

Fire Management

Commenter	Record ID & Comment Number	Resource Category	Comment Text	Response to Comment	Doc Mod
State of Utah	G-1	FM5A	The State of Utah supports Alternative A for fire management, which allows prescribed burning on approximately 156,425 acres per decade. An aggressive fire program is essential for habitat restoration efforts underway in the VFO.	Comment noted.	
State of Utah	G-1	FM6	We are pleased with the extent of current on-the-ground coordination with BLM regarding fire management and the National Fire Plan. There is nothing that causes us concern regarding the proposed fire management categories. With respect to Wildland Urban Interface areas, we note that the Argyle Canyon area is not included. The Fire Management Categories for the Argyle Canyon area are appropriate.	Comment noted.	
Duchesne County	G-9	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.	X
Duchesne County	G-9	FM4	This section does not seem to recognize the beneficial effects of mineral development access road construction in creating fire breaks that could actually reduce the spread of fire.	Comment noted.	
U.S. Fish and Wildlife Service	G-12	FM13 (JFM-4)	The 3rd bullet states that during periods of prolonged dryness or drought, on a site-specific basis, BLM may implement OHV closures to minimize injury to the rangeland or to minimize the risk of spark-induced fires. We recommend that under the same conditions, you also provide the option of closure for other surface-disturbing activities (page 2-3). Currently, the document emphasizes heightened revegetation efforts, but does not provide for closure. Under drought conditions, in certain soil types present in the VPA,	The commenter's concern is addressed in Table 2.1.1 (Management Common to All Alternatives) of the PRMP/FEIS under the subsection entitled Fire, Draught, and Natural Disasters. While closure is not specifically mentioned, BLM would address what type of activities would be allowed during short periods of restrictions associated with 'drought', i.e. fire restrictions.	

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			even heightened revegetation efforts will not be effective. We recommend provisions for closures or, at a minimum, establishment of thresholds for surface-disturbance within particular watersheds.		
U.S. Fish and Wildlife Service	G-12	FM14 (JFM-5)	During Emergency Stabilization and Restoration (ESR) treatments, we recommend that the assigned ESR team contact Fish & Wildlife Service biologists to serve as technical specialists to the team when T & E species/habitat has been affected by the fire.	The exact nature of the ESR team is left open-ended in the RMP to allow for the selection of the most appropriate specialists for the situation. Other agencies would be consulted by the team as appropriate for the resources and issues involved and in accordance with the BLM's existing policies and consultation commitments.	
U.S. Fish and Wildlife Service	G-12	FM15 (JFM-6)	What about fuel management via biological control (e.g. Chinese leaf beetle for tamarisk control)?	The proposed plan would allow for the use of biological controls for fuels management. Table 2.1.23 (Vegetation Resources) under the subsection entitled Management Common to AI Alternatives, states: "Allow mechanical, fire, biological, or chemical control of noxious weeds and insect infestations within the resource planning area with restrictions to protect desired ground cover and water quality. Use the type of manipulation appropriate to and consistent with other land use objectives."	
U.S. Fish and Wildlife Service	G-12	FM16 (JFM-7)	Last paragraph: This is a very large assumption, dependent on the juxtaposition and timing as well as the acreages treated. If a square of 1,000 acres were treated, you'd have a much different result than if 1,000 acres were treated within a 10,000 acre block leaving a mosaic of age classes and vegetation types.	It is certainly true that the timing, location, and distribution of prescribed fire all affect the magnitude of the benefit gained through the action, the basic assumption still holds that using prescribed fire in areas that need it for healthy function and fuels reduction is achieves a more positive outcome than no fire at all, and that on average, the greater the number of acres requiring treatment that are treated, the higher the benefit.	
Bureau of	G-18	FM9	We note that the Fire Management Categories Map	Comment noted.	

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Reclamation		(AFM-1)	identifies areas not desired for prescribed burning; including the land around Steinaker Reservoir, and agree with this designation. BLM land surrounding the Green and White Rivers also would be areas of no-wildfire preference. We note the potential for adverse direct and indirect effects to water quality from fire and support fire management practices that protect water quality.		
UBAOG	G-22	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.	X
UBAOG	G-22	FM3	In event of a fire or prescribed burn, for 3-1/2 years you can't put anything on it. Can suspend oil acquisition, etc. Cattle would be off for 3 years. If this is implemented we would be opposed to prescribed burns. This section should be re-written to include provisions of the recent IM on this subject.	Section 4.13,1 of the PRMP/FEIS makes no mention of suspensions due to prescribed burns. IM 2004-007 (Land Use Plan and Implementation Plan Guidance for Wildland Fire Management) states that grazing and other surface disturbing activities would not be allowed for 2 years or until vegetation is re-established.	
Ute Tribe of the Uintah and Ouray Reservation	G-26	FM5B	The Ute Tribe supports the commitment of the BLM in the RMP to work with the Tribe to identify important cultural resources prior to prescribed burns and looks forward to participating with the BLM in future actions related to fire management.	Comment noted.	
Walter Merschat	I-21	FM7 (FM-A)	The BLM needs to investigate the possibility of coal fires in the planning area.	Comment noted.	
Mark W. Belles	I-112	FM1	The designation of different fire management zones is a good plan, but plan direction should be detailed guiding the management team to gradually transition areas from a more human-managed fire area to a more naturally managed fire area.	The BLM policy is to appropriately manage fire, whether prescribed or natural, to meet the overall management objectives related to maintaining healthy ecosystems and avoiding catastrophic wildfire. When opportunities arise to control natural fire in areas where such fire is desirable, the BLM will take such action. However, the BLM will	

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				maintain the option of prescribed fire in the absence of natural fire in order to achieve and maintain appropriate fire condition classes.	
Cripple Cowboy Cow Outfit	O-30	FM8 (FM-B)	Fire Alt D should have the most acreage or C and D should be combined as fire is needed more often than you have listed.	Management actions under Alternative D (the No Action Alternative) represent maintenance of current management policies as provided for in the existing RMP. The remaining alternatives (the action alternatives) represent changes from the current management condition in order to address the increasing agency-wide recognition of the need for higher frequencies of controlled natural and prescribed fire to avoid catastrophic wildfire.	
Vermillion Ranch Limited Partnership	O-33	FM17 (R-FM1)	<p>“Firefighter safety and public safety would be the first priority in every fire management activity. Property values including range improvements and other structures located on the public lands, and critical resource values would be the next priority.”</p> <p>It is important that the AMR discussion recognize the need to protect water projects and fences used to manage livestock on public lands. Public funds are too scarce and fire will remove these important improvements.</p>	<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> <p>The term “property values” includes all types of buildings, structures, and improvements on BLM lands within the Vernal Planning Area, not just those related to range improvements. The term is left unspecified in order to allow the BLM flexibility in</p>	

