages paid in the Uinta Basin. (See attachment A). The extractive industry is extremely important to the economic viability of the Uintah Basin both directly and indirectly. Studies show that this industry has and will sustain itself for many years to</p>	<p>The results of the Utah State University public lands survey and the University of Utah study on the economic impacts of oil and gas development in the Uintah Basin have been incorporated into the Proposed RMP/Final EIS. Chapter 3 summarizes the public lands survey results, and an Appendix has been added showing the raw results for the three counties in the planning area. Data from the University of Utah study has been extensively incorporated into Chapter 4 analysis.</p> <p>The Proposed RMP/Final EIS recognizes the importance of the oil and gas industry to the economic health of the Uintah Basin. The Plan seeks to strike a reasonable compromise between demands on resources and resource protection, within the framework of the BLM's sustained yield, multiple use mandate.</p>	No

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		<p>come. (See attachment B). The Basin is very rich in its natural resources.</p> <p>The importance of the extraction industry reaches far beyond the Uintah Basin. The Rocky Mountains west will play an increasing roll in meeting the nation's needs for gas. The annual energy outlook 2004 with projections to 2025, clearly shows the increasing roll of the rocky mountain area in gas production. The Uintah Basin makes up a considerable portion of the area and its associated production.</p> <p>Page 4-68 and 4-69 of Alternative E. Daggett County disputes the findings of studies concluding that wilderness areas add positive economic benefits to local communities, especially for the limited retail capacity of our county. The positive economic benefit does not exist if oil and gas development is excluded from the same areas. Especially if oil and gas is precluded from these areas.</p> <p>Page 4-66 of Alternative E. The document states that minerals under Alternative E would increase the costs of developing the total predicted oil and gas wells by \$.6 billion, compared to Alternative D-no action, because there would be more wells drilled under Alternative E. Such development would potentially create a total cost of development of \$12.5 billion over 20 years, or approximately \$623 million over one year. The paragraph itself demonstrates the socio economic values on these properties. It would appear the extractive industry has a far greater economic value to</p>		

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		<p>the local economy than does the recreational industry.</p> <p>The document states that "Alternative E would provide the least amount of oil and gas related jobs compared to other action alternatives and slightly more compared to Alternative D-no action." Once must assume this is based on the estimated number of wells for each alternative. Although this may be correct, it does not accurately reflect the impact of management prescriptions proposed in Alternative E. The addition of wells to be drilled on Indian Trust surface and the addition of lands available for oil and gas leasing in the Diamond Mountain area to the RFD prevents realistic comparison of other alternatives to Alternative D. It should be clear that the proposal to close wilderness characteristic areas to oil and gas leasing will drastically reduce future wells under Alternative E when you compare like acres.</p>		
WSA Supp.	5 AQ	<p>We feel it is important to install air quality monitoring stations. We are aware that there is an air quality monitoring station in Vernal. We do not believe that one air quality station accurately reflects the conditions of the Uintah Basin. We encourage BLM Vernal Field Office to request operators apply best available control technology and to install air quality monitoring stations within, or adjacent to, major field development to establish an air quality baseline and to detect deviations from such baseline.</p> <p>A proper baseline should be established. Absence of such a base line undermines the quality of any such worse-case scenarios. According to air quality expert</p>	<p>1. BLM shares EPA's concern about the lack of monitoring in Eastern Utah and will consider establishing additional monitoring sites in the region as circumstances and resources allow.</p> <p>2. NEPA no longer requires "worse [sic]-case scenarios.</p> <p>3. The County is welcome to be a formal cooperating agency on future NEPA analyses.</p>	No

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		<p>Howard Vickers, "a slight variation in how data is presented can alter greatly and sometimes unfairly, the analysis of air quality." He states, "Small differences in data or modeling technique can produce substantial problems with the results." It is important to the County, as stake holder, that we be involved in any air quality analysis that is done so that we can be assure that proper modeling and data techniques are used.</p>		
WSA Supp.	6 WSR	<p>Daggett County's well thought out and documented position is that no river segments in the Vernal Field Office planning area should be recommended as suitable for designation in the Wild &amp; Scenic River system on BLM lands. Moreover, Daggett County believes that BLM's process by which it attempted to study Wild &amp; Scenic River suitability is procedurally flawed by its failure to follow NEPA procedures and Wild and Scenic guidelines for determining suitability. Additionally it failed to address and fully consider the impact on the Colorado River Compact.</p> <p>In 1922 the Colorado River Compact granted the liberal right of impoundment on rivers and streams that constitute part of the Colorado drainage system. The Wild &amp; Scenic Rivers Act expressly provided that no pre-existing rights shall be impinged, etc. Therefore, BLM should conclude that no proposed segment in Daggett County is suitable for designation, for the additional reason that precipitations on impoundment that accompany designation would violate the pre-existing rights of impoundment granted under the 1922 Colorado River Compact. Furthermore, it is obvious BLM failed to consider for NEPA purposes, the impact</p>	<p>Appendix J of the DRMP/DEIS details the steps undertaken in the eligibility review process including the identification of outstandingly remarkable values as well as the Suitability Considerations by eligible river segments. The BLM complied with all applicable Federal laws, regulations, and policies in the Wild and Scenic Rivers Study Process.</p> <p>The BLM is aware that there are specific State laws relevant to aspects of public land management that are discrete from, and independent of, Federal law. However, BLM is bound by Federal law. As a consequence, there may be inconsistencies that cannot be reconciled. The FLPMA requires that BLM's land-use plans be consistent with State and local plans "to the extent practical" where State and local plans conflict with Federal law there will be an inconsistency that cannot be resolved. The BLM will identify these conflicts in the FEIS/PRMP so that the State and local governments have a complete understanding of the impacts of the PRMP on State and local</p>	No

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		<p>of a suitability designation on the pre-existing right of impoundment provided under the 1922 Colorado River Compact. Daggett County cannot support a position recommending any river segment in Daggett County as suitable.</p>	<p>management options.</p> <p>The WSR Act states within the wild, scenic and recreational definitions that they are subject to valid existing rights. 0</p>	
WSA Supp.	7 GRA	<p>UCA 63-38d-401 - Essentially states that if rangeland conditions improve that suspended AUMs would be returned to livestock before additional AUMs would be provided for wildlife. We are concerned that this has not and is not being adhered to with respect to the proposal presented in Alternative E.</p> <p>Because of the value of grazing, state law prohibits permanent closure of grazing allotments and conversion of livestock AUMs to wildlife or other uses. The correct standard is not whether BLM may permanently close an entire grazing allotment, but whether BLM may diminish a single grazing AUM for any reason other than rangeland conditions. The "close an entire grazing allotment" standard misses the mark of House Bill 264 and is inconsistent with Daggett County Public Land Policy and Plans by a serious margin. Those policies and plans are summarized as follows:</p> <p>Domestic livestock and forage in the VFO planning area expressed in animal unit months, for permitted active use, as well as the wildlife forage included in that amount, should be no less than the maximum number of animal unit months sustainable by range conditions in grazing districts and allotments in the VFO planning area, based on an on-the-ground and</p>	<p>In accordance with FLPMA, the BLM reviewed and considered the general plans of Duchesne, Daggett, Uintah, and Carbon counties during development of the management alternatives within the RMP. Where feasible, prudent, and consistent with the purpose and need of the RMP and BLM's multiple-use/sustained yield mandate, the BLM developed a range of alternatives and included them in the RMP/EIS.</p> <p>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 resolved to the extent practical (FLPMA, Title II Sec. 202 (c)(9)). As a consequence, where State and local plans conflict with Federal law, there will be an inconsistency that cannot be resolved or reconciled.</p> <p>While County and Federal planning processes,</p>	No

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		<p>scientific analysis.</p> <p>Where once available grazing forage in the VFO planning area has succeeded in pinion, juniper and woody vegetation and associated biomass, or where rangeland health in the Region has suffered for any other reason, a vigorous program of mechanical treatments such as chaining, logging, seeding, lopping, thinning, and burning and other mechanical treatments should be applied to remove the woody vegetation and biomass and stimulate the return of the grazing forage to its historic levels for the mutual benefit of livestock, wildlife and other agricultural industries in the VFO planning area.</p> <p>The land which comprises the grazing district and allotments in the VFO planning area is still more valuable for grazing than for any other use which might exclude livestock grazing. Such other uses include, but are not limited to, conservation of AUMs to wildlife watershed or wilderness uses. Accordingly, animal month units in the VFO planning area may not be relinquished or retired in favor of conservation, wildlife, or other uses.</p> <p>From time to time a bonafide livestock permittee in the VFO planning area, acting in good faith and not to circumvent the intent of the BLM's grazing regulations, may temporarily cease grazing operations without losing his or her permitted AUMs it is proposed in Alternative E to transfer these AUMs to wildlife or to watersheds this is counter to state law, BLM</p>	<p>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. The BLM will identify these conflicts in the FEIS/PRMP, so that the State and local governments have a complete understanding of the impacts of the PRMP on State and local management options. A consistency review of the PRMP with the State and County Master Plans is included in Chapter 5.</p> <p>Voluntary relinquishments of grazing permits and preference, in whole or in part, by a permittee in writing to the BLM will be handled on a case by case basis. The BLM will not recognize as valid, relinquishments which are conditional on specific BLM actions and BLM will not be bound by them. Relinquished permits and the associated preference will remain available for application by qualified applicants after BLM considers if such action would meet rangeland health standards and is compatible with achieving land-use plan goals and objectives. Prior to re-issuance of the relinquished permit the terms and conditions may be modified to meet LUP goals and objectives and/or site specific resource objectives.</p> <p>However, upon relinquishment, BLM may determine through a site specific evaluation and associated NEPA analysis that the public lands involved are better used for other purposes. Grazing may then be discontinued on the allotment</p>	

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		<p>regulations that provide for non use and Daggett County policy. However, BLM-imposed suspensions of use or other reductions in domestic livestock animal unit months should be temporary and scientifically based on rangeland conditions.</p> <p>The RMP fails to articulate a legal or factual basis to reduce domestic livestock and as written, Alternative E violates BLM grazing regulations. BLM may not implement an across the board reduction in permitted grazing use in the RMP. Permitted use includes non-use, and BLM may only reduce permitted grazing use when monitoring or field observations or ecological site inventory or other data demonstrate that grazing use is causing an unacceptable level or pattern of utilization, that rangeland health standards are not being met or that use exceeds livestock carrying capacity. Furthermore, changes in permitted use may only be effected by appeal able decision after consultation, cooperation and coordination with affected grazing permittee. 43 C.F.R 4110.3, 4110.3-2, 4110.3-3. Alternative E's across the board elimination of grazing non-use, therefore, is illegal.</p> <p>The transfer of grazing animal unit months (AUMs) to wildlife for supposed reasons of rangeland health imputed, in each AUM, a reasonable amount of forage for wildlife component.</p> <p>Any grazing animal unit months that may have been reduced in the VFO planning area due to rangeland health concerns should be restored to livestock when</p>	<p>through an amendment to the existing LUP or a new LUP effort. Any decision issued concerning discontinuance of livestock grazing is not permanent and may be reconsidered and changed through future LUP amendments and updates.</p>	

Table 5.12e. Public Comments and Responses: Daggett County

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		<p>rangeland conditions improve, not converted to wildlife use.</p> <p>Moreover, Daggett County wants the Subject Lands to be eligible for prescriptive uses of grazing that are flexible and adaptive to the full extent allowed by relevant BLM grazing regulations, in order to minimize rangeland fire danger, curb noxious weed incursions, and otherwise promote rangeland health and to continue to sustain the social-economies base that grazing provides to the local economy.</p>		
WSA Supp.	8 GRA	<p>Of particular concern is the proposal to transfer livestock AUMs associated with the BVVI to wildlife this proposal is counter to provisions of Utah state law and Daggett County Public Land Policy. No where in the Environmental Assessment or the Record of Decision associates with the purchase of these lands is it proposed or even suggested that livestock AUMs would be or could be transferred to wildlife. The BCCI agreement lacks the same language. It has long been the County's position that such agreements were made without public input, were and are illegal, and never had local government input. Alternatives that directly or indirectly converts livestock AUMs to wildlife must not be selected.</p>	<p>In accordance with FLPMA, the BLM reviewed and considered the general plans of Duchesne, Daggett, Uintah, and Carbon counties during development of the management alternatives within the RMP. Where feasible, prudent, and consistent with the purpose and need of the RMP and BLM's multiple-use/sustained yield mandate, the BLM developed a range of alternatives and included them in the RMP/EIS.</p> <p>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)).</p>	No

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			<p>As a consequence, where State and local plans conflict with Federal law, there will be an inconsistency that cannot be resolved or reconciled.</p> <p>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. The BLM will identify these conflicts in the FEIS/PRMP, so that the State and local governments have a complete understanding of the impacts of the PRMP on State and local management options. A consistency review of the PRMP with the State and County Master Plans is included in Chapter 5.</p> <p>Voluntary relinquishments of grazing permits and preference, in whole or in part, by a permittee in writing to the BLM will be handled on a case by case basis. The BLM will not recognize as valid, relinquishments which are conditional on specific BLM actions and BLM will not be bound by them. Relinquished permits and the associated preference will remain available for application by qualified applicants after BLM considers if such action would meet rangeland health standards and is compatible with achieving land-use plan goals and objectives. Prior to re-issuance of the relinquished permit the terms and conditions may be modified to meet LUP goals and objectives and/or site specific resource objectives.</p>	

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				<p>However, upon relinquishment, BLM may determine through a site specific evaluation and associated NEPA analysis that the public lands involved are better used for other purposes. Grazing may then be discontinued on the allotment through an amendment to the existing LUP or a new LUP effort. Any decision issued concerning discontinuance of livestock grazing is not permanent and may be reconsidered and changed through future LUP amendments and updates.</p>	
WSA Supp.	9	GRA	<p>The phenology criteria described in Alternative A are an appropriate consideration in setting seasons of use for an allotment, but not as an across-the-board prescription for the entire planning area. As used, the RMP does not allow managers or permittees sufficient flexibility to accommodate yearly variations in weather, precipitation, and plant phenology or variations in elevation, topography, or aspect within the identified areas.</p> <p>The RMP proposes to exclude from forage allocations all land that produces less than 25 or 32 pounds of forage per year. See DEIS 2-11. The draft RMP and DEIS do not analyze the effects of doing so even though much of the planning area is a high mountain desert and produces less than 25 pounds of forage a year. These criteria could remove significant volume of forage and acreage from livestock grazing. Range science does not support this proposal and the DEIS inadequately discloses and assesses the effects.. While livestock may use the steep slopes less, wildlife</p>	<p>The BLM agrees that changes must be done in consultation, coordination, and cooperation with the permittee. 43 C.F.R. §4110.2-3. The BLM has merely provided criteria to use to when adjustments are required.</p>	No

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			<p>and wild horses graze these areas. By excluding these areas from the forage allocation and calculations, the RMP actually allocates significantly more forage for wildlife and wild horses than is disclosed in the RMP and imposes domestic grazing reductions by removing land from the permit. The grazing rules require that such changes be made in consultation and coordination with the individual permittee rather than unilaterally throughout the planning area. In addition, the grazing rules require consultation with the permittee before amending the permit to exclude land. 43 C.F.R. §4110.4-2.</p>		
WSA Supp.	10	GRA	<p>We object to the extent the Supplement attempts to authorize the retirement of grazing permits and their reallocation to wildlife. This violates the Taylor Grazing Act, 43 U.S.C. § 315, FLPMA, 43 U.S.C. § 1742, and the terms of the Executive Orders No. 6910, 54 I.D. 539 (1934), and No. 6964 (Feb. 5, 1935), which withdrew public lands as chiefly valuable for grazing. Any such decision would also require amending the Presidential Executive Orders, which BLM cannot do, since authority to amend a withdrawal is limited to the Interior Secretary. The Tenth Circuit in <i>Public Lands Council v. Babbitt</i>, 167 F.3d 1287 (10th Cir.1999), aff'd on other grounds, 529 U.S. 728 (2000), held that BLM could not offer permits not to have domestic livestock graze public lands, since grazing permits are limited to domestic livestock. By the same token, BLM cannot purport to authorize wildlife grazing by retiring grazing permits in order to allocate the forage for wildlife. This action would also constitute a change in grazing use without following the procedures set out in the BLM grazing rules. 43 C.F.R. §§ 4110.3, 4110.4. It is also</p>	<p>Voluntary relinquishments of grazing permits and preference, in whole or in part, by a permittee in writing to the BLM will be handled on a case by case basis. The BLM will not recognize as valid, relinquishments which are conditional on specific BLM actions and BLM will not be bound by them. Relinquished permits and the associated preference will remain available for application by qualified applicants after BLM considers if such action would meet rangeland health standards and is compatible with achieving land-use plan goals and objectives. Prior to re-issuance of the relinquished permit the terms and conditions may be modified to meet LUP goals and objectives and/or site specific resource objectives.</p> <p>However, upon relinquishment, BLM may determine through a site specific evaluation and associated NEPA analysis that the public lands involved are better used for other purposes. Grazing may then be discontinued on the allotment</p>	No

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		inconsistent with the grazing rules which provide for BLM to offer a vacant permit to other qualified permittees. 43 C.F.R. §4130.1-2.	through an amendment to the existing LUP or a new LUP effort. Any decision issued concerning discontinuance of livestock grazing is not permanent and may be reconsidered and changed through future LUP amendments and updates	
WSA Supp.	13 LAR	<p>Of particular concern is the amount of land closed to oil and gas leasing for protection of wilderness character lands and ACEC's. A review of the Lands and Realty's section proposals does not list these closures to be reported as withdrawals.</p> <p>FLPMA defines a withdrawal as "withholding an area of Federal land from settlement, sale, location, or entry, under some or all of the general land laws. ..." 43 U.S.C. § 170(j). For tracts of lands greater than 5,000 acres, the Interior Secretary must provide Congress a variety of information in order to fully disclose the closure's impacts, costs, and need so that Congress can decide whether to disapprove the withdrawal. A withdrawal also requires public notice and hearing, and consultation with state and local governments. 43 U.S.C. at § 1714(c)(1)-(12), (h); 43 C.F.R. Parts 2300, 2310.</p> <p>By a 2006 Directive from the BLM Director, BLM cannot effect a de facto closure of thousands of acres of public lands to oil and gas leasing without following FLPMA's Section 204 withdrawal procedures: "Except for Congressional withdrawals, public lands shall remain open and available for mineral exploration and development unless withdrawal or other administrative actions are clearly justified in the national interest in</p>	<p>Withdrawals are actions specific to mineral entry, not leasing.</p> <p>Table 2.1.7 (Lands and Realty Management) identify which lands are being considered for withdrawal in the Proposed RMP as well as the alternatives. Table 2.1.7 also states the following regarding withdrawals:</p> <p>Withdrawals</p> <p>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).</p> <p>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 planning area. If the unencumbered lands fall within two or more management scenarios where future-planning criteria may not be clear, a plan amendment may</p>	No

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		<p>accordance with the Department of the Interior Land Withdrawal Manual 603 DM I, and the BLM regulations at 43 C.F.R 2310." BLM Energy and Non-Energy Mineral Policy (April 21, 2006). BLM formally adopted this policy through IM 2006-197. Consequently, the 2006 Energy and Non-Energy Mineral Policy with which BLM must comply, conditions the closure of lands available to mineral exploration and development on FLPMA's withdrawal procedures.</p> <p>This direction is consistent with legal precedent. See <i>Mountain States Legal Foundations v. Andrus</i>, 499 F. Supp. 383, 392-93 (D. Wyo. 1980) (BLM could not decline to issue leases in RARE II areas without complying with §204 of FLPMA); <i>Mountain States Legal Foundation v. Hodel</i>, 668 F. Supp. 1466, 1474 (D. Wyo. 1987) (Forest Service violated (FLPMA when it imposed an oil and gas leasing moratorium pending completion of its land-use plan). These decisions do not hold the BLM must offer public lands for mineral leasing, only that it must follow FLPMA's withdrawal and reporting procedures, when it wishes to foreclose that land use.</p>	<p>be required.</p> <p>Non-WSA lands found either to have wilderness characteristics or likely to have wilderness characteristics will be managed according to the direction established in this land-use plan. Unlike for WSAs, there is no statutory or policy directive requiring BLM to protect the wilderness characteristics of these non-WSA lands.</p> <p>These non-WSA lands have many resource values, and the draft RMP/EIS considered all available information and a range of alternative prescriptions for how the values and uses of the non-WSA lands would be managed. In Alternative B, most of the non-WSA lands are open to oil and gas leasing subject to standard terms and conditions. On the other hand, Alternative C is designed to provide maximum conservation and protection of natural resources from development and use. Under Alternative C, some non-WSA lands would be closed to leasing and most non-WSA lands would be leased subject to either minor constraints like timing limitations or controls on surface use or major constraints like no surface occupancy. Alternative D reflects existing management direction, and Alternative A (the Preferred Alternative in the draft plan) is designed to provide for a wide variety of resource needs, including mineral resource development and some level of protection of natural resources.</p>	

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Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
WSA Supp.	14 VRM	<p><i>VRM handbook requires the BLM to modify the VRM inventory classifications to fit the underlying land allocations. Southern Utah Wilderness Alliance, 144 IBLA 70, 84 (1998) ("Visual Management Objective classes are developed through the RMP process for all bureau lands.) The approved VRM objective shall result from, and conform with, the resource allocation decision made in the RMP." BLM manual 8400.0-6 a.2 (emphasis supplied).) An existing lease is a resource allocation unless the lease is NSO. Our research shows that the existing leases in these areas are not NSO. Thus, any VRM class proposed must be adjusted to reflect previous resource allocations.</i></p> <p><i>The County opposes any VRM Class I or II's being applied to any lands which have not been determined by Congress to be designated as wilderness. Additionally, such designations should not extend beyond the specific tract to which the VRM Class is applied. As an example, to a view shed.</i></p>	<p>The BLM disagrees that only formally designated lands by Congress can have VRM Classes I or II applied.</p> <p>Chapter 2 of The Proposed RMP/Final EIS provides a summary of specific management directives for the area's visual resources. Chapters 3 and 4 provide additional information. The Visual Resource Management maps for each alternative illustrate the VFM Classes for lands administered by the BLM.</p>	No

Table 5.12f. Public Comments and Responses: Duchesne, Uintah, and Daggett Counties (Collaborative Comments)

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
Draft RMP/EIS	AT7	The 2002 RFD was completed along with the mineral potential report in 2002. Since then BLM has provided additional direction on resource planning and incorporation of EPCA into planning. The draft	<p>The BLM incorporated EPCA into planning.</p> <p>In the PRMP/FEIS see:</p>	No

Table 5.12f. Public Comments and Responses: Duchesne, Uintah, and Daggett Counties (Collaborative Comments)

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
		should be reviewed to insure compliance with these directives. Based on this review alternatives should be created or selected that fully embraces the direction including the selection of alternatives that are performance based or outcome based.	Section 1.13 (Relationship to the President's National Energy Policy and The Scientific Inventory of Onshore Federal Lands' Oil and Gas Resources and Reserves, and The Extent and Nature of Restrictions or Impediments to their Development) Section 1.7 (How Vernal Field Office RMP Considered EPCA Inventory Information and Concerns).	
Draft RMP/EIS	GC23	It should be made clear in the Record Of Decision (ROD) and the final RMP that the total number of wells cited in reasonable foreseeable development do not represent a ceiling or cap on the number of wells that can be drilled in the VRA during the life of the plan. The ROD and RMP should state that the RFD well total were developed for the purpose of assessing impacts for decision making and that the total number of wells will be determined by NEPA analysis of field development projects of possible RMP revisions. This clarification is supported by case law.	Additional text has been added Section 4.1.2 in the PRMP/FEIS to describe the role of the RFD as a general metric used to assess relative impact and does not represent a ceiling on the number of wells that can be drilled within the VPA during the life of the RMP. The additional text is as follows:  "It should be noted that the total number of wells cited in the RFD report do not represent upper limits on the number of wells that could be drilled in the VPA during the life of the plan. The RFD well totals were developed for the purposes of assessing impacts for decision-making. The total number of wells permitted will be determined through site-specific NEPA analysis of field development projects."	Yes
Draft RMP/EIS	GC24	The information under Section 3.14.3.2, page 3-84, should more fully and accurately represent the specific management requirements found in Manual Section 8351.32C, particularly regarding valid existing rights.	The specific management guidelines of Manual 8351, along with other guidance, are incorporated by reference in Section 3.14.3.2 of the PRMP/FEIS and do not require reiteration in the RMP. Information contained in Section	No

Table 5.12f. Public Comments and Responses: Duchesne, Uintah, and Daggett Counties (Collaborative Comments)

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			3.14.3.2 does not conflict with or otherwise imply rejection of management policy outlined in Manual 8351. Additionally, as is mentioned in Section 1.9 as well as the introductions to Chapters 2 and 4, all management actions contained within the PRMP/FEIS recognize valid existing rights and do not apply retroactively to said rights.	
Draft RMP/EIS	GC25	The meaning of the statement "to the extent that BLM has the authority to do so" needs to be clarified.	Section 3.14.3.2 in the PRMP/FEIS has been revised to add language to clarify it relative to the authority bestowed upon the BLM by FLPMA, the Wild and Scenic Rivers Act, and BLM policy. This statement is also intended to acknowledge that the BLM does not manage all lands through which the proposed wild and scenic rivers pass and cannot impose restrictions on other land owners and land managers. The additional text is as follows:  'It is BLM policy (8351 Manual, Section .32C) to manage eligible segments to protect their free-flowing nature, outstandingly remarkable values, and tentative classifications to the extent that BLM has the authority to do so through FLPMA, the Wild and Scenic Rivers Act, and BLM policy.'	Yes
Draft RMP/EIS	GC26	Some of the information presented in Table S.3 Alternatives Comparison, page S-4, and is not found in Table 2.3 Alternatives, page 2-57. Table S.3 indicates that the Upper and Lower segments of the Green River are recommended, in all Alternatives, for Wild and Scenic River designation. However, these segments are not identified in Table 2.3.	The segments have been identified in Table 2.1.19 (Special Designations – Wild and Scenic Rivers) of the PRMP/FEIS.	No