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				prioritizing fire management actions.	
Vermillion Ranch Limited Partnership	O-33	FM18 (R-FM3)	-Alternative A (West Cold Spring WSA) To be consistent with Little Snake fire plan this should be category D. While the IMP might support less fire control, there is no law limiting it and in this case local government plans should control.	The Draft Vernal Fire Management Plan assigns the portion of the West Cold Springs WSA as D2 FMU. This is a "D" Category, and is connected to the "D" category FMU in the Craig FMP.	
Center for Native Ecosystems	O-38	FM12 (JFM-3)	Because of the extent of cheatgrass infestation in the Vernal FO, prescribed fire must be used with caution. Page 3-22 indicates "unplanned fire is not desired at all... in the desert shrub type where the risk of cheatgrass...is high after an area has been burned or treated". ...However this is one of the few places in the document that acknowledges that fire must be used with caution in light of the cheatgrass. On page 2-99, fire is considered to be a benefit to special status species. Page 4-232 makes a reference to cheatgrass but does not fully analyze how fire in areas with cheatgrass could affect special status species. This should be addressed in the final draft.	Section 4.15.1.1 in the PRMP/FEIS has been revised to clarify the impact of fire in areas with cheatgrass and how fire could affect special status species. The following language has been inserted: "If prescribed fires were to spread beyond their intended dense woodland target these fires would have adverse impacts on special status species by directly destroying individual plants of special status plant species or by indirectly contributing to the risk of cheatgrass invasion, which is higher following a fire."	X
Enduring Resources	O-40	FM10 (JFM-1)	DEIS says: "BLM would coordinate appropriate management responses with affected parties...A variety of emergency or interim actions may be necessary to minimize land health degradations such as...limitations on energy field activities." We are concerned that "appropriate management responses" is extremely vague and would like a clearer picture of what responses might be involved.	Appropriate Management Response is purposely left vague, as each AMR would be determined by ongoing and site-specific conditions. There are a multitude of potential responses that could occur, but each AMR is driven by the current conditions and desired objectives. Based on past actions associated with drought, fire, or natural disasters, the limitations have been based upon drought and fire restrictions. The limitations on the oil and gas industry has been in the area of limiting welding operations, etc., as there were restrictions on open flames in place. If there were a wild fire, for example, in an area of existing wells	

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				and production facilities, the BLM would be asking operators to shut in their operations to minimize impacts from fire. So, the limitation would be associated with what type of "disaster" is occurring.	
Enduring Resources	O-40	FM11 (JFM-2)	DEIS says "Hazardous fuel reduction activities would be implemented." We would like clarification.	Hazardous fuels reduction refers to the reduction of fire fuels composed of plants and woody vegetation. As described in Table 2.1.5 (Fire Management) in the PRMP/FEIS, the techniques used to reduce or eliminate these fuels may include prescribed fire, chemical, or mechanical treatments.	

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State of Utah	G-1	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.	
State of Utah	G-1	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.	
State of Utah	G-1	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 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.	<p>The actions BLM is contemplating are intended to improve the watershed.</p> <p>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.</p> <p>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.</p>	
State of Utah	G-1	GC39	All maps should color only the lands managed by BLM. It is confusing and misleading for the reader to have	BLM will work with contractor to change the maps. However, the maps contained in the document can	

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			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.	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.	
State of Utah	G-1	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.	
State of Utah	G-1	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.	
Regional Council on Workforce Services, Uintah Basin	G-3	GC42 (GC-A)	The RMP contains many management prescriptions that are unsubstantiated as to need and unsupported by science.	Comment noted.	
Utah State Office of Education	G-6	GC3	The RMP contains no discussion of the impacts of BLM decisions on School and Institutional Trust lands.	Table 2,1,22 (Travel – Road and Trails) in the PRMP/FIES in the subsection entitled Management Common to All Alternatives states: “Per the State of Utah v. Andrus, October 1, 1979 (Cotter Decision), BLM would grant the State of Utah reasonable access to State lands for economic	

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				<p>purposes, on a case-by-case basis.”</p> <p>The RMP only implements management decisions on BLM lands. All rights of access to and use of School and Institutional Trust Lands within the planning area would be maintained.</p>	
National Park Service, Intermountain Region	G-8	GC4	Cedar View Park (49-00055) is a potential Section 6(f) property (Land and Water Conservation Fund property) that is not included in the RMP/DEIS.	Cedar View Park does not fall within VFO managed lands.	
Duchesne County	G-9	GC56 (GC-M)	DCWCD would like to see further information given as to the Colorado River Compact and how it affects public land use.	<p>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 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</p>	

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				<p>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>	
Wyoming Natural Gas Pipeline Authority	G-14	GC43 (GC-B)	The scope of the document is broad in nature which we feel is beneficial due to the variety of lands within the RMP and that it will allow for more specific planning on an individual case, area or resource basis.	Comment noted.	
Uintah County	G-15	GC (JSO-19)	Oil shale needs to be added to land use and economic resources.	Due to the speculative nature of oil shale development at this time, analysis in this RMP is not included. Should such development occur, site-specific NEPA would be required.	
Uintah County	G-15	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.	
Uintah County	G-15	GC140 (JSO-48)	Is this document supposed to be good for 15 or 20 years?	<p>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 the RMP approximately 15 years from the completion date, unless conditions or policy require early</p>	

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				consideration.	
Uintah County	G-15	GC85 (JGC-7)	There is no consistency in the RMP as to whether this document is for a 15-year period or a 20-year period. Pick one and use that for all projections.	Comment noted.	
USFS—Ashley National Forest	G-19	GC87 (LGC-2)	Please include the Forest Service in the list of collaborators as some watersheds, allotments, or other management areas containing BLM-administered lands also include NFS lands.	Table 2.1.7 (Soil and Water Resources) in the PRMP/FEIS subsection entitled Management Common to All states: “Collaborate with the USFS, state, counties, Tribes, and the Division of Water Rights when possible to protect and enhance priority watersheds.”	
USFS—Ashley National Forest	G-19	GC88 (LGC-3)	Clarify what NEPA analysis would occur for those areas considered available for oil and gas leasing. Will it be site-specific?	Section 4.8.1.2 in the PRMP/FEIS states that additional NEPA analysis requirements for locatable minerals. Similar language has been added to Section 4.8.1.1 to describe the level of NEPA analysis required for oil and gas development.	X
USFS—Ashley National Forest	G-19	GC89 (LCG-4)	Why are Wilderness and SSS subheadings of Soil and Water? These would be better relocated in separate sections so they can be readily found.	Table 2.1.20 (Special Designation – Wilderness Study Areas) has been given its own table in the PRMP/FEIS. Table 2.1.21 (Special Status Species) has been given its own table in the PRMP/FEIS.	X
UBAOG	G-22	GC10	43 CFR 16.10.3-2, (e) provides that the governor shall identify any known inconsistencies with State or Local plans, policies or programs. Rewrite.	This concern is addressed in Section 1.5 of the PRMP/FEIS as Step 8 in the “Steps in the BLM Land Use Planning Process.”	
UBAOG	G-22	GC11	Rewrite to include: State Land Use Management policies codified in Utah Code Sec 63-38d-401 as amended.	Chapter 1 for the PRMPO/FEIS has been rewritten. The comment is no longer applicable.	X
UBAOG	G-22	GC12	In the heading where it says County Land Use Plans, add the words "Policies and Programs".	See comment response GC11.	
UBAOG	G-22	GC124	In general the RMP does not make much of a case for	The discussion of current grazing conditions within	

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		(GC8a)	changes in livestock grazing or ACEC's.	the Vernal Planning Area, which is the basis for management decisions provided within the RMP for livestock and grazing uses, can be found in Section 3.7 of the PRMP/FEIS. The relevance and importance criteria for existing and proposed ACECs are provided in Section 3.14 of the PRMP/FEIS.	
UBAOG	G-22	GC125 (GC8b)	The RMP should also acknowledge the historical facts under which agriculture and mining formed the local communities, and the importance of energy uses as well to regional and state interests.	Comment noted.	
UBAOG	G-22	GC13	Add "Duchesne County Public Land Implementation Plan."	Section 1.10 in the PRMP/FESI has been revised to include the addition as suggested.	X
UBAOG	G-22	GC14	Have these gone through the NEPA review? Make a comment of the appropriateness of referring to non-NEPA documents.	The review of plans and documents as part of the RMP planning process considers those plans that are available at the time of the review and that have been implemented by agencies, governments, or other entities having jurisdiction over lands or resources within or adjacent to the planning area, regardless of whether or not they are NEPA documents. Exclusion of non-NEPA documents from consideration would also exclude such plans as those of counties and local governments.	
UBAOG	G-22	GC15	We have previously asked that a description of surface disturbing activities be included in the glossary.	The glossary in the PRMP/FEIS has been revised to include a definition of "surface disturbance activities."	X
UBAOG	G-22	GC15A	Failure to provide a definition for surface disturbing activities prevents analysis and disclosure of impacts. Throughout the document there are references with surface disturbing activities which are not consistent. It is impossible to determine if restrictions placed on surface disturbing activities apply equally to livestock grazing, recreation, oil and gas development, etc.	The definition supplied in the glossary is consistent with the definition used in analysis. As such, no re-analysis of proposals involving surface disturbance is necessary.	

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			Many areas across the resource area have been designated at NSO in this plan. As written, the lack of definition does not make it clear what activities may take place in NSOs areas such as grazing, recreation etc. Define surface disturbing activities and re-analyze proposals involving surface disturbance.		
UBAOG	G-22	GC16	The RMP does not define surface disturbing, although it is assumed that the term applies to actual construction of a road, where vegetation is removed and soil is mixed or removed.	See comment response GC15.	
UBAOG	G-22	GC17	The detail of analysis is not consistent. Example: Air quality and poaching is said to increase if mineral activity is increased, yet, it is not addressed in recreation. The impacts of wildlife prescriptions on development are understated. Socioeconomic impact fails to include multipliers. Failure to address these issues understates impacts.	Comment noted.	
UBAOG	G-22	GC18	Throughout this section there are stipulations that do not provide for modification or waivers. The lack of ability to waive or modify stipulations is replacing management with protection and excludes the possibility of the use of adaptive management now and in the future.	Comment noted.	
UBAOG	G-22	GC20	Concerning line of sight. This is not consistent with the Uintah County Plan. This should be a matter of timing not a matter of visual.	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	

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				<p>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>	
UBAOG	G-22	GC21	What is the definition of "active flood plains"?	The glossary in the Final EIS has been revised to include a definition of "active flood plain" to the existing definition of Flood Plan.	X
UBAOG	G-22	GC22	[Regarding the] Diamond Mountain Planning Area and Book Cliffs Planning Area, NSO, [for all alternatives]. If the BLM definition of "surface disturbance activities" is used, then there could be no use of the campgrounds.	The limitation on surface disturbing activities would not apply to needed recreational infrastructure (note the exception statement).	
UBAOG	G-22	GC7	This is a programmatic RMP, and this fact should be discussed and described in the document.	Chapter 1 of the PRMP/FEIS describes the programmatic nature of the RMP and its relationship to more specific planning and NEPA documents.	
UBAOG	G-22	GC8	Strike "often-conflicting" and replace with "land".	<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</p>	

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				<p>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>	
UBAOG	G-22	GC8A	The assumption that recreation or aesthetic land uses conflict is over-stated.	The statement in question regarding land use conflicts refers to all land uses, not just aesthetic and recreational, which were merely provided as examples of how some desired uses of public lands have changed since the last RMP was completed.	
UBAOG	G-22	GC9	<p>The RMP appears to be trying to manage the wilderness inventory areas contrary to the settlement. BLM can identify wilderness character under § 201 of FLPMA but it cannot manage public lands to protect wilderness character. State of Wyoming v. U.S. Dept. of Agriculture, ** F. Supp.2d ** (D. Wyo. 2003)(holding the Forest Service lacks implied authority to protect wilderness character); see also 43 U.S.C. § 1711 (BLM cannot manage based on inventory) The RMP misconstrues the settlement terms in assuming that BLM can protect wilderness character identified in the inventory. In fact the settlement makes it quite clear that the inventory cannot be the basis for managing these areas as if they were wilderness study areas. For example Four Mile, Coyote Basin and Lower Green are all relatively small inventory areas that were originally excised from the Desolation Canyon WSA due to intrusions of man.</p>	<p>The BLM's authority for managing lands to protect or enhance wilderness characteristics comes directly from FLPMA Section 202 (43 U.S.C. §1712). This section of BLM's organic statute gives the Secretary of the Interior authority to manage public lands for multiple use and sustained yield. Nothing in this section constrains the Secretary's authority to manage lands as necessary to "achieve integrated consideration of physical, biological, economic, and other sciences." (FLPMA, Section 202(c) (2) (43 U.S.C. §1712(c) (2)).) Further, FLPMA makes it clear that the term "multiple uses" means that not every use is appropriate for every acre of public land and that the Secretary can "make the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use. . . ." (FLPMA, section 103(c) (43 U.S.C. §1702(c)).) The FLPMA intended for the Secretary of the Interior to use land use planning as a mechanism for allocating resource use, including</p>	

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				<p>wilderness character management, amongst the various resources in a way that provides uses for current and future generations.</p> <p>In addition, the BLM's Land Use Planning Handbook (H-1601-1) directs BLM to "identify decisions to protect or preserve wilderness characteristics (naturalness, outstanding opportunities for solitude, and outstanding opportunities for primitive and unconfined recreation). Include goals and objectives to protect the resource and management actions necessary to achieve these goals and objectives. For authorized activities, include conditions of use that would avoid or minimize impacts to wilderness characteristics."</p>	
<p>Uintah, Daggett, and Duchesne Counties</p>	<p>G-24</p>	<p>GC28</p>	<p>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.</p>	<p>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 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>	
<p>Uintah, Daggett, and Duchesne</p>	<p>G-25</p>	<p>GC23</p>	<p>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</p>	<p>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</p>	<p>X</p>