Table 5.12f. Public Comments and Responses: Duchesne, Uintah, and Daggett Counties (Collaborative Comments)

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
Draft RMP/EIS	GC27	The draft fails to address the impact of management restrictions on valid existing rights including oil and gas leases. Throughout the draft, restrictive conditions of approval are proposed, without analysis or disclosure of impacts or even clearly stating restrictions to be applied.	<p>Section 1.9 in the PRMP/FEIS states:</p> <p>"All decisions made in the RMP and subsequent implementation decisions will be subject to valid existing rights."</p> <p>Valid existing rights are considered Administrative Actions by the BLM and do not require a specific planning decision to implement. As noted in Chapter 1 under Planning Criteria and as outlined in the BLM's Land-use Planning Manual (Section 1601.06G), all decisions made in land-use plans and subsequent implementation decision are subject to valid existing rights. The BLM will work with and subject to the agreement of holders of valid existing rights to modify proposed actions or activities to reduce the effect of the actions or activities on resource values and uses. These modifications may be necessary to maintain the choice of alternatives being considered during land-use plan development and implementation, and may include appropriate stipulations, relocations, redesigns, or delay of proposed actions.</p>	No
Draft RMP/EIS	GC28	The impact analysis at 4.8.2.3.1 only addresses the impact from light and sound and NSO restrictions adjacent to Dinosaur National Monument. Appendix K indicates there are other areas that would be impacted.	Section 4.8.2.3.1 of the Draft RMP/EIS only addresses impacts from light and sound and NSO restrictions for recreation purposes around the monument since these are the only management decisions for this area as it relates to recreation (the subject of Section 4.8.2.3.1. Impacts from non-recreation management	No

Table 5.12f. Public Comments and Responses: Duchesne, Uintah, and Daggett Counties (Collaborative Comments)

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
			<p>decisions on minerals and energy development are addressed in the remainder of Section 4.8, including discussions of special status species and wildlife decisions for sensitive areas identified in Appendix K.</p> <p>Note: Section 4.8.2.3.1 of the Draft RMP is renumbered as Section 4.8.2.4.1 of the PRMP/FEIS.</p>	
Draft RMP/EIS	LG58	The RMP proposes to exclude from forage allocation the land that produces less than 32 pounds of forage per year. The draft RMP and DEIS do not analyze the effects of doing so but given the fact that much of the planning area is a high mountain desert, this would remove significant volume of forage. The majority of range science does not support this proposal and the DEIS inadequately assesses the effects of adopting such a proposal.	In Section 2.4.5.2 in the DRMP, the actual number cited is 25 pounds per acre, which equated to 32 acres per AUM. The commenter does not provide substantial information to refute these suitability criteria.	No
Draft RMP/EIS	LG59	The draft RMP fails to recognize current livestock grazing in these areas as legitimate and authorized land uses.	The commenter does not identify which areas the BLM allegedly fails to recognize as current grazing areas. The RMP recognizes livestock grazing as a legitimate and authorized use of public lands within the Vernal Planning Area (VPA) and provides for its continuance under the new RMP. See Table 2.1.8 (Livestock and Grazing Management) in the PRMP/FEIS for provisions related to livestock and grazing within the VPA.	No
Draft RMP/EIS	LG60	Throughout the draft there are proposals to directly and indirectly convert livestock AUMs to wildlife and watersheds. State law (U.C. §§63-38d-401(6), (7) and (8)) broadly outlines criteria for state plans	The Taylor Grazing Act, FLMPA, and PRIA authorize the BLM to manage grazing to achieve multiple use and sustained yield and for the full range of resource values. The 1995 rangeland	No

Table 5.12f. Public Comments and Responses: Duchesne, Uintah, and Daggett Counties (Collaborative Comments)

Comment Period	Comment Number & Resource Category	Comment Text	Response to Comment	Document Modified
		concerning the management of federal lands located in Utah and the natural resources on those lands. The law contains provisions which generally disfavor diminishment of forage allocated to livestock grazing, the law also recognizes the state's interest in providing forage and habitat for wildlife, and the general provision that increases in forage ought to be shared among all users who participate in managing the forage of the area. Uintah and Duchesne County Plans also provide that livestock AUMs cannot be converted to other uses.	policy (see Office of the Solicitor IM 37008, and the subsequent clarification) authorizes the BLM to convert livestock AUMs to wildlife, so long as the conversion does not constitute a permanent withdrawal grazing on lands that have been identified as chiefly valuable for such activity.	
Draft RMP/EIS	LG61	There is no discussion of impacts of wild horse management decisions on livestock.	The anticipated impacts of wild horse management decisions on livestock are addressed in Section 4.7.1. See also the discussion of forage management decisions on livestock found in Section 4.7.2.2.	No
Draft RMP/EIS	LG87 (PR14)	At page 2-48 table 2.3 Alternatives, Livestock and Grazing Management, Season of Use, it is proposed to establish new seasons of use for designated Seasons of Use for Livestock Grazing. As proposed C and D of the Alternatives are inconsistent with the Federal Land Policy Management Act (FLPMA) 43 U.S.C. 1752(b) and the terms of the ten-year grazing permits. To the extent that the proposal purports to change the season of use, it also conflicts with the Utah Rangeland Health Standards, which do not adopt a phenology criteria. BLM must follow rangeland health and is not at liberty to unilaterally change the standards. Even assuming BLM could and should change seasons of use in an RMP, it cannot do so without violating the requirement that it coordinate, consult, and cooperate with the permittee or lessee in doing so. 43 U.S.C. 1752 (d); 43 C.F.R.	The PRMP/FEIS doesn't propose to change the Utah Standards for Rangeland Health. The limitation on season of use proposed by the RMP is a common rangeland management practices to maintain or improve range conditions. The proposed seasons of use have been developed on an area specific basis (Figures 7 through 10) to help assure that Rangeland Health Standards continue to be met or are met in the future.  The Guidelines for Grazing Management include implementing grazing management practices that "meet the physiological requirements of desired plants and facilitate reproduction and maintenance of desired plants" (1(c)). The proposed seasons of use will provide for these	No

**Table 5.12f. Public Comments and Responses: Duchesne, Uintah, and Daggett Counties (Collaborative Comments)**

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		4110.2-3.	<p>plant needs. The DRMP also includes flexibility providing for extended seasons of use when deferment and/or rest are provided for and for authorization of use outside of the specified season of use when certain criteria are met (Section 2.4.7.2).</p> <p>There is no requirement in FLPMA to maintain seasons of use as currently specified in grazing permits. Alternative D continues the current grazing management practices including the seasons of use as indicated on existing grazing permits. FLPMA indicates that it is the policy of the United States to manage the public lands on the basis of multiple use and sustained yield and in such a manner as to best meet the present and future needs of the American people without permanently impairing the productivity of the land. The proposed seasons of use will provide for the use of the public lands while helping to insure that no permanent loss of productivity will occur.</p> <p>The BLM does not propose to violate any consultation, coordination or cooperation requirements as indicated in the grazing regulations. The public participation process associated with this RMP and EIS effort as well as with that of the site specific environmental analysis and administrative decision process involved with any changes to the season of use will comply with the grazing regulation requirements to consult, coordinate and</p>	

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			cooperate with the permittee and other interested publics.	
Draft RMP/EIS	LG88 (PR16)	<p>The RMP attempts to authorize the retirement of grazing permits and their "reallocation" to wildlife. This violates the Taylor Grazing Act, 43 U.S.C. 315, The Federal Land Policy and Management Act (AFLPMA)", 43 U.S.C. 1752, and the terms of the Executive Orders Ns. Executive Order 6910, 54 I.D. 539 (1934), and Executive Order 6964 (Feb 5, 1935) which withdrew public lands that were determined to be chiefly valuable for (10th Cir. grazing. The Tenth Circuit in Public Lands Council v. Babbitt, 167 F.3d 1287 (10th Cir. 1999) aff'd on other grounds, 529 U.S. 728 (2000), held that BLM could not offer permits "not to graze" public lands, since grazing permits are limited to domestic livestock. By the same token, BLM cannot purport to retire grazing permits for wildlife. Any such decision would require amending the Presidential Executive Order, which BLM cannot do, since authority to amend a withdrawal is limited to the Interior Secretary. It is also inconsistent with the grazing rules, which provide for BLM to offer a permit to qualified permittees whose base property is nearby. 43 C.F.R. 4130.1-2.</p>	<p>The PRMP/FEIS determines the allowable uses of the public lands as provided for in FLPMA. FLPMA states in Section 202(a) that land-use planning provides for the use of the public lands "regardless of whether such lands previously have been classified, withdrawn, set aside, or otherwise designated for one or more uses". FLPMA further provides in Section 202(e) the authority to issue management decisions which implement newly developed or revised land-use plans. Such decisions, including those that exclude one or more uses, are subject to reconsideration, modification and termination through revision of the land-use plan.</p> <p>As provided for in FLPMA, the RMP proposed to re- allocate retired livestock AUMs to in order to meet the overall goals and objectives of the plan. The Secretary has the discretion under FLPMA to use the land-use planning process to close areas to grazing, change levels of use, or to devote the land to another public purpose in accordance with the relevant land-use plan. The transfer of AUMs from livestock to wildlife reflects the desire of BLM to modify the levels of use and in this particular instance to recognize the importance of wildlife values. These changes in use are made within the rangeland's ability to sustain the allocations of use. Any AUMs allocated by the land-use plan, whether for livestock or wildlife, are within the productive capability of the public</p>	No

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			<p>lands involved.</p> <p>FLPMA indicates that it is the policy of the United States to manage the public lands on the basis of multiple use and sustained yield. While it is the goal of the BLM to enhance rangeland health while providing for and recognizing the need for domestic sources of minerals, food, timber and fiber, there is no requirement in the Taylor Grazing Act (TGA) or other applicable law for the BLM to "maximize the number of domestic livestock AUMs" or to continue allocations "at historical levels." According to FLPMA, BLM is to manage for "multiple uses" which best meets the present and future needs of the American people without permanently impairing the productivity of the land. According to Section 2 of the TGA, it is the objective of the act to regulate the occupancy and use of the Grazing Districts and to preserve these lands. The Grazing Districts were established through a classification system established in the TGA. Under FLPMA, uses of the land are allocated during the land-use planning process. The combinations of uses proposed in the RMP are varied and diverse across the planning area taking into consideration the current and future needs of the public. This is consistent with both FLPMA and the TGA.</p> <p>Also, see comment response LG4.</p>	
Draft	ME55	The DEIS/RMP fails to properly disclose the impacts	Section 4.8 (Minerals and Energy Resources)	Yes

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RMP/EIS		<p>of the proposed management prescriptions on mineral development. It appears that Table 5.1 on 5-3 and Table 4.8.1 on page 4-100 was an attempt to disclose these impacts as at 4.8.2.1.1.1 the text presents these changes form Alternative D, the no action alternative. These figures are simply a tabulation of acres assigned to each leasing category and not a disclosure of impacts required in IM 2004-089 on FRD. In the Chapter 4 analysis it is the only data presented to show impacts on oil and gas development with respect to the loss of wells and acreage for future development.</p> <p>IM 2004-089 requires the creation of a baseline of well numbers and acres that would be developed if such development were governed by BLMs standard lease form. As management prescriptions are proposed the baseline is to be reduced by the number of well and acres affected. The result of this analysis is a clear disclosure of the impact of proposed management restrictions on oil and gas development.</p>	<p>discusses the effects of cultural, reaction, Soils, Special Status Species, Wildlife, and Visual decisions on mineral development. Section 4.8 has been revised to discuss impacts of Special Designations on mineral development.</p> <p>Chapter 4.12 Socioeconomics discusses the loss or gain of revenue from oil and gas development by alternative.</p> <p>The reduction of wells imposed by management prescriptions can be seen in Table 4.8.2 (Alternative A), 4.8.3 (Alternative B), 4.8.4 (Alternative C), 4.8.5 (Alternative D), and 4.8.6 (Alternative E).</p>	
Draft RMP/EIS	ME56	<p>The tabulation of acres assigned to the mineral leasing categories in Tables 1 and 4.8.1 include 188,499 acres of split estate land where no management restrictions will be applied as a result of the RMP. Additionally approximately 80,000 of low mineral potential acres that were closed and moved to timing and controlled surface use, and heavily developed lands from controlled surface use to standard stipulation. These additions of acres mask the impacts of management decisions proposed in the draft, the preventing required analysis and</p>	<p>The 188,500 acres (which represents the Hill Creek Extension) is proposed as open to oil and gas development with timing and controlled surface use under all action alternatives (Alternatives A, B, C and E). The acreage for Hill Creek is not included in Alternative D and is noted in Section 4.1.1 (Analytical Assumptions). The 80,000 acres were included in the calculations and the analysis.</p>	No