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Counties			<p>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.</p>	<p>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:</p> <p>“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.”</p>	
Uintah, Daggett, and Duchesne Counties	G-25	GC24	<p>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.</p>	<p>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 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.</p>	
Uintah, Daggett, and Duchesne Counties	G-25	GC25	<p>The meaning of the statement “to the extent that BLM has the authority to do so” needs to be clarified.</p>	<p>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:</p>	X

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				<p>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.”</p>	
<p>Uintah, Daggett, and Duchesne Counties</p>	<p>G-25</p>	<p>GC26</p>	<p>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.</p>	<p>The segments have been identified in Table 2.1.19 (Special Designations – Wild and Scenic Rivers) of the PRMP/FEIS.</p>	
<p>Uintah, Daggett, and Duchesne Counties</p>	<p>G-25</p>	<p>GC27</p>	<p>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>	<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</p>	

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				choice of alternatives being considered during land use plan development and implementation, and may include appropriate stipulations, relocations, redesigns, or delay of proposed actions.	
Ute Tribe of the Uintah and Ouray Reservation	G-26	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.	
Vince Biondo	I-6	GC1	I/We support/favor the Great Dinosaur/Book Cliffs Heritage Plan.	Comment noted.	
Kelly Skeen, Delee Skeen, Travis Skeen, Tiana Skeen, Tahnee Hamilton, Lorrin Hamilton	I-11	GC44 (GC-C)	Please allow OHV use on our public lands as well as continued oil and gas development in the Vernal area. I think there is room for everyone.	Comment noted.	
George & Frances Alderson	I-28	GC2	The RMP should include a transportation plan.	Information on Travel Designations can be found in Table 2.1.22 (Travel – Roads and Trails) in the PRMP/FEIS. BLM Land Use Planning Handbook, H-1601-1, Appendix C authorizes management to further refine the travel management network through an implementation plan to be completed after the signing of the ROD for the Final EIS.	
Thomas M. Power	I-33	GC141	The DEIS' Preferred Alternative (A) would focus almost exclusively on the extraction of oil and gas. It would make 94 percent of the total acreage available for oil and gas development. It would seek to realize 99.4	Comment noted.	

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			percent of the oil and gas potential available under the maximum development alternative (B) by opening 99 percent of the acreage that would be developed under that alternative. This allocation of land to one particular commercial use suggests that the Vernal FO sees few other landscape values that would justify restricting oil and gas development.		
Chris Griffin	I-41	GC46 (GC-E)	This is the 21st century, we can all come to table and develop a strategy to guarantee the protection of our national land holdings and still develop oil and gas deposits.	Comment noted.	
Wayne B. Peters	I-53	GC29	RE: Figure 36. Does this tie in with the President's Healthy Forests Initiative? There is a bit of difference in opinion on exactly how many and what diameter of tree should be chopped down.	Management prescriptions for wood cutting are not tied to the Healthy Forests Initiative but to the national BLM Forest Health and Forest Management Standards and Guidelines.	
Dale Jenkins	I-60	GC34	The current use of the public land is sufficient and has been for years. Do not restrict anyone from using their public lands. Hold those that abuse it accountable. Do not punish us who have used it responsibly. Livestock, yes, OHV yes, limited oil and gas exploration yes. Keep the land open to us who have paid for it in service and hard earned cash. We the public deserve to use the land. It is ours, even us who work in the oil and gas industry, ride OHVs and love to eat beef have rights. I served in the military to protect the right of all to freedom, quit taking it away!!!	Comment noted.	
Sue Knight	I-61	GC33	I am very disappointed in the paltry percentage of land the Draft plan for the Vernal BLM lands puts aside, out of the way of oil and gas exploration. It is very difficult to maintain faith in the BLM as somehow being stewards of the land when, routinely, its administrators rule in favor of poorly restricted resource use and extraction instead of thoughtful planning. Where does this current alternative leave us when any oil or gas	Comment noted.	

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			reserves are exhausted? They will be, and soon. All exploration that has been done points to isolated and finite reserves, not enough to do much more than swell CEO and shareholder pockets. Pristine public lands will not return to that state if we continue to abuse them. I hope I can count on the BLM as a government agency that thoughtfully defends long term interests.		
June Anna-Fey	I-80	GC45 (GC-D)	I request that the BLM do all in its power to prevent temporary and permanent abuse of the region through oil and gas extraction, and through the destruction inevitably and universally caused by nearly all off road vehicles and their users.	Comment noted.	
Randy Long	I-94	GC47 (GC-G)	Wilderness needs to prevail and all roads need to be left as they are.	Comment noted.	
Bryon Brown	I-98	GC50 (GC-I)	Why are we trying to evaluate alternatives when most of the VFO has already been leased out to oil and gas companies? Realistically, the BLM is only allowing us limited input on the 30% of the VFO that will not be degraded by oil and gas. This is like putting the cart before the horse.	Comment noted.	
Neil O. Miller	I-119	GC1	I/We support/favor the Great Dinosaur/Book Cliffs Heritage Plan.	Comment noted.	
Joan and Clyde McClelland	I-134	GC32	The draft RMP does not protect sensitive public lands from oil and gas development.	Comment noted.	
T.R. Davis	I-136	GC54 (GC-K)	The glossary fails to adequately describe just what surface disturbing actions are. Please make sure that this is rectified. Surface disturbing actions should be those that disturb the mineral soil.	See comment response GC15.	
Alison Kennedy	I-141	GC31	I am not in favor of this RMP – it does not do a good enough job of protecting wilderness, which is not only personally important to me, but is also vital to the	Comment noted.	

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			economy of our state.		
Paul J. Ebbert	I-161	GC30	I believe that recent attempts to streamline the oil and gas leasing and drilling have led to instances of Endangered Species Act, NEPA, and FLPMA being circumvented. All actions taken within the resource area must conform to current laws.	Comment noted.	
Nancy Bostick	I-162	GC1	I/We support/favor the Great Dinosaur/Book Cliffs Heritage Plan.	Comment noted.	
Nancy Bostick	I-162	GC52 (GC-K)	The RMP does not do enough to protect the wilderness values in Vernal BLM District public lands.	Comment noted.	
Nancy Bostick	I-162	GC53 (GC-L)	The draft RMP, as it is, is far too heavily weighted in favor of oil, gas, and minerals and fails to address the needs of ranchers, non-motorized recreation, cultural resource protection and more importantly, Utah's wildlife.	<p>Management prescriptions providing for livestock & grazing can be found in Table 2.1.8 (Livestock and Grazing Management) in the PRMP/FEIS.</p> <p>Provisions for cultural resources protection can be found in Table 2.1.4 (Cultural Resources) in the PRMP/FEIS.</p> <p>Provisions for recreation can be found in Table 2.1.13 (Recreation Resources) in the PRMP/FEIS.</p> <p>Provisions for wildlife can be found in Table 2.1.26 (Wildlife and Fisheries Resources) in the PRMP/FEIS.</p>	
Bryan Wyberg	I-166	GC84 (JGC-6)	Under this new plan, this extraordinary region would be forever altered by opening nearly the entire monument to oil and gas leasing and uncontrolled unrestricted off-road vehicle use. A majority of Americans, including myself, believe this is not acceptable.	The BLM assumes that the commenter is referring to the Dinosaur National Monument. The RMP does not establish any management actions or decisions for this area as it is administered by the National Park Service.	
Dwayne	I-167	GC72	Please do not support any new wilderness areas and	Comment noted.	

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Rowland		(AGC-1)	manage for all citizens.		
Laird Fetzer Hamblin	I-169	GC81 (JGC-4) (JGC-5)	Of the 1,725,512 ac in the VPA, very little remains relatively pristine. Only 328,374 acres are identified by the BLM to be or likely to be pristine enough for wilderness designation. These tracts of unfragmented, undisturbed lands are important refuges for wildlife and reserves for native plants. They are also important as undisturbed watersheds. It is critical that these lands not be further fragmented and that current fragmentation be reduced by the reclamation of unnecessary roads. Alt C should protect all areas in the VPA determined to be of wilderness character with Wilderness designation. And this should be the chosen alternative.	Comment noted.	
Laird Fetzer Hamblin	I-169	GC83 Y(JGC-5)	The EIS is well researched and well written. However, in many instances the intended action is inadequate for the preservation and protection of the environment and the species that inhabit it.	Comment noted.	
Laird Fetzer Hamblin	I-171	GC81 (JGC-4) (JGC-5)	Of the 1,725,512 ac in the VPA, very little remains relatively pristine. Only 328,374 acres are identified by the BLM to be or likely to be pristine enough for wilderness designation. These tracts of unfragmented, undisturbed lands are important refuges for wildlife and reserves for native plants. They are also important as undisturbed watersheds. It is critical that these lands not be further fragmented and that current fragmentation be reduced by the reclamation of unnecessary roads. Alt C should protect all areas in the VPA determined to be of wilderness character with Wilderness designation. And this should be the chosen alternative.	Comment noted.	
Smokey Rasmussen	I-174	GC75 (AGC-4)	The DRMP/DEIS failed to do a proper Alternatives Analysis	Comment noted.	

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Smokey Rasmussen	I-174	GC76 (AGC-5)	The DRMP/DEIS failed to include sufficient mitigation measures, contains no substantive baseline information, fails to use the requisite scientific information and objectivity, fails to properly implement a monitoring plan for adaptive management, fails to conduct a proper economic analysis, fails to properly address wilderness issues, and fails to comply with the National Historic Preservation Act (NHPA).	Comment noted.	
Chad F. Hamblin	I-175	GC73 (AGC-2)	I think that firewood gathering should be very much restricted. I don't like to see pinion and juniper cut in pristine areas, and I've seen a lot of damage to cryptogamic soil and other resources from people driving all over to cut trees. I don't think people should be allowed to leave designated routes in their vehicles when collecting firewood, and I think firewood gathering should be forbidden in all areas that could qualify as wilderness and in all ACEC's (wilderness and ACEC's often overlap). The only exception to this would be the collection of small pieces of dead wood by people camping, to be used in campfires.	Comment noted.	
Chad F. Hamblin	I-175	GC74 (AGC-3)	I think wildlife and archaeological resources should be given top priority in planning and management on this BLM land.	Comment noted.	
Jack Dobbins	I-176	GC78 (JGC-1)	Saddle Tree Draw and Atchee Wash should not be designated as open in order to preserve the primitive and wild characteristics of the area.	Comment noted.	
N/A	Verbal-Meeting	GC49 (GC-H)	Didn't like that they would not allow us to ask questions in open forum	Comment noted.	
N/A	Verbal-SLC Meeting	GC48 (GC-F)	9 Mile Canyon- buildings look awful-eye sore-aluminum-south side of river –please consider camouflage-visually unappealing for tourists-hurts tourism.	The building being referred to is in the Price Field Office. This comment has been forwarded to them.	

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A. John Davis	FLA-1	GC51 (GC-J)	I support multiple use on public lands.	Comment noted.	
Dominion Exploration & Production	O-1	GC5	The RMP/DEIS fails to address how the BLM will handle/staff the increased workload related to APDs in order to prevent undue processing delays.	<p>The Federal Land Policy and Management Act (FLPMA) requires that BLM manage the public lands for Multiple Use. Section 103(c) of FLPMA defines Multiple Use as follows: "The term 'multiple use' means . . . harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output."</p> <p>Additionally, given that the implementation schedule for the RMP will vary in the future based on national priorities, available workforce, and funding, etc., there is no way to meaningfully evaluate costs and benefits of the alternatives. Therefore, increased workloads from public applications and staffing needs associated with that workload are not decisions to be made in the RMP.</p> <p>It is assumed that BLM would have the funding and work force to implement the selected alternative. Implicit in this assumption is that the BLM will seek and obtain funding for implementation and mitigation of the selected alternative.</p>	
Dominion Exploration & Production	O-1	GC6	The RMP/DEIS fails to define "significant resource value" as it relates to energy development restrictions.	Table 2.1.7 (Lands and Realty Management) in the PRMP/FEIS states:	

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				<p>“Sensitive resource values would include, but are not limited to, threatened and endangered species habitat, cultural and paleontological resources, sensitive soils, riparian areas, areas possessing high scenic quality, and areas of critical environmental concern.”</p>	
PacifiCorp	O-7	GC131 (NAT1b)	<p>PacifiCorp urges the final RMP to reflect the specifics of coordinating with Ashley National Forest planning. This way, PacifiCorp facilities caught between planning efforts by separate federal agencies will have the needed assurance that one agency will not blindly make land use decisions without considering the decisions by a neighboring agency, and will have assurances that each agency will consider the cumulative impact that the decisions of both agencies will have on PacifiCorp facilities.</p>	<p>BLM is required to coordinate with adjoining managing entities.</p>	
PacifiCorp	O-7	GC132 (NAT3)	<p>The VFO should conduct a review of the Western Regional Corridor Planning Partnership Priority Corridors (dated July 2003) and include in the final RMP a discussion of any proposed corridors under Alternatives A, B, C, and D. The final RMP should also note that designated corridors apply only to BLM lands and do not include those portions that cross state and private lands.</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 & 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> <p>Presently, BLM is doing a national corridor EIS, which when complete, would amend this plan if</p>	X