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		disclosure. A map of current oil and gas leases and mineral occurrence potential was not included in the map section; this also hampers proper analysis and disclosure.	A map of current oil and gas leases and mineral occurrence potential were not included in the Draft RMP due to space limitations but were utilized during alternative development and analysis.	
Draft RMP/EIS	ME57	The VFO is located primarily in the Uintah/Pieance oil and gas basin, one of seven areas identified as priority basins in the EPCA inventory. As a focus area the basin must be reviewed for appropriate levels of stipulations or unnecessary impediments to oil and gas production. The EPCA inventory must be integrated into the planning process to determine oil and gas leasing stipulations and restrictions. Page 1-15 of the RMP discusses the President's National Energy Policy, issued in May 2001, which directed the Secretary to "...examine land status and lease stipulation impediments to federal oil and gas leasing, and review and modify those where opportunities exist (consistent with the law, good environmental practice, and balanced use of other resources)." This includes the evaluation of lease mitigation requirements to determine whether they are consistently applied, science based, appropriate and effective. While the RMP states that the VFO conducted an extensive review of the inventory regarding energy resources within the planning area, nowhere in the document is this review apparent. Information, clarification, and justification for leasing stipulations are not found in the document. In addition, stipulations not necessary to accomplish desired protection must be dropped. Without further information the counties cannot determine if the	See comment responses ME165 and ME167.	No

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		<p>stipulations and mitigation measures laid out in the draft are the least restrictive possible as required by EPCA.</p> <p>FLPMA provides that land must be managed in a manner that recognizes the nations need for domestic sources of minerals. 43USC 1701(a)(12). EPCA provides that proposed actions must be analyzed to determine if the proposed actions are the least restrictive necessary and documents the scientific basis for the restriction. The fact that the Vernal plan revision was classified as a Time-Sensitive Plan to address energy resources under EPCA does not allow BLM to merely reference the data on leasing constraints without further evaluation as required by law.</p>		
Draft RMP/EIS	ME59	The analysis required in IM 2004-089 must be accomplished and management restriction re-evaluated in accordance with IM 2003-233 to insure they are the least restrictive as required by EPCA. The reasonable foreseeable development (RFD) should be recalculated based on the most recent statistics on development.	<p>See comment responses ME165 and ME167.</p> <p>The RFD was developed from the Mineral Potential Report, which was completed in 2004 using the best available data. The RFD is merely a measure for estimating relative total surface disturbance by alternative and does not represent a cap or ceiling. As such, the BLM finds the existing RFD to be sufficiently accurate for evaluating the potential impact of management decisions on resources and land uses within the planning area.</p>	No
Draft RMP/EIS	PR4	The counties believe that the BLM has not sufficiently divulged the proposed management prescriptions for the river segments discussed in the draft RMP and EIS. BLM Manual Section 8351.32C	Table 2.1.19 (Special Designation – Wild and Scenic Rivers) of the PRMP/FEIS under the subsection entitled Management Common to All Alternatives refers to new classifications and	No

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		reads "public notification of protective management shall occur no later than publication and release of the draft RMP, or plan amendment." This section requires exactly what it says; that the proposed management conditions be discussed in the draft RMP and EIS in order that the effects of the management can be ascertained before the ROD is signed. The information found at pages 4-211 through 4-214 consists simply of general statements of "concerns," rather than an evaluation of identified impacts, and support for the concerns cannot be found within the RMP.	establishes protective measures to prevent impairment of outstandingly remarkable values within line of sight, up to ¼-mile from centerline on each side of the river, not to exceed 320 acres per mile. BLM believes the non-impairment standard would allow for individual proposals to be evaluated on a case-by-case basis, whereas specific management criteria could unnecessarily restrict some proposals.	
Draft RMP/EIS	PR5	Section 3.14.3.2 and Appendix C contain the VFO's reasons and rationale for a determination of eligibility for segments of rivers within the VFO. Table 4, page C-11, discusses the identified required "values" for each segment. The Table does not contain the information necessary to demonstrate that the values mentioned are river-related, "outstandingly remarkable," or significant on a regional basis. The information presented in the table does not satisfy the guidance provided at page 7 of the 1996 Process and Criteria document adopted by the Bureau of Land Management (Utah State Office), the USDA Forest Service (Intermountain Region), and the National Park Service (Rocky Mountain Region), which requires that "in order to determine regional significance of river resources, it is imperative that similar rivers be compared to each other."	As discussed in Appendix C, a BLM interdisciplinary team used their professional judgment to review all nominations, and in fact all drainages within the planning area, to come up with a list of "potentially eligible" rivers, which were then further scrutinized.  Table 4 summarizes the findings of the BLM after a thorough review involving input from outside entities, including cooperating agencies and the public at large.	No
Draft RMP/EIS	PR6	Table 4 does not meet the requirements of the law, or BLM policy; it merely describes attributes that may support designation of the proposed ORVs in general glowing terms. The counties request that the	See comment response PR5.	No

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		BLM review these eligibility determinations with the state and local governments, in order to fully explore the rationale for each.		
Draft RMP/EIS	PR7	On page 2-57, the draft RMP suggests river segments found to be eligible during the current RMP preparation process would continue to be managed to protect their eligibility under the "no-action" alternative, Alternative D. The counties do not believe this is an accurate representation of federal law and does not comply with BLM policy and direction, or State law.	The BLM has broad discretionary authority to manage the public lands. It is BLM's policy (BLM Manual Section 8351.33A) to manage and protect the free-flowing character, tentative classification, and identified ORVs of eligible and suitable rivers. This protection occurs at the point of eligibility determination, so as not to adversely constrain the suitability assessment or subsequent recommendation to Congress. For eligible rivers where a suitability determination has yet to be made, management is addressed on a case-by-case basis as actions involving these rivers are proposed. For rivers determined suitable in the ROD for the Vernal RMP, protection continues and resource allocations (such as VRM, OHV and mineral decisions) that are compatible with such protection are made for the suitable river corridor as part of the decision. Eligible streams not determined suitable will no longer be managed to protect wild and scenic values, but will be managed in other ways according to the plan.	No
Draft RMP/EIS	PR8	Utah Code c63-38d-(8)(a)(A) and (B) require that federal agencies conduct all studies of rivers for possible inclusion in the NWSRS completely through the suitability phase. Alternative D, as represented at page 2-57, is unacceptable and does not meet the requirements of BLM policy or State law since it states that no suitability determinations would be	Alternative D is the baseline (the No Action Alternative) against which all of the other alternatives (the action alternatives) are compared, and is the current management direction.	No

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		made.		
Draft RMP/EIS	PR9	The Wild and Scenic Rivers Act and BLM Manual Section 8351 require consideration of characteristics which "do" or "do not" make a river segment a worthy addition to the NWSRS. Unfortunately, Table 5 only contains a discussion of the "do" characteristics (the ORVs) under the "Consideration" heading. Table 5 fails to acknowledge related information found in Table 3 of Appendix C, which represents some of the "do not" characteristics. For example, information from Table 3 regarding Argyle Creek states "[t]he high percentage of private land adjacent to the stream has resulted in the construction of numerous ranch houses and summer homes in the corridor. A power line parallels the stream for approximately 7 miles." This information not only caused Argyle Creek to receive a proposed "recreational" classification, but should also be considered relevant to a suitability determination.	The information from Appendix C Table 3 relative to the characteristics that do not contribute to or detract a river segment's suitability for WSR designation has been added to Appendix C Table 5. Please note that the information from Table 3 is added in other appropriate sections such as Land Ownership within Table 5.	Yes
Draft RMP/EIS	PR10	The statement at page 4-210, which reads "In the No Action Alternative, a suitability determination would not be made," does not meet the requirements of State law. Utah Code 63-38d-(8)(a)(A) and (B) require that federal agencies conduct all studies of rivers for possible inclusion in the NWSRS completely through the suitability phase.	See comment response PR8.	No
Draft RMP/EIS	PR13	BLM is proposing to manage the area under a non-impairment standard, in violation of state law (U.C. 63-38d-401(8)(c)(i) (ix) and 6(b)) and the settlement in the case of Utah v. Norton.	The range of alternatives contained in the RMP clearly demonstrate that the BLM is allowing multiple uses throughout the planning area to the extent that they are compatible with the goals and objectives of the plan and existing law.	No
Draft	PR15	The assignment of resources is a legitimate purpose	See comment response LG87.	No

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RMP/EIS		of an RMP. In the RMP assignments of AUMs and a determination of season of use could be made but the proposals here establish dates for permitted use. The process for establishing the dates is within law and regulations cited above (in comment PR87). These alternatives should be rewritten to comply with RMP purposes and law and regulation.		
Draft RMP/EIS	PR17	A "not to designate" [ACECs] alternative was not provided, which fails the full range of alternatives test.	There is no requirement in NEPA, FLPMA, other federal legislation or BLM policy to examine an exhaustive range of alternatives that represent extremes in proposed options. Rather, law and policy require BLM to consider a reasonable range of alternatives that meet the purpose and need of the undertaking, which in this case is the purpose and need for the BLM to manage the lands and resources of the Vernal Planning Area (VPA) under a multiple use and sustained yield regime. The BLM is authorized to designate ACECs and other special management areas where the need for such consideration exists. The range of alternatives considered in the RMP provide for anywhere from 165,944 acres to 681,310 acres in ACECs. The BLM believes that this range is sufficient to offer a variety of options for management and still meet the BLM's goal of managing VPA lands for multiple use and sustained yield.	No
Draft RMP/EIS	SD40	This area has been layered with special designations and other management prescription without consideration to manageability of these designations and current use.	See Response to Comment SD14-G-13.	No
Draft	SD41	The Wild and Scenic River Act give agencies no	See Response to Comment SD19-G-22.	No

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RMP/EIS		authority to manage rivers, determined to be suitable for WSR designation, to protect their outstanding remarkable characteristics. Thus BLM lacks authority to manage the Upper Green River as provided in Chapter 2.		
Draft RMP/EIS	SD42	Suitability of [the Upper Green River] segment should be re-analyzed in this document. A review of the Diamond Mountain RMP and ROD indicates no analysis of suitability for WSR designation was analyzed in them. In the Diamond Mountain Plan, at SEA 08 page 2-4, it indicates that the Upper Green River suitability determination was made prior to that RMP.	The Diamond Mountain RMP/EIS Record Of Decision at SEA08 on page 2-4 reflects the Areawide Decision made concerning the two river segments. The Upper Green River and Lower Green River segments were analyzed in the Diamond Mountain RMP/EIS and Wild and Scenic Suitability Analysis reports may be found in Appendix 7, Special Emphasis Areas, in the referenced RMP/EIS.	No
Draft RMP/EIS	SD43	The DEIS/RMP and the AMS are silent on the origin of the suitability designation. Research of determination history shows that suitability was determined in Wild and Scenic River Study Environmental Statement July 1980. This document addresses the Green and Yampa Rivers.	See Response to Comment SD42-G-23.	No
Draft RMP/EIS	SD44	The 1980 EIS [for the Wild and Scenic River Study], which is the only analysis of impacts of a suitability determination, is woefully inadequate. A review of Chapter 3 beginning on page 229 indicates that impacts to private landowners with respect to current uses, agriculture, grazing and family residential occupancy, was not analyzed. Analysis was not made based on the assumption that scenic easement and/or agreement would be purchased or made, thus impacts would be eliminated. This has not happened. In short the analysis and disclosure of	See Response to Comment SD19-G-22.	No

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		impacts related to a suitability determination on this stream segment has not been made.		
Draft RMP/EIS	SD45	The Wild and Scenic River Review in Utah, process and criteria for interagency use pages 2 and 3, suitability states "The purpose of the suitability component is to determine whether eligible rivers are appropriate additions to the national system by considering trade-offs between corridor development and river protection." It further states "suitability considerations include the environmental and economic consequences of designation and the manageability of the river if it is designated." Appendix E lists suitability factors to be considered in analysis. This analysis required for determination of suitability has not been accomplished in this DEIS/RMP nor in previous analysis of suitability. BLM has relied on faulty analysis that is 25 years old.	Appendix C in the PRMP/FEIS has been revised to include additional information regarding suitability determinations.	Yes
Draft RMP/EIS	SD48	The apparent loss of focus of the BLM on the statutory rationale for an ACEC becomes important because in Handbook Section 1613.1, the characteristics of an ACEC are discussed. The first subsection (Section 1613.11) discusses the need for "relevance" and "importance," and the second (Section 1613.12) discusses the requirement for special management attention. Again, however, the regulatory requirement to discuss the need for special management attention does not focus on the statutory requirement to "protect and prevent irreparable damage" to resources; rather it only speaks to the need to "protect" the important and relevant values. This loss of focus has been carried through the entire DEIS/RMP from the proposed	See Response to Comment SD27-G-22.	No

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		alternative through affected environment and into analysis.		
Draft RMP/EIS	SD49	State statute requires that the BLM analyze the required relevant and important values of an ACEC on a regional basis, analyze the need to "protect and prevent irreparable damage to those relevant and important values" from activities which may occur in the area, requires the BLM to explain the need for "special" management for the ACEC and explain how this management is different from normal BLM management and authority, that the protections proposed by the required "special management" do not duplicate or constitute simple restatements of protections afforded by other federal and State laws, and contain other analytical and procedural requirements. (See Utah Code 63-38d-401(8)(c).	See Response to Comment SD12-G-9	No
Draft RMP/EIS	SD50	The discussion of ACEC management (page 4-203) contains the general statement that ACECs would benefit from the "special management attention they would receive if designated." Special management attention is more than a coincidental benefit that flows from designation. It is a fundamental prerequisite to designation. The BLM must make a determination for each potential and proposed ACEC that special management attention is required to protect the identified relevant and important values. It has failed to do so in the DEIS/RMP.	The FLPMA states that in developing land-use plans the BLM shall give priority to the designation and protection ACEC. The BLM gave full consideration to the designation and preservation ACEC during this land-use planning process. Nominations for ACECs from the public were specifically solicited during the scoping period. A total of 35 ACEC nominations were received and the relevance and importance of each were determined. Fourteen of the ACEC nominations were found to meet both the criteria of relevance and importance and all these were included for special management as proposed ACECs in Alternative B.  The BLM Manual 1613.23 states that "After	No

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			<p>completing the analysis of the effects of each alternative, the manager selects the preferred plan alternative which best meets the planning criteria and the guidance applicable to the area. The preferred alternative reflects the BLM's proposals for designation and management of ACECs." The BLM has full discretion in the selection of ACECs for the various alternatives. In the selection of the preferred alternative, a comparison of estimated effects and trade-offs associated with the alternative leads to development and selection of the preferred alternative.</p> <p>Should BLM choose not designate potential ACECs, BLM Manual 1613 .33E provides direction in this process. Rational for not proposing designation of a potential ACEC in the preferred alternative must be provided, that is, the reasons for the decision not to provide special management attention must be clearly set forth. Such reasoning may include:</p> <p>Special management attention is not required to protect the potential ACEC because standard or routine management prescriptions are sufficient to protect the Relevance and Importance Values from risks or threats of damage/degradation.</p> <p>The area is being proposed for designation under another statutory authority such as wilderness and would require no further management</p>	

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			<p>attention.</p> <p>The manager has concluded that no special management attention is justified either because of exposure to risks of damage to threats to safety is greater if the area is designated or there are no reasonable special management actions which can be taken to protect the resource from irreparable damage or to restore it to a viable condition.</p> <p>BLM ACEC guidance (Areas of Critical Environmental Concern; Policy and Procedures Guidelines, 45 FR 57318, 57319 (Aug. 27, 1980)) allows a manager to exercise discretion not to protect a potential ACEC through ACEC designation, but that decision has to be documented through the planning process. If the manager decides to provide the necessary protection through another form of special management, the documentation will include specifics of the special management proposed. Rationale for all ACEC decisions will be provided in the Record of Decision and supported by analysis in the EIS. If the decision is to allocate the resources with relevant and important values, in whole or in part, to another use which would in result in damage or loss to such resource, the authorized officer must first find that there is an overriding public need for such other use; that the public benefits of such other use outweigh the public benefits of use appropriate with ACEC designation, and that such other use will best</p>	

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			<p>meet the present and future needs of the American people. In addition, any allocations to such other use will include all feasible planning and management to prevent, minimize, mitigate or restore any consequent damage to the resource, and these requirements will be specified in the documentation.</p> <p>The BLM, in developing the PRMP/FEIS, can chose management actions from within the range of the alternatives presented in the DRMP/DEIS and create a management plan that is effective in addressing the current conditions in the planning area based on FLPMA's multiple-use mandate.</p>	
Draft RMP/EIS	SD51	<p>On page 4-203, the draft RMP indicates that the lack of designation of some potential ACECs may place the relevant and important values "at some risk of irreparable damage during the life of the plan." This statement is completely backward. BLM must make a determination that a threat of irreparable damage from some authorized multiple-use activity exists, and is directed toward the identified relevant and important value in order to complete the fundamental requirements for an ACEC. The identification of required threat of irreparable damage cannot be supported from simple hypothetical musings postulating that the lack of the very management structure (ACEC) BLM is trying to justify may result in damage to the resources.</p>	<p>The BLM followed the ACEC designation process outlined in BLM Manual 1613 and analyzed the implications of designating or not designating areas as ACEC. In particular, in Chapter 4 of the DRMP/DEIS analyzes the impacts of ongoing and future uses on the relevance and importance values associated with potential ACECs under all alternatives. Appendix G of the Proposed RMP/Final EIS provides information concerning the interdisciplinary team review.</p> <p>The rationale for designation of individual ACECs carried forward into the PRMP/FEIS will be provided in the Record of Decision (ROD). The analysis that forms the basis of the rationale for the final decision to designate or not designate an ACEC can be found in Chapter 4 of the</p>	No

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			PRMP/FEIS.	
Draft RMP/EIS	SD52	BLM Manual section 1613.22 requires the BLM to consider whether the values within the proposed and potential ACEC are already afforded protection through other designations. BLM Manual Section 1613.33E allows that BLM may decline to designate an ACEC "because standard or routine management prescriptions are sufficient to protect the resource or value from risks or threats of damage/degradation," which is clarified to mean that "the same management prescriptions would have been provided for the area in the absence of the important and relevant values." Examples of values that have been used to justify need for protection management are the special cultural resources, riparian and wetland areas and special status species. The counties cannot find any analysis of these factors within the draft RMP and EIS. In fact the majority of the relevant and important values identified are already afforded such protection.	See Response to Comment SD51-G-25.	No
Draft RMP/EIS	SD53	BLM Manual Section 1613.22(A)(2) requires the BLM to consider the value of other resources when considering the protection of important and relevant values of a proposed and potential ACEC. The intent is that BLM balance the various multiple-uses within the proposed RMP, and consider whether the need for other multiple-uses in the area "outweigh" the need for the ACEC. The discussions in the draft RMP and EIS do not analyze any such balancing, and do not discuss the potential benefits of ACEC designation versus other resource uses for any of	See Responses to Comment SD24-G-22 and Comment SD8-G-9.  The projected RFD for each alternative accounts for restrictions resulting from closures associated with special designations, special status species protections, and other resource program decisions.	No

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		the potential and proposed ACECs. The impacts on RFD are not disclosed to a level that such analysis could be made.		
Draft RMP/EIS	SD54	The majority of the ACEC boundaries extend well beyond the boundaries of what is reasonable to protect the relevant and important values identified.	See Response to Comment SD14-G-13.	No
Draft RMP/EIS	SD55	The counties are concerned that the BLM views potential and proposed ACECs as convenient vehicles to generally focus agency management attention on an area, rather than a very focused management tool with strict criteria for creation of particular concern is that most of these areas mirror proposed WSAs.	<p>The potential ACECs analyzed 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 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</p>	No

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			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.	
Draft RMP/EIS	SD56	The discussions concerning potential recommendations for addition to the Wild and Scenic River System in the draft RMP and EIS are confusing, contradictory and incomplete, and do not meet the requirements of federal or state law or BLM policy and direction. The counties believe it is imperative that the BLM properly disclose the reasons and rationale for determinations of eligibility and suitability for proposed additions to the NWSRS, and to fully meet the requirements of state and federal law in doing so.	Appendix C of the EIS has been revised to include additional information regarding the BLM's eligibility and suitability analysis and determinations.	Yes
Draft RMP/EIS	SD57	The counties are concerned that the designation of stream segments as "Wild & Scenic" could jeopardize the ability of local communities, industry, farmers, Indian tribes, and other water users to appropriate and develop water and to get change applications approved in order to meet their future water needs. Fundamentally, the counties are concerned that Wild & Scenic River designations would: <ul style="list-style-type: none"> <li>1. limit the ability of communities to develop water needed for future growth</li> <li>2. limit additional industrial growth including oil shale development</li> </ul>	See Response to Comment SD19-G-22.	No

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		<ul style="list-style-type: none"> <li>3. limit additional agricultural growth</li> <li>4. affect water right settlements with the Northern Ute Tribe</li> <li>5. affect completion of the Central Utah Project</li> <li>6. affect operation of Flaming Gorge Reservoir</li> <li>7. reduce funding to the Colorado River Salinity Control Program, or affect agreements already in place for the Endangered Fishes Recovery Program</li> </ul>		
Draft RMP/EIS	SD58	The counties acknowledge the VFO is required to conduct Wild and Scenic Rivers studies as part of the RMP process. However, the counties also understand and support the Wild and Scenic Rivers Act's standards of classification, eligibility and suitability and the requirement for proper analysis in the assignment of such designations.	See Response to Comment SD19-G-22.	No
Draft RMP/EIS	SD59	State plans, as outlined by State law (U.C. §63-38d-401(8)(a) through (b)), expand upon the requirements of the WSR Act by delineating the necessary analysis which must be conducted on river segments considered for possible inclusion in the NWSRS. These state requirements are not in opposition to the federal requirements, but are designed to fully flesh out studies that the federal agencies should perform, in order to assure that the full and complete nature of the proposal is made public. State law expands upon the requirements for study by requiring that river segments proposed for inclusion in the NWSRS contain water at all times, that the river segment contain an outstandingly remarkable value which is significant within a physiographic regional context, that the rationale and justification for the determination of the outstanding	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	No

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		value is fully disclosed, all segments considered eligible are evaluated for suitability of designation, a "suitable" or "not suitable" decision is made for each segment, and that studies of the effects of designation on uses within the river corridor, and upstream and downstream from the corridor are analyzed and disclosed.	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 consistent with the Utah Code 63j-4-401.	
Draft RMP/EIS	SD60	State law requires the BLM to fully disclaim any rights to water in the segments recommended for inclusion in the NWSRS as a result of adoption of the final Resource Management Plan. (U.C. §63-38d-401(8)(a)(viii)c)). Although there is language on page 4-210 which discusses in-stream flows, this language does not address this State statutory requirement directly. Additionally, the paragraph at the top of page 2-28 which states that the BLM will develop additional and maintain existing water rights" is unsupported. We suggest that the BLM provide more detail and specifics for this statement, and more affirmative language clearly disclaiming any water rights.	See Response to Comment SD19-G-22.	No
Draft RMP/EIS	SD61	We have concerns regarding the language at page 4-210 which passively mentions the Colorado River Compact. Under the 1948 Upper Colorado River Basin Compact, Utah is allotted a depletion of 1,369,000 acre-feet per year from the Colorado River system. Obviously, the Compact is of major significance to the state and any actions that may	Section 13(e) of the Wild and Scenic Rivers Act says:  "Nothing contained in this Act shall be construed to alter, amend, repeal, interpret, modify, or be in conflict with any interstate compact made by any	No

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		affect the compact are of concern. Utah Code §63-38d-401(8)(a)(x)(A)and(B) require clear demonstration that including rivers in the NWSRS and terms and conditions for managing such rivers will not impair or otherwise interfere with interstate compacts.	States which contain any portion of the national wild and scenic rivers system."	
Draft RMP/EIS	SD62	We are concerned that the BLM is not stating, in a full and complete manner, the authority for protection of river segments while studies pursuant to Section 5(d) of the Act are underway and protection until Congress may act upon any recommendations made in planning documents pursuant to BLM planning authority.	See Response to Comment SD19-G-22.	No
Draft RMP/EIS	SD63	The draft RMP indicates on page 2-29 that "new river segments found suitable" would be managed in accordance with the "Wild and Scenic River Act to prevent non-impairment of outstandingly remarkable values." We do not find the term "non-impairment" in either the Act or BLM policy direction. The Wild and Scenic Rivers guidelines of federal agencies indicate that Section 10(a) of the Act is interpreted to provide for a "nondegradation and enhancement policy for all designated river areas." However, this provision does not apply to rivers found suitable for recommendation during planning processes. The counties are concerned the statement of management found on page 2-29 is too simplistic, doesn't meet the intent of the statements found on page 3-84 or page 4-210, and fails to give the stakeholders or the public sufficient notice of criteria or process the BLM intends to employ as part of the proposed management for the river segments determined to be suitable for inclusion in the	Actions Common to all for Wild and Scenic Rivers have been moved to Table 2.1.19 (Special Designations – Wild and Scenic Rivers) of the PRMP/FEIS. The Actions Common to All have been revised to more clearly define how BLM intends to manage segments determined suitable as a result of this planning process. The correct phrasing should be "prevent impairment" instead of "prevent non-impairment."	Yes

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		NWSRS. We request that the BLM revise the document to address these concerns.		
Draft RMP/EIS	SD64	Table 2.3, page 2-57, contains no information regarding the rationale related to wild and scenic river considerations, nor proposed protective management, for any of the various segments listed in the table. The counties request that the BLM revise the RMP to address these concerns.	See Response to Comment SD24-G-25,G-1.	Yes
Draft RMP/EIS	SD65	The discussion of Upper and Lower segments of the Green River in the draft RMP is incomplete. BLM assumes that the rationale, findings and protective management identified in the Diamond Mountain and Book Cliffs RMPs, completed in the 1980's still applies. Numerous significant recreation related facilities (i.e. campgrounds, picnic areas, boat ramps, vehicle parking), and other types of development, are now present along the Green River corridor, particularly the Upper segment. Much of this development has occurred since the Diamond Mountain RMP was completed and the ROD was signed. This development may affect not only the determination of suitability for these segments, but the current classification of "scenic" for the segment as well. The counties oppose simply carrying over the Upper and Lower segments of the Green River as recommended additions to the NWSRS from the Diamond Mountain and Book Cliffs RMPs. The counties believes that the BLM must consider all new information which has developed since the Diamond Mountain and Book Cliffs RMPs were finalized, to determine whether the segment still qualifies and should still be recommended, and to meet the	<p>The Upper and Lower Green River Segments were identified as suitable for designation in the National Wild and Scenic River System in the Diamond Mountain RMP/EIS and has been carried forward in the Proposed RMP/Final EIS.</p> <p>Appendix C of the PRMP/FEIS details the steps undertaken in the eligibility review process including the identification of outstandingly remarkable values as well as the Suitability Considerations by eligible river segments. The BLM complied with all applicable Federal laws, regulations, and policies in the Wild and Scenic Rivers Study Process.</p> <p>Manual 8351, Wild and Scenic Rivers, Policy Program Direction for Identification, Evaluation, and Management, states:</p> <p>"In general, a wide range of agricultural, water management, silvicultural, and other practices or structures could be compatible with scenic river values..."</p>	No