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				there are inconsistencies or differences.	
PacifiCorp	O-7	GC133 (NAT4)	PacifiCorp advocates for development of suitable, wide corridors for planning purposes in the final RMP in order to account for topography, land use, engineering, and access issues, separation from other proposed facilities (e.g., transmission lines, water and gas pipelines, etc.), visual resources, sensitive plant and wildlife species, and cultural resources. Once corridors are analyzed for compatibility with RMP resources, then formal designation of these utility corridors would avoid the need for plan amendments on future projects.	See comment response to GC132.	
PacifiCorp	O-7	GC134 (NAT5)	PacifiCorp notes that in all cases, it was not possible using map scales offered in the DRMP to determine exactly where PacifiCorp's lines are located relative to planning alternatives. In these locations, PacifiCorp suggests continued work with the VFO to rectify any discrepancies, update this information and designate the area containing transmission and distribution lines as utility corridors.	See comment response to GC132.	
PacifiCorp	O-7	GC90 (NGC1)	We anticipate the need to maintain existing facilities; upgrade and/or expand existing facilities; and locate new facilities as needed. As such, we look for the RMP to enable us to accomplish these tasks.	Comment noted.	
PacifiCorp	O-7	GC91 (NGC2)	The location of existing or future utility facilities in between and sometimes straddling the borders of both the VFO and Forest Service lands presents the critical need for VFO and Ashley Forest planning efforts to be closely coordinated. Otherwise, the cumulative result of independent planning could adversely impact PacifiCorp operations in ways that neither planning effort anticipates.	As noted in Section 1.10 in the PRMP/FEIS, the Ashley National Forest Land Use Plan was reviewed and considered in the development of the VFO's RMP.	
PacifiCorp	O-7	GC92 (NGC3)	The final RMP should anticipate the addition of new transmission and distribution lines along with the maintenance, upgrade and replacement activities	Table 2.1.7 (Land and Realty Management) in the PRMP/FEIS under the subsection entitled Transportation/Utility Corridors recognizes both	

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			associated with existing and new lines.	existing transmission lines and rights-of-way (ROW) and provides for the designation of new corridors subject to physical barriers and sensitive resource values.	
PacifiCorp	O-7	GC93 (NGC4)	The final RMP should include consideration of recent announcements by Utah's Governor Huntsman, which acknowledge the need for more regional interstate transmission lines that very well could cross VFO lands.	See comment response GC92 regarding additional transmission lines within the Vernal Planning Area.	
PacifiCorp	O-7	GC94 (NGC5)	It is PacifiCorp's understanding that the Vernal DRMP will combine and supersede previous planning documents for the VFO. These previous documents included the Book Cliff and Diamond Mountain Resource Management Plans.	This is a correct assumption.	
PacifiCorp	O-7	GC96 (NGC6)	PacifiCorp assumes that the "on-the-ground" location of existing facilities will be utilized for the final RMP and any valid and existing rights will be recognized and perpetuated.	See comment responses GC 24 and GC27.	
PacifiCorp	O-7	GC97 (NGC7)	PacifiCorp assumes that any existing use will be allowed to continue without further restriction regardless of new classifications under any of the DRMP alternatives. To the extent the VFO disagrees with these assumptions, PacifiCorp objects to the DRMP.	See comment responses GC 24 and GC27.	
Duchesne County Water Conservancy District	O-10	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	

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				<p>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 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>	
Utah Professional Paleontology Council c/o Utah Geological Survey	O-15	GC66 (GC-W)	We would like to note the following incorrect spelling of geologic localities: Uinta Mountains not Uintah, Uinta Basin not Uintah.	Comment noted.	

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EOG Resources	O-17	GC57 (GC-N)	The statements in Appendix K prior to the tabular presentation conflict with the actual approach to defining exceptions, modifications and waivers for a number of resource concerns listed in the table. The possibility for exception, modification, and waiver is defined as "none" for a number of resources. This arbitrary designation of "none" indicates a lack of flexibility which will likely result in less production of essential oil and gas supplies.	Appendix K has been revised to reflect identified surface stipulations for the PRMP/FEIS.	X
EOG Resources	O-17	GC58 (GC-O)	It is inappropriate for the description of the affected environment to include information on what will be included in the ROD. The reader is directed to BLM Manual 8351 to determine the management to be applied to designated wild and scenic rivers. This information should be summarized and included in the text of the DEIS. The DEIS is a standalone document that is able to reference supporting information.	The statement in question does not presuppose the decision of the Record of Decision (ROD) but merely states the nature of information that must be contained in the ROD in accordance with current policy. The statement notes that the ROD would identify any river segments that were found suitable, and would, if any such segments were identified, also identify any special management actions. The RMP/DEIS may incorporate other management guidance and policy by reference and need not be an exhaustive summary or reiteration of such guidance and policy.	
Trout Unlimited	O-27	GC35	Under current plans, 97% of the VPA is open to gas and oil leasing. We feel this is a lopsided plan that favors extraction over other multiple uses such as hunting and fishing that are adversely impacted by gas and oil development.	Comment noted.	
Trout Unlimited	O-27	GC60 (GC-Q)	We recommend a phased-in approach to development in which smaller portions of the landscape are developed, monitored and the impacts fully understood.	Comment noted.	
Trout Unlimited	O-27	GC61 (GC-R)	We urge the BLM to reconsider its multiple use mandate and develop a more prudent, balanced plan that ensures protection of fish, wildlife, water and associated recreational opportunities.	Comment noted.	

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Westport Oil and Gas Company	O-28	GC70 (GC-AA) (J-PR6)	BLM asserted that it would “make all possible attempts” to make the management prescriptions as “complimentary as possible” to local land use plans. (DEIS 1-10). This statement does not conform to FLPMA which requires BLM to “assure” that its land use plans are consistent with state and local plans to the extent they conform to federal law. (43 U.S.C. §1712(c) (9)). The affected counties have identified numerous inconsistencies with local land use plans, and BLM must address and justify any divergence.	See comment response GC20.	
Westport Oil and Gas Company	O-28	GC71 (GC-BB)	We recommend that BLM prepare and issue a revised Draft Vernal RMP/EIS for public review and comment. Given that the RMP sets management goals and objectives for the Vernal Field Office for the next 15 to 20 years, it is critically important for BLM to establish a viable working document that establishes reasonable management goals for oil and gas development along with viable and necessary mitigation measures. The revision should rectify the deficiencies identified in the comments and provide sufficient explanation and information documenting the need for management change. BLM must also clearly state the law governing RFD well projections. In addition, the revised DEIS must be consistent with statutory and executive policies, which promote and facilitate oil and gas development, including the adoption of lease mitigation measures that are scientifically justifiable and the least restrictive necessary. In its current form, the Vernal RMP/DEIS does not allow for meaningful analysis and informed decision-making required by NEPA.	Comment noted.	
KerrMcGee Oil and Gas Onshore LLC	O-29	GC70 (GC-AA) (J-PR6)	BLM asserted that it would “make all possible attempts” to make the management prescriptions as “complimentary as possible” to local land use plans. (DEIS 1-10). This statement does not conform to FLPMA which requires BLM to “assure” that its land	See comment response GC20.	