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		requirements of the State law.		
Draft RMP/EIS	SD66	Table 5 includes "[m]anageability of the river if designated, and other means of protecting values" as a "Suitability Consideration." However, in the "Consideration Applied" column which is supposed to provide the information about manageability, the document simply states "[m]anageability ... and other means of protecting values would be extrapolated from the impact analysis for the Vernal RMP/EIS." This analysis goes nowhere as an explanation, and is inadequate to meet the requirements of Federal law and BLM Manual 8351, and further, is not supported by the impact analysis information presented on pages 4-210 through 4-215.	Appendix C of the EIS has been revised to include additional information regarding the BLM's eligibility and suitability analysis and determinations.	Yes
Draft RMP/EIS	SD67	The draft RMP provides only cursory acknowledgment of the White River Dam project and fails to adequately represent its significance, and characterizes the impacts of an eligibility or suitability determination, and associated "protective management" on the proposed project in a contradictory manner. Statements found on pages 4-212 and 4-213 illustrate the cursory analysis, as follows: "...a suitable decision for Segment 1 of the White River would be incompatible with the continuation of an existing permit for a dam site" and t]he suitability decision for Segment 1 of the White River would result in the discontinuance of the existing permit for the dam site." The White River is also described as part of Alternative D, on page 2-57, as follows: "[u]nder this alternative, suitability findings would not be made and eligibility would	Alternatives B and D are part of the range of alternatives. There is an existing right of way for a dam on the White River in segment 1. Segment 1 was carried forward for analysis purposes under the wild and scenic river situation.  Also, see Response to Comment SD8-G-9.	Yes

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		<p>continue with BLM applying protective management to the free flowing nature, outstandingly remarkable values, and tentative classification of the river." The discussion of Alternative D on page 4-214, reaffirms that Segment 1 of the White River "would remain eligible." However, in a contradictory manner, the discussion also states, "Segment 1 has been identified for a potential dam site." Subsequently, the last paragraph on page 4-214 concludes the description of Alternative D, as follows: "Under this alternative, the continued eligibility decision for Segment 1 of the White River would be incompatible with continuance of the existing permit for the dam site. Because this permit would continue under this alternative, the free-flowing nature of Segment 1 would not be maintained and this segment would no longer be eligible as a Wild and Scenic River." Further, Appendix C, Wild and Scenic River Eligibility, Suitability, Classification and Review does not include any information regarding the White River Dam Project.</p>		
Draft RMP/EIS	SD68	<p>On pages 4-211 and 4-212, the discussion of Alternative A contains contradictory statements. For example, on page 4-211, the RMP states that "where mineral leasing [is] allowed with standard stipulations or timing and controlled surface use, or where other mineral development would be allowed within the corridor of the White River (Segments 1 and 3) .... the outstandingly remarkable values of these rivers would be at risk." Segment 1 of the White River is addressed again under this same alternative, at page 4-212, which states that "the White River (Segments 1 and 2) would largely be protected from</p>	Chapter 4 of the PRMP/FEIS has been revised to correct and clarify the apparent contradiction.	Yes

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		disturbance related to mineral development by either being closed to mineral leasing or by no surface occupancy stipulations." Based on this information, Segment 1 of the White River is both "at risk" and "largely protected" from mineral development under Alternative A. The same language, and thus the same apparent contradiction, exists in the discussion of Alternative C. No information, which offers any clarity, exists elsewhere in Chapters 2, 3 or 4 of the RMP. The counties request that the RMP be revised to correct these issues concerning the White River.		
Draft RMP/EIS	SD69	The discussion of Alternative B on page 4-213 includes the following statement, "If acquired lands along Nine Mile Creek are grazed, the outstandingly remarkable cultural and scenic values would be more at risk than with Alternatives A and C". Unfortunately, nowhere in the draft RMP and EIS is there other mention of this apparent concern, or other information that would enable the reviewer to grasp its relative significance. We strongly object to this unsupported assertion that grazing threatens the ORVs in the area, especially on lands that may be acquired. Grazing can be managed to protect cultural and riparian values. The BLM needs to carefully explain the potential difficulties of this area, and analyze them in terms of proper mitigation, rather than making unsupported blanket statements such as this. In addition, the discussion of Alternative A at pages 4-211 and 4-212, contains no reference to any "acquired lands along Nine Mile Creek."	Chapter 4 of the PRMP/FEIS has been revised to correct and clarify the apparent contradiction.	Yes
Draft RMP/EIS	SD70	As a matter of clarification, the document, at page S-3, refers to sections of rivers, ranging from one to six rivers, which are recommended for Wild and Scenic	Table S.3 of the Executive Summary in the PRMP/FEIS has been corrected and the issue clarified regarding the number of rivers and river	Yes

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		River designation. Throughout the remainder of the document, the discussion of wild and scenic rivers refers to segments of rivers, rather than separate individual rivers. The confusion is immediately apparent when the reader looks to Table S.3, as directed by the text on page S-3. Clarity could be achieved by indicating the number of segments associated with the rivers, i.e., "Alternative C ... recommends 9 segments of six rivers."	segments.	
Draft RMP/EIS	SD71	The information at page 2-29 does not fully characterize proposed interim management of WSRs, because the discussion of management of eligible segments, found at page 3-84, is not presented here. We recommend that information similar to that found at page 3-84 be included at page 2-29.	Chapter 2 of the PRMP/FEIS has been revised to be consistent with the information found in Section 3.14.3.2 regarding WSRs.	Yes
Draft RMP/EIS	SD72	The information presented in Table 2.3, at page 2-57, does not include the Upper and Lower segments of the Green River. Additionally, the descriptions of the Alternatives, in Table 2.3, should reflect either a finding of "suitable," or a finding of "non-suitable," as BLM policy directs. (See BLM Manual 8351.33A).	<p>The Upper and Lower segments of the Green River are discussed in Table 2.1 (Special Designations – Wild and Scenic Rivers) of the PRMP/FEIS under the subsection entitled Management Common to All Action Alternatives, where it states:</p> <p>"Continue to manage previously recommended segments of the Upper Green and Lower Green Rivers to protect their outstandingly remarkable values and the tentative classifications until such time that a designation decision is made."</p> <p>Also as stated in Appendix C, determination of whether or not each eligible segment is suitable will be made in the Record of Decision for the</p>	No

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			Vernal RMP.	
Draft RMP/EIS	SD73	The RMP, at Table 2.3 and elsewhere, must include information regarding management of segments found to be "non-suitable," as directed by Manual Section 8351.53B, which states "[f]or river segments determined nonsuitable in the RMP, the river shall be managed in accordance with the management objectives as outlined in the RMP."	The management objectives for the RMP are outlined in Chapter 2 Management Common to All. All segments would be managed under riparian objectives.	No
Draft RMP/EIS	SD74	Table 2.5 Summary of Impacts, at page 2-99, does not adequately characterize the impacts associated with wild and scenic river recommendations. The counties suggest that the impacts be more fully described.	The impacts of special designations, including wild and scenic rivers, on each resource program are discussed in Chapter 4.	No
Draft RMP/EIS	SD75	The draft correctly lists the purposes for which an SRMA designation would be used. SRMAs are for the purpose of managing recreational activities. Throughout the draft, SRMAs have been used to place restrictions on other resources and permitted uses. In Brown's Park an SRMA was used to justify a VRM I. This has been accomplished without an analysis of need or impacts or even discussion on the specific goal of the SRMA.	The West Cold Springs and the Diamond Breaks WSAs are protected by VRM Class 1. This is not associated with a SRMA identification.	No
Draft RMP/EIS	SD76	In looking at Figures 21 through 24, one immediately notices that ACECs and SRMAs are proposed for the same geographic areas. The draft RMP and EIS does not define the reasons for the proposed SRMAs, nor the functional difference between an ACEC and an SRMA.	Definitions of SRMAs and ACECs are provided in the Glossary. Additional description of SRMAs is provided in Chapter 3.	No
Draft RMP/EIS	SD77	This section lists some of the things that would be included in an integrated activity plan for recreation. The draft RMP does not discuss what would	Table 2.1 (Recreation Resources) of the PRMP/FESI is related to recreation goals and objectives and; therefore, correctly lists	No

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		constitute the remaining portion of the integrated activity plan. Does the plan only integrate recreational activities, or does the plan propose to consider other resource uses?	possibilities, but does not limit those possibilities, for comprehensive integrated activity level planning.	
Draft RMP/EIS	SD78	Page 4-143 discusses the possibility of closing some SRMA areas to mineral leasing and establishing no-surface occupancy zones in others. It states that closing SRMAs to mineral leasing would have direct, long-term, beneficial impacts on recreation resources by preserving natural, undisturbed qualities of these recreation areas. Does closing the areas to leasing go beyond SRMA management prescriptions? Page 4-52 states "all SRMAs would be managed according to the philosophy of multiple-use." Can the recreation goals described here be accomplished without no-surface occupancy stipulations? Does this conflict with the policy directives of EPCA and the Presidents National Energy Policy?	Closures of portions of SRMAs are related to one of two factors: WSA lands within SRMAs and areas to be managed for primitive recreation opportunities, including associated high scenic value. A comparison of Figures 11-14 and 21 will show that the vast majority of proposed SRMA areas are open to leasing under standard, timing and controlled surface use, or no surface occupancy stipulations. The BLM would only enact closures or non-standard stipulations where opening an area to leasing or leasing under standard stipulations would be incompatible with other resource values and management goals for the area. The BLM believes the SRMA alternatives and accompanying stipulations are consistent with EPCA and the NEP.  Also, see Response to Comment SD8-G-9, concerning a range of reasonable alternatives.	No
Draft RMP/EIS	SD79	The counties object to the proposed areas of critical environmental concern (ACECs) when such proposals will impact forage allocations to livestock or grazing use. First, the expansions are not documented. Second, the expansions are justified based on wildlife and/or wildlife habitat for big game	Special designations would not alter livestock grazing. Management of livestock grazing in areas of special designations would be consistent with the management provisions outlined in Chapter 2, Table 2.3, Appendix F, and Appendix L.	No

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		species, which are numerous. These factors alone do not merit establishment or expansion of ACEC's. If the RMP were to assure current land users, especially livestock permittees that the ACEC will not be managed to the detriment of grazing, it would be less problematic.	Also, see Appendix G for information on the relevant and important values considered for each proposed ACEC.	
Draft RMP/EIS	SD80	Throughout the DEIS/RMP the outstanding remarkable values listed for this section of [the Lower Green] river are recreation and fish, yet the tentative classification for this segment of river is "scenic". A tentative classification of "recreational" is the only one supported by the eligibility finding and suitability analysis.	Recreation as a value and a recreational designation for a wild and scenic river are not necessarily synonymous. Viewing the scenery is considered a passive form of recreation. The Final EIS carries forward the decision from the Diamond Mountain RMP ROD.	No
Draft RMP/EIS	SD81	This segment of the river should be reanalyzed for suitability due to the flawed analysis and in light of recent decisions regarding management for the segment of the river south of T12S. Here it was provided that the river adjoining the Naval Oil Shale Reserve (NOSR) would not be managed as Wild & Scenic. This was done in an agreement with Department of Interior and ratified by Congress.  It was recently agreed by the Secretary of Interior and ratified by Congress that on the river segment adjoining NOSR lands to the south of the subject segment, that 1/4 mile was adequate to protect such values as proposed by this ACEC.	The area to which the commenter refers is well south of the VFO's proposed ACEC/WSR for the Lower Green River.  This area is outside the scope of the Vernal RMP as it relates to lands not managed by BLM.	No
Draft RMP/EIS	SD82	The attributes of both the Upper and Lower sections of the river are the same with the possibility of the Naval Oil Shale Reserve being even more remote than the area proposed suitable in the Lower Green	See Response to Comment SD81-G-27, concerning the Naval Oil Shale Reserve.	No

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		segment.		
Draft RMP/EIS	SD83	On page 55, Table 2.3 Alternatives, Special Designations, Areas of Critical Environmental Concern - it is proposed to manage both sides of the Lower Green (line of sight) up to ½ mile as an ACEC to protect high value scenic resources and riparian ecosystems.	See Response to Comment SD81-G-27.	No
Draft RMP/EIS	SD84	It was recently agreed by the Secretary of Interior and ratified by Congress that on the river segment adjoining NOSR lands to the south of the subject segment, that 1/4 mile was adequate to protect such values as proposed by this ACEC.	See Response to Comment SD81-G-27.	No
Draft RMP/EIS	SD85	The DEIS/RMP contains no analysis that indicates this subject area is threatened by irreparable damage and that the riparian ecosystems are unique to the region, or even the immediate area. Meaningful analysis of impacts on RFD and socioeconomics are missing.	See Responses to Comments SD19-G-9 and SD51-G-25.  The RFD scenarios described for each alternative incorporate potential reductions based upon restrictions related closing areas for minerals exploration and development, whether for ACEC designation or other allocation.  The impacts analysis for socioeconomics has been expanded and clarified in Chapter 4 of the Proposed RMP/Final EIS.	No
Draft RMP/EIS	SD86	Analyze and then rewrite these alternatives including ones not to designate.	See Response to Comment SD8-G-9.	No
Draft RMP/EIS	SD87	The alternatives as presented are clearly an attempt to manage this area to a non-impairment standard and circumvent multiple-use.	See Response to Comment SD8-G-9.	No
Draft	SD88	In Alternative A, sections of Nine Mile Creek are	The statements in question should reference the	Yes