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			use plans are consistent with state and local plans to the extent they conform to federal law. (43 U.S.C. §1712(c) (9)). The affected counties have identified numerous inconsistencies with local land use plans, and BLM must address and justify any divergence.		
KerrMcGee Oil and Gas Onshore LLC	O-29	GC71 (GC-BB)	We recommend that BLM prepare and issue a revised Draft Vernal RMP/EIS for public review and comment. Given that the RMP sets management goals and objectives for the Vernal Field Office for the next 15 to 20 years, it is critically important for BLM to establish a viable working document that establishes reasonable management goals for oil and gas development along with viable and necessary mitigation measures. The revision should rectify the deficiencies identified in the comments and provide sufficient explanation and information documenting the need for management change. BLM must also clearly state the law governing RFD well projections. In addition, the revised DEIS must be consistent with statutory and executive policies, which promote and facilitate oil and gas development, including the adoption of lease mitigation measures that are scientifically justifiable and the least restrictive necessary. In its current form, the Vernal RMP/DEIS does not allow for meaningful analysis and informed decision-making required by NEPA.	Comment noted.	
Cripple Cowboy Cow Outfit	O-30	GC62 (GC-S)	BLM rules allow you to protect areas in whatever manner you wish so it looks as if you are trying a backdoor approach to creating wilderness	Comment noted.	
Cripple Cowboy Cow Outfit	O-30	GC63 (GC-T)	You don't need to re-allocate AUMs in order to transplant fish therefore it is not a need for writing a new plan.	The reference to re-allocating AUMs applies to the wildlife referred to in the statement "native fish and wildlife species," not to the fish.	
Cripple Cowboy Cow Outfit	O-30	GC64 (GC-U)	You need to acquire less land and dispose of more.	Comment noted.	

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Cripple Cowboy Cow Outfit	O-30	GC65 (GC-V)	I cannot find anything about this Standpipe Reservoir and I can't find anyone in the office who knows what it is.	Table 2.4 of the Draft RMP has been deleted from the PRMP/FEIS. Consequently, the comment is no longer relevant.	X
Vermillion Ranch Limited Partnership	O-33	GC123 (R-GC12)	Eliminate the entire statement beginning with "All alternatives in this Draft EIS are consistent with the intent." and ending with "...any prime farmland soils (NRCS, 1990)."	<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>	
Vermillion Ranch Limited Partnership	O-33	GC123A (R-GC12)	This conclusion in the RMP is unsupported and inaccurate. The base property for most ranches consists of "farm land" where operators grow hay. These lands are an integral part of the public lands and the RMP management policies directly affect these lands. This section reflects an anti-grazing bias found elsewhere in the draft RMP. The implementation of the RMP without correction will lead to more ranches being sold for development. This more than any other factor will close access to public lands and "fragment habitat" by replacing ranches and grazing allotments with 35-acre ranchettes. If BLM were to follow the prime farmland policy, it would revise the plan to recognize and provide for the economic viability and stability of the livestock industry. Instead, the RMP fails to recognize the significant contribution that ranch	The statement in the RMP was based upon NRCS (1990) related to Secretary of Agriculture Memorandum 1827. The commenter appears to commenting about private lands, not BLM managed lands.	

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			operations make to maintaining open space, improving rangeland resources and habitat conditions, and providing water for all species, not just livestock.		
Vermillion Ranch Limited Partnership	O-33	GC126 (R-GC4)	Chapter 4 of the DEIS fails to fully disclose the cumulative effects of the RMP on existing rights by increasing costs of access and development, as well as vegetation management. The detailed comments show that the RMP identifies direct and indirect effects to specific resources; it does not integrate the cumulative effects of the plan as a whole. For instance, the RMP discusses the direct and indirect effects of winter closures and energy development and assumes that most management restrictions will benefit wildlife. The RMP entirely omits the cumulative effects of increasing big game populations and wild horse numbers while restricting range management tools in ACEC or special management areas or other Class I and II VRMs. As written, the preferred alternative will increase grazing pressure by wildlife and wild horses but remove effective management tools such as vegetation treatments or water projects. Similarly, the RMP assumes only environmental benefit from ACEC or SRMA designations without addressing the cumulative effects of restricting vegetation management tools while increasing wildlife numbers.	See comment responses GC 24 and GC27. Cumulative effects are discussed in Section 4.23 in the PRMP/FEIS.	
Vermillion Ranch Limited Partnership	O-33	GC127 (R-GC5)	Delete the following sentences: “Review mitigation and lease stipulations and ensure consistency throughout the planning area. Surface use stipulations developed for oil and gas would apply across the board for all surface-disturbing activities.”	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	

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				<p>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>	
Vermillion Ranch Limited Partnership	O-33	GC127A (R-GC5)	<p>The BLM cannot revise the terms of existing leases. See National Wildlife Federation, et. al., 150 IBLA 385, 403 (1999) citing Union Oil v. Morton, 512 F.2d 743, 750-51 (9th Cir. 1975).</p>	<p>The sentence is in Section 1.7.6 in the PRMP/FEIS and applies to future leasing.</p> <p>See comment response GC27 regarding valid existing rights.</p>	
Vermillion Ranch Limited Partnership	O-33	GC128 (R-GC6)	<p>The draft RMP and DEIS fail to define or properly use a number of key terms including "surface disturbing activities" or "surface disturbance," "habitat fragmentation," and "habitat loss." These terms are used throughout the RMP and appear to contradict federal law, rules, BLM policy or case law. The Glossary should include the following definitions:</p> <p>Surface disturbance or surface disturbing activities- "Disturbance from development activities that involve the removal of vegetation and topsoil, or overburden where there is a physical change to the surface, in connection with activities for mineral and energy development, rights-of-way, and road construction or reconstruction. It does not include incidental disturbances associated with the construction, reconstruction, or maintenance of fences or corrals or stock tanks, livestock or wildlife grazing, or recreation uses."</p> <p>Habitat Fragmentation – "An event that creates a greater number of habitat patches that are smaller in size than the original contiguous tract(s) of habitat."</p> <p>Habitat Loss – "The permanent or effectively</p>	<p>See comment response GC15 regarding surface disturbing activities.</p> <p>See comment response GC59C regarding habitat fragmentation.</p> <p>The glossary in the PRMP/FEIS has been revised to include a definition of "habitat loss" and "sustained yield."</p>	X

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			<p>permanent removal of habitat cover needed by a particular wildlife species." (This definition of habitat loss corresponds to how this concept is used in mainstream habitat management and avoids the need to attempt to define or regulate human disturbance or disruptive activities. The latter terms should not be regulated.)</p> <p>Sustained yield or sustainability "means the achievement and maintenance in perpetuity of a high-level annual or regular periodic output of the various renewable resources of the public lands consistent with multiple uses." (This definition is appropriately taken from FLPMA, 43 U.S.C. §1702(h).)</p>		
Vermillion Ranch Limited Partnership	O-33	GC129 (R-GC7)	The analysis provided to the public fails to fully meet this objective, especially with respect to wild & scenic river proposals, ACECs, and wild horses, as just a few examples.	Comment noted.	
Vermillion Ranch Limited Partnership	O-33	GC137 (J-PR8)	<p>Modify the following statement as indicated by the strikethrough deletion:</p> <p>"The criteria used for categorizing the allotments were based on resource potential, resource use conflicts or controversy, opportunity for positive economic return on public investments, and the present management situation."</p>	<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>	
Vermillion	O-33	GC137A	Controversy per se is not a basis to evaluate an	The presence of controversy suggests a possible	