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RMP/EIS		proposed not to be identified as suitable for inclusion in the Wild & Scenic River System. There appears to be an error in the description of the first section discussed. Nine Mile Creek between the Green River and the Duchesne County line is not in Duchesne County. The outstanding ORVs identified for this section are not dependent on the river for their existence and not directly river-related as required in IM 2004-196. There is lack of detailed analysis of the need for a WSR designation, how the ORVs meet the above analysis, what management prescription will be applied and impacts on current development leases or permits. Alternative A is the only acceptable alternative, as lack of analysis, location and need to protect the ORV fail to support designation. The ORVs used to support designation have other laws or regulations to protect them or are currently protected.	<p>portion of Nine Mile Creek in Duchesne and Uintah counties, from the Green River to the Duchesne-Carbon County Line. Under Alternatives C and E the river segment would be found suitable for inclusion in the NWSRS.</p> <p>Chapter 2 in the PRMP/FEIS has been revised to clarify that suitable rivers/river corridors will be managed to protect their outstandingly remarkable values, tentative classifications, and free-flowing nature. Specific resource allocations and management prescriptions within and outside of eligible river corridors are shown on alternative maps, whether or not such information is described in the wild and scenic river section of Chapter 2.</p>	
Draft RMP/EIS	SD89	It is proposed to designate 98,000 acres in Nine Mile Canyon as an ACEC. As written the alternative proposed here fails to clearly show that the Lears Canyon ACEC is included in the Nine Mile Canyon ACEC proposed in Alternative C and D.	Table 2.1 (Special Designations – Areas of Critical Environment Concern (ACECs)) of the PRMP/FEIS has been revised to show that Lears Canyon ACEC is a separate and not part of the Nine Mile Canyon ACEC for all alternatives.	Yes
Draft RMP/EIS	SD90	There is no analysis of the need to retain the existing ACECs. The requirement in BLM manual 1613.21(A)(I) for reconsideration of existing is not met by the brief comment at 3.14.1.1.1 where it states "Based on a current analysis of the areas, the present designations have been effective in protecting the relevant values they exhibit, and these will be carried forward as ACECs in the Vernal RMP." This analysis, if it exists, should be presented	<p>The analysis and rationale for the designation of ACECs in the 1991 Diamond Mountain RMP were disclosed to the public and available for public comment and protest through the EIS and the ROD. No substantive objections were raised at that time.</p> <p>The potential ACECs analyzed for designation into the Proposed RMP have gone through a</p>	No

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		<p>in the draft for analysis and disclosure.</p>	<p>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 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>	

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Draft RMP/EIS	SD91	Management decisions [for ACECs] must be disclosed in the DEIS/RMP.	ACEC management plans will be developed subsequent to the RMP and the designation of ACECs through the Record of Decision.	No
Draft RMP/EIS	SD92	At Section 3.14.2.9 the draft discusses the Nine Mile Canyon expansion ACEC but does not disclose the values to be protected, the impacts on existing development, leases and permits.	The final sentence of Section 3.14.2.9 of the DRMP/DEIS identifies the values to be protected as "significant cultural resources, special status plant species, and high quality scenery."  The analysis of impacts from the expansion were included in those disclosed in Chapter 4 for Alternative C, which is the only alternative under which the expansion would be implemented.	No
Draft RMP/EIS	SD93	The DEIS fails to analyze management decisions [for the Nine Mile Canyon ACEC] to insure they are the least restrictive yet protect identified and substantiated values as required by EPCA.	Appendix G in the PRMP/FEIS has been revised to clarify the relevance and importance of the Nine Mile Canyon ACEC.	Yes
Draft RMP/EIS	SD94	On page G-8, Table 1, Relevance and Importance Summary, all areas list the values needing protection as Fremont, Ute, Archaic Rock Art and Structures, and Special Status Plant Habitat. There are current laws and regulations that protect these values plus management prescriptions proposed in this DEIS/RMP. It is likely that these are the reason for the condition of existing values, not the ACEC. The fact that these values are currently protected is not analyzed in the draft as well as the threat of irreparable damage. This lack of recognition of existing protections, and analysis of impact of the proposed designation on oil and gas development and other resources, and uses, renders all alternatives presented here as unacceptable.	See Response to Comment SD50-G-25.	No

Table 5.12f. Public Comments and Responses: Duchesne, Uintah, and Daggett Counties (Collaborative Comments)

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Draft RMP/EIS	SD95	ACECs proposed here must be analyzed, impacts disclosed, and an alternative not to designate proposed. Such analysis and disclosure must include management prescription carried forward from the Diamond Mountain RMP and those that will be applied in this RMP.	See Response to Comment SD51-G-25.	No
Draft RMP/EIS	SD96	The Goals and Objectives at 2.4.11.1 are proper uses of an SRMA, however, the guidelines at 2.4.11.2.1 and 2.4.11.2.2 step outside these goals and objectives, and are not proper use of an SRMA. SRMAs are not for the purpose of enforcement of rangeland standards or the management of resource development. The issues of light and sound should be addressed in NEPA analysis of a proposed project not in the RMP. It should be made clear throughout the text that all SRMA management will be limited to those presented in 2.4.11.1 and that SRMAs are for the management of recreation to protect other resources and not the protection of other resources.	The management actions related in Table 2.1 (Recreation Resources) is consistent with the BLM's policy on recreation management and are directly related to proper management of SRMAs. Although SRMA identification is not, in and of itself, an enforcement tool for rangeland standards, the BLM policy is to manage recreation on Bureau lands, both within and outside of SRMAs, within parameters consistent with Rangeland Health Standards. Establishing general parameters related to issues of light and sound intrusion around a nationally designated monument (for which recreational opportunity is a primary component) surrounded by BLM lands is consistent with the BLM's overall management goals and with SRMA identification.	No
Draft RMP/EIS	SD97	There is no analysis of the need to expand the size of the SRMA. It should be limited to areas that have considerable recreational use and not expanded to areas receiving casual use.	The decision to expand the size of the SRMA under two of the alternatives was made during alternative development in response to identified issues and public comment on cultural resources.	No
Draft RMP/EIS	SD98	The DEIS/RMP fails to address the impacts of individual and collective special designations placed on this area. The impacts to RFD was not analyzed or disclosed except for a collective listing of acres and well numbers affected. There is no discussion that this area has high potential for oil & gas.	The Mineral Potential Report and Reasonable Foreseeable Development Scenario discuss the potential for oil and gas development in the planning area. The information in these documents was considered during alternative development.	No

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		<p>Additionally, EPCA and guidelines providing for its incorporation into an RMP provides that management restrictions must be the least restrictive while providing protections where it is documented that protection is needed. This analysis has not been done. There are areas of NSO located in VRM III &amp; IV that are NSO for oil and gas with no apparent reason for the restriction. NSOs are proposed in Nine Mile Canyon without analysis of impacts or consideration of existing rights and existing development. The layering of special designations in the Canyon is an attempt to manage the area to a non-impairment standard and to circumvent multiple-use.</p>	<p>Chapter 1 of the PRMP/FEIS explains how the EPCA was incorporated during the planning process of the RMP</p>	
Draft RMP/EIS	SD99	<p>More than 25 development projects have taken place with the Browns Park/Upper Green River area since the 1980 eligibility and suitability analysis was completed. The 1980 analysis is used in the DEIS to support special designations in the area, and was not updated to account for changes in the landscape resulting from these development projects. A determination of eligibility and suitability based upon these changes of use and development and current conditions and state law must be made in the DEIS/RMP. It is clear that the majority of use and values on this segment of the river is recreational in nature as opposed to classifications of scenic that exist in the RMP. Proper analysis would show that with existing or proposed protection, a WSA designation would not be needed to protect existing values.</p>	<p>The Upper Green and Lower segments of the Green River were determined eligible and suitable in the Diamond Mountain RMP (1994). The findings were based on development that was in place at that time. Any development on public lands within the river corridor would have to be consistent with the Diamond Mountain RMP decision, so findings should not have changed since 1994. However; the outstandingly remarkable values and tentative classifications for these river segments were reassessed for the Vernal RMP planning effort. (Refer to Appendix C), and existing developments were taken into consideration in the suitability analysis. It is true that these river segments were brought forward as suitable in all alternatives for the Vernal RMP. This is because these river segments had been thoroughly analyzed in the EIS for the Diamond Mountain RMP, and because no objection to this</p>	No

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			approach was raised during scoping for the Vernal RMP.	
Draft RMP/EIS	SD100	There are no management prescriptions for this segment of the river and thus no analysis or disclosure of impacts of management restrictions that are to be applied. This should be done in the DEIS/RMP.	See Response to Comment SD72-G-25, G-1..  As such, management prescriptions were included in the RMP (e.g., Appendix K) and included in the analysis of impacts from special designations decisions on other resources and uses.	No
Draft RMP/EIS	SD110	At page 2-29 under 2.4.13.3.1.2. It is proposed that Red Creek watershed (24,475 acres) be managed to protect the high value watershed and wildlife habitat resources by continuing the designation. The wording here is not consistent with that in Chapter 3 and Chapter 4 where it provides that Browns Park, Red Mountain, Dry Fork, and Lower Green River corridor would continue to be managed as ACEC's for the protection of high value watersheds and Class I fishery Chapter 3 and historical, cultural, scenic, fish and wildlife resources.	See Response to Comment SD8-G-9.	No
Draft RMP/EIS	SD111	Section 1613.21 of Chapter 1 of the ACEC Handbook provides that existing ACEC's must be analyzed in RMP planning. There is no analysis in the DEIS/RMP that indicates a need for the continuation of existing ACEC's. The only attempt to justify continuing existing ACEC's is at 3.14.1.1.1. It states "based on current analysis of the areas, the present designation has been effective in protecting the relevant values they exhibit, and these will all be carried forward as ACEC's in the Vernal RMP." There is no reference to this analysis in the AMS, which by regulation is to drive the formation of	See Response to Comment SD51-G-25.	No

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		alternatives.		
Draft RMP/EIS	SD112	Other than brief ambiguous statements in the draft that say that relevance and importance criteria exist there is no analysis that supports the need for existing ACEC's in Brown Park and Red Creek or the need to carry them forward. To the contrary in the AMS at 5.4 Current ACEC's there is a listing of Completed or Under Consideration Work Projects in these ACEC's None of the projects would require a ACEC designation to be accomplished. In fact these projects could be accomplished on any lands not covered by an ACEC. A review of the management prescription in the Diamond Mountain RMP indicates the work project is consistent with that plan. Current activities and proposed work on this ACEC is not consistent with the values identified as relevant and important. In the DEIS/RMP BLM claims there is a need to continue the existing ACEC in Red Creek and Browns Park, but it offers no analysis of need or impacts and substantiates the need with work projects that are not ACEC management prescriptions. BLM has fallen short of substantiating the need for ACEC, in these areas.	See Response to Comment SD90-G-24.	No
Draft RMP/EIS	SD113	At Table 2.3, Page 56, Alternative A, it is proposed an ACEC to manage Browns Park to develop a comprehensive integrated activity plan that would address protection of scenic, wildlife, cultural and historical values. It goes on to place restriction on oil and gas development, OHV and other uses by establishing a VRM class I and II for the area. The development of an activity plan is not a basis for an ACEC designation and would not pass the relevance and importance as other protections exist for the	The development of a comprehensive integrated activity plan is not the basis upon which the ACEC would be established but would be the plan under which the ACEC, established to focus special management attention on the relevant and important scenic, wildlife, and cultural/historical values of the area, would be managed. VRM Class I and II allocations would not be enacted for the sole purpose of excluding oil and gas development and OHV use but are	No

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		values to be protected. In addition the restrictions listed are not supportive of the need for a plan development.	part of the overall strategy to manage this area, in part, for its high scenic value.  The relevant and importance criteria for this ACEC are discussed in Chapter 3 and in Appendix G.	
Draft RMP/EIS	SD114	SRMA, Table 2.3 on Page 52, Alternative A provides for an SRMA to provide for outstanding scenic vistas and enhancement of resources and associated activities such as riparian, fisheries, special status species, water quality, water based recreation, hunting, trail system for hiking, biking, horseback riding and OHV use, camping, cultural and historical interpretation and facility development that goes on to establish non-impairment standards for a portion of the area. As with the ACEC's, here again is an attempt to layer restrictions and management to circumvent multiple use requirements and manage to a non-impairment standard. Protection of scenic vistas, enhancement of resources, riparian, fisheries, special status species and water quality are not recreational use and are already protected under other proposed management prescriptions, law or regulation. They have no place in an SRMA.	Scenic vistas (including riparian corridors), fisheries, special status species, and cultural/historical sites are all resources that contribute significantly to the recreational uses of the area. As such, management for these resources is appropriate within a SRMA. While other regulations may provide a measure of protection for such resources, they do not provide a comprehensive strategy that manages the resources for the maintenance and enhancement of recreational opportunity.	No
Draft RMP/EIS	SD383 (SO32a)	There is no analysis of the impacts on RFD or socioeconomic impacts from the proposed Nine Mile Canyon SRMA.	There is no requirement in NEPA to do the detailed analysis that the commenter demands. This is outside the scope of the RMP and EIS. Section 4.12 of the PRMP/FEIS states:  "If impacts to some aspect of the socioeconomic situation are not mentioned in this analysis, then a negligible effect should be assumed."	Yes

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Draft RMP/EIS	SO21	The draft attempts but falls short of analyzing the socioeconomic impacts of Lands and Realty, Forage, Minerals, and Recreation and OHV decisions. Notably missing is an economic analysis of the lost shared mineral revenue from federal lands that have an economic impact on the community as well as other mineral sharing programs within the state. Socioeconomic impacts must be reanalyzed and the results used to reassess impacts of proposed management decisions and a preferred alternative selected based on this new analysis.	The anticipated socioeconomic impacts of each alternative can be found in Section 4.12.3 and its subsections. Further qualitative and quantitative clarifications have been provided in the PRMP/FEIS.	No
Draft RMP/EIS	VI26	We are concerned about the lack of real discussion in the Draft EIS about the management of visual resources. The proposed management prescriptions laid out on page 2-62 do nothing more than indicate the aggregate amount of acreage to be managed in each VRM management class. The management "common to all" discussion on page 2-36 indicates only, in one simple sentence, that the objectives for each specific visual resource management class, outlined in BLM Handbook H-8410-1, and repeated on page J-3, would be implemented.	Table 2.1.24 (Visual Resource Management) of the PRMP/FEIS Section 2.4.16.1 identifies the Goals and Objectives for visual resource management. Section 3.17 provides a discussion of the affected environment regarding visual resources. Section 4.17 provides a discussion of the environmental consequences for visual resources.	No
Draft RMP/EIS	VI27	We are concerned about the apparent lack of an updated visual inventory. This ties in with the rationale for the "Sensitivity Level Analysis" required by BLM Manual Handbook H-8410-1.III.A. - Factors to Consider. Many of these factors change over time, and a simple rollover of an older inventory would not accurately reflect these adjustments. In addition, the lack of updated inventory information makes interpretation of the differences between the inventory and management classes impossible to	See comment response VI7A.  Some major travel corridors were elevated in their visual sensitivity, (which is one of the criteria in visual sensitivity rating), because of the increase in use and visitation. Two areas were re-inventoried because of both the dramatic increase in oil and gas activity and the perceived increase of both user numbers and attitude perception toward natural landscapes. As a result	No

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		determine. The draft RMP needs to fully explain how the visual inventory was accomplished, so that differences in visual management prescriptions proposed in the various Alternatives may be compared to the inventory classes. This indicates to the reader exactly how the VRM management classes are assisting in the resource management goals of each Alternative.	of the re-inventories, both areas were elevated in VRM rating as seen in Figures 29 and 32 which are reflected in Alternatives A and D respectively.  The alternatives provide a range of VRM classification from which management can select from for the final RMP and the VRM classification within the final RMP will be consistent with general overall management direction.	
Draft RMP/EIS	VI28	The maps on Figures 29-32 are hard to interpret concerning the VRM management classes, as the figures are not specific enough to determine the exact geographic location of most of the boundary lines. Because of this, the counties cannot determine if the criteria for VRM inventory have been correctly followed, and exactly where, on-the-ground, the BLM proposes to change management from one class to another, except for certain geographical areas which fully correspond to other proposed management designations.	The BLM acknowledges that the scale of Figures 29-32 may not provide sufficient detail to delineate VRM boundary lines for the various classifications; however, electronic files are well defined and provide sufficient detail.	No
Draft RMP/EIS	VI29	The draft RMP purports to discuss the impacts of various resource management decisions on visual resources, but, in actuality, this discussion is either misleading or circular and non-responsive. As an example of a misleading statement, the discussion of VRM resources on pages 3-117 to 3-118 lays out the management criteria and requirements for the four VRM management classes. The discussion indicates that currently the only areas in the VFO managed as VRM management class I are Wilderness Study Areas, and one WSA equivalent, an Instant Study Area. It continues by stating that minerals exploration	Minerals exploration and development are presently occurring in areas not designated has high VRM classes but in areas of lower VRM classification (Class IV to be specific—see Figure 32), where greater levels of visual intrusion are tolerated. Smaller areas are designated as VRM Class III and Class II, wherein slightly higher restrictions on visual alteration exist and visual mitigation measures are used. As such, the DEIS statements referenced in the document are not contradictory. Under Alternatives A and C, changes in VRM classification across the VFO	No

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		and development "is not presently exceeding VRM class objectives" throughout the Vernal Field Office, due to proper visual mitigation methods. Yet on page 4-122 the document indicates that VRM management classes I and II "allow little or no alteration to the line, form, color and texture that characterize the existing landscape," thereby raising the potential for greater impacts to minerals development. On page 4-123, the analysis clearly states that an increase in the number of acres of VRM Classes I and II would lead to a direct decrease in the number of available well locations, thereby leading to less production (and royalties). We ask for clarification of the correct standards for VRM management in the VFO, and that the VFO analyze VRM I and II designations as a possible withdrawal of the mineral resources.	would increase the number of acres under Class I and II designation (with more VRM Class I under Alternative C than A). More of these VRM Class I and II areas would overlap with areas desirable for minerals and energy exploration and development. As such, under these alternatives, there would be greater impacts on minerals and energy development through increased restrictions related to visual resources management.	
Draft RMP/EIS	VI30	We are concerned that the draft RMP is not specific about the sources and goals of many of the special management designations available to it, leading to circular and non-responsive reasoning in the analysis. For example on page 4-284 the impacts analysis for visual resources and special designations indicates that visual resources will be protected by designation of ACECs and Wild and Scenic River designations. This analysis proceeds under the general presumption that ACECs and WSR segments are "good" for visual resources, but fails to indicate the management prescriptions which actually accomplish this goal.	Table 2.1.18 (Special Designations – Areas of Critical Environmental Concern (ACECs)) of the PRMP/FEIS provides information about the management foci for each proposed ACEC or special designation. Many of these foci, such as controlling noxious weeds, limiting OHV use to designated routes, and establishing controlled surface use stipulations on minerals and energy exploration and development would reduce visual intrusions and alteration of the landscape. Such an outcome would be beneficial to the preservation of visual resources. Also, designation under the Wild and Scenic Rivers Act and through the ACEC process confers a level of resource management that protects and preserves the important and relevant values of an	No

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			area from the potential effects of actions that would otherwise be permitted by the RMP. In general, emphasis is given to protecting the aesthetic, scenic, wildlife, historic, archaeological, unique or distinctive, and/or scientific features of these areas.	
Draft RMP/EIS	VI31	Which designation - ACEC, WSR, SRMA or VRM management - is being proposed for the protection of visual resources? The VRM discussion mentions the others, while the ACEC discussion mentions the use of VRM classifications. This lack of clarity in proposed management prescriptions doesn't meet the requirements of full disclosure under the provisions of NEPA, and doesn't allow us to determine whether or not the BLM is proposing duplicate prescriptions, contrary to the provisions of state law, and the BLM's Manual on designation of ACECs.	Visual resources benefit from a variety of different special management designations, not just VRM classification. While VRM classification is specific to visual resources, ACEC, WSR, and SRMA designation can also consider visual resource values, and the management goals of such designations typically include actions that afford protection to visual resources as an ancillary benefit.  Overlapping of program decisions is not optional for BLM, but is required by the FLPMA, 1976 and National BLM planning and program specific regulations. The FLPMA directed that management of public lands be on the basis of multiple use (Section 102(a) (7)). As a multiple-use agency, the BLM is required to implement laws, regulations and policies for many different and often competing land uses and to resolve conflicts and prescribe land uses through its land-use plans. For example, 43 CFR Group 2500 provides guidance and requirements for Disposition; Occupancy and Use of public lands; Group 2800 for Rights-of-way; Group 3400 for Coal Management; Group 6000 for Designated Wilderness, and Group 8200 for Natural History, part 8351 for Wild and Scenic Rivers. Multiple-use management requires a balancing of the	No

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			<p>mandates for these separate programs.</p> <p>BLM's Land-use Planning Handbook requires that specific decisions be made for each resource and use (Appendix C, H-1601-1). The required decisions must be included in each of the alternatives analyzed during development of the RMP. The RMP will include the decisions required for each program.</p> <p>See comment response VI29.</p>	
Draft RMP/EIS	VI32	<p>The counties and State of Utah cannot support any proposed VRM class management specifications that will prevent habitat enhancement, fuels reduction, and prescribed fire activities from occurring in the VFO. The RMP must choose VRM management classes which allow vegetation and habitat treatments that improve wildlife habitat and reduce the likelihood of catastrophic fire events.</p>	<p>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 resolved to the extent practical (FLPMA, Title II Sec. 202 (c)(9)). As a consequence, where State and local plans conflict with Federal law there will be an inconsistency that cannot be resolved or reconciled.</p> <p>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. The BLM will identify</p>	No

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			<p>these conflicts in the FEIS/PRMP, so that the State and local governments have a complete understanding of the impacts of the PRMP on State and local management options. A consistency review of the PRMP with the State and County Master Plans is included in Chapter 5.</p> <p>See also comment response VI1. No VRM classification precludes limited management actions, which may include fuels reductions, prescribed fire, and/or habitat enhancements. VRM Class I and II require that these management activities be conducted in ways that have minimal impact on visual resources over the long term.</p>	
Draft RMP/EIS	VI33	<p>The VRM I proposed for primitive recreation values is not shown on map 29. A shape file recently received from the BLM indicates that this is an area on the south side of the river and appears to be the entire north slope of the mountains that make up the visual barrier when looking south from the river. The majority of the area proposed as a VRM I are within full view of the Taylor Flats subdivision and in some cases less than a mile from it. The area is also within sight and sound of recreational activities, and vehicle traffic along the river and residential activity on Taylor Flats, which has been divided into one thousand lots. The existing uses of [the area's classified as VRM I], and the fact the area receives very little recreational use, demonstrates poor analysis of need and planning for this proposal and</p>	<p>The West Cold Springs and the Diamond Breaks WSAs are protected by VRM class 1. This is not associated with the Taylor Flat area.</p>	No

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		should be struck from all alternatives.		
Draft RMP/EIS	VI34	As with other VRM classes proposed in the area, a VRM I here would prevent needed wildlife habitat improvement in an area BLM has proposed to protect crucial habitats.	See comment response SD99.	No
Draft RMP/EIS	VI35	The proposal to establish a VRM I here is counter to direction provided in BLM's VRM handbook which provides that a VRM I is only to be applied where previous management decisions have been made to manage an area for its natural landscapes such as wilderness areas. A VRM I has also been applied to the two WSA's in the area. These are inappropriate as they are inconsistent with provisions of the IMP, which guide management of WSA's. There are uses allowed in the IMP that would be prohibited under a VRM I.	See comment response VI1D	No
Draft RMP/EIS	VI36	In all alternatives this area is to be managed as a VRM II. Neither the DEIS/RMP nor the AMS justifies the need for change from the VRM III and VRM IV that is currently applied to the area. The condition of the area at this time would support that the current VRM III and VRM IV adequately protect the area.	BLM visual inventories use scenic quality and visual sensitivity to evaluate the visual resource condition of an area. As described in BLM Handbook H-8410-1 Visual Resource Inventory, a more protective VRM Class may be assigned to an area if the VRM inventory process determines that an area has become more visually sensitive and management decisions have been made to preserve or maintain the area's landscape and scenic quality.  See comment response VI14.	No
Draft RMP/EIS	VI37	A VRM II applied to this area is inconsistent with existing developments and uses within the area and ignores the existence of road and utility corridor that	This statement merely refers to the fact that the BLM does not have the authority to impose restrictions on non-Bureau landholders within	No

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		crosses it. Much of the area is private or state land, which BLM does not control. There is a strong possibility that private property rights would be impacted. There is a possibility on need for holders of water rights to develop those rights or to construct or reconstruct diversions for those rights; in many cases a VRM I or II could impact those rights.	areas that contain VRM I or II designation, nor does it have the authority to usurp legal water rights.	
Draft RMP/EIS	WH24	The expansions of the HMAs are proposed without proper analysis of need, the availability of forage, manageability of impacts on vegetation, soils and riparian areas and impacts on wildlife and their habitats.	The Wild Horse and Burro Act authorizes the BLM to manage Wild Horses on public lands.  Table 2.1.25 of the PRMP/FEIS outlines the management goals and measures that would be implemented under the alternatives in order to appropriately manage wild horse herds relative to forage availability and quality. The potential impacts of wild horse management decisions on vegetation, soils, riparian areas, and wildlife are discussed in Sections 4.11.2.2, 4.13.2.2, 4.16.2.14, and 4.19.2.13, respectively.	No