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Ranch Limited Partnership		(J-PR8)	allotment.	land use conflict that must be evaluated or investigated. As such, the use of "controversy" as a condition under evaluation of allotments will occur will remain in the RMP.	
Vermillion Ranch Limited Partnership	O-33	GC19 (R-GC14)	<p>Remove the term "locality" from the following statement:</p> <p>"On winter sheep ranges in the Book Cliffs locality, additional forage would be allocated proportionately between livestock and big game."</p> <p>The term "locality" is imprecise and should be deleted.</p>	<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>	
Vermillion Ranch Limited Partnership	O-33	GC59 (R-GC11)	<p>Revise the following statement as indicated:</p> <p>"intact riparian areas, important habitats for mule deer, Rocky Mountain elk..."</p>	<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>	

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				The suggested change had little relevance to the adequacy or accuracy of the RMP/FEIS.	
Vermillion Ranch Limited Partnership	O-33	GC59A (R-GC11)	-The adjectives are deleted since they are used in an ambiguous, subjective, and otherwise meaningless fashion.	The reference to the degree to which the riparian areas are intact and serve as important habitats for mule deer are accurate descriptors of the current condition.	
Vermillion Ranch Limited Partnership	O-33	GC59B (R-GC11)	Revise the following statement as indicated: "A description of the existing habitat fragmentation can be found in Tables 20 to 32 in Appendix I."	<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>	
Vermillion Ranch Limited Partnership	O-33	GC59C (R-GC11)	Revise the following statement as indicated: "Efforts will continue to be made to identify and maintain existing important habitats and their interconnecting corridors. A description of the existing habitat fragmentation can be found in Tables 20 to 32 in Appendix I."	<p>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>	

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				<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>	
Vermillion Ranch Limited Partnership	O-33	GC59D (R-GC11)	-The use of the habitat fragmentation table is problematic given the misuse of the term "habitat fragmentation." As used, any land use fragments habitat, which is not accurate or scientifically documented by peer-reviewed research. The RMP treats private land as fragmented habitat when that is not true for agriculture uses, which predominate along the rivers.	<p>The use of the term "habitat fragmentation" within the BLM is determined to mean:</p> <p>"The disruption (by division) of extensive habitats into smaller habitat patches. The effects of habitat fragmentation include loss of habitat area and the creation of smaller, more isolated patches of remaining habitat. Private land (including agricultural areas along the rivers) can be considered fragmented habitat depending on the scope of the fragmentation and the species that are being impacted."</p>	
Vermillion Ranch Limited Partnership	O-33	GC59E (R-GC11)	The tables should be deleted since the RMP misuses the term "habitat fragmentation."	<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>	
Vermillion	O-33	GC59F	Revise the following statement as indicated:	The BLM declines to make the suggested wording	

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Ranch Limited Partnership		(R-GC11)	"The BLM would provide habitat for a diversity of wildlife and fish species by limiting surface development fragmentation, thereby possibly reducing loss of vegetation cover and reducing nonpoint source pollution into the keeping soils intact and sediment out of streams."	<p>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>	
Vermillion Ranch Limited Partnership	O-33	GC59G (R-GC11)	As written, this statement is simply not accurate. It assumes certain facts that are often not the case, that habitat fragmentation necessarily increases soil erosion into the streams. The term "fragmentation" is misused.	Surface development can be a contributor to habitat fragmentation. Depending on the area and scope of the fragmentation, as defined above, the outcome could result in increased soil erosion and greater sediment accumulation into rivers and streams.	
Vermillion Ranch Limited Partnership	O-33	GC77 (R-GC10)	<p>Revise the following statements as indicated:</p> <p>"The VPA presently contains large areas of disturbed wildlife habitat. Habitat fragmentation may be has become an issue in areas where mineral, agriculture, and other types of land development affect a permanent loss of habitat. Is currently occurring. Reducing the effects of habitat fragmentation on wildlife species include determining thresholds for disturbance, conserving existing habitats on an ecosystem level, providing usable corridors between neighboring patches, and controlling the invasion of undesirable species into these refuges."</p>	<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</p>	

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				adequacy or accuracy of the RMP/FEIS.	
Vermillion Ranch Limited Partnership	O-33	GC77A (R-GC10)	These comments suggest definitions for key terms. Disturbed wildlife habitat appears to assume that any disturbance harms all wildlife, which is not supported and is unlikely. Adverse effects traditionally occur if the habitat is lost and it is habitat that is important for essential life cycle activities. As written, the DEIS assumes any "disturbance" is harmful to wildlife.	Habitat fragmentation can be of a short-term or long-term nature, not just where there is a permanent loss of habitat. The statement does not assume that any disturbance harms all wildlife, but suggests that impacts can be negative to specific species (such as "mule deer, Rocky Mountain elk, greater sage-grouse, ferruginous hawk, black-footed ferret, etc." whose habitat requirements will be degraded by the fragmenting activities.	
Vermillion Ranch Limited Partnership	O-33	GC77B (R-GC10)	The RMP misuses the term "habitat fragmentation" to mean any disruption in any habitat, which is not an accepted usage of the term. The discussion incorrectly states that agriculture uses fragment habitat. Agriculture in the planning area is primarily ranching and it does not fragment habitat. Indeed, if agriculture is eliminated, the remaining private lands will be subdivided, i.e. Taylor Subdivision along Red Creek. Subdivision development will fragment habitat for some wildlife. Second, the alleged fragmentation may actually refer to private land ownership along water bodies. Unless the land uses prevent life processes, it is inaccurate to describe the habitat as fragmented. Moreover, fragmentation means different things to different species and the general discussion incorrectly assumes that all habitat changes have an equally adverse effect.	See comment response GC59C.	
Vermillion Ranch Limited Partnership	O-33	GC8	Strike "often-conflicting" and replace with "land".	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.	

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				<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>	
Vermillion Ranch Limited Partnership	O-33	GC82 (R-GC13)	When these various measures are considered in their totality [see also Comments VE43, and LG260], they cumulatively increase the costs of a livestock operation, without any measurable public or environmental benefit. The DEIS fails to address and properly quantify these cumulative effects.	The cumulative effects of management decisions on livestock and grazing are included in the analysis of direct and indirect effects outlined in Section 4.7.	
Vermillion Ranch Limited Partnership	O-33	GC86 (R-GC9)	The establishment of an SRMA in addition to the ACEC is not necessary. It also corresponds to former WIAs. The proposed designation ignores existing livestock operations, thus creating future management conflicts. The John Jarvie Historical Ranch site is quite small, consisting of a few buildings and less than 10 acres. The RMP cannot justify the size of the proposed SRMA. If the additional acreage is justified to preserve the "integrity of the experience," this theory does not conform to the law or rules that would authorize an SRMA. Specifically, the BLM is authorized to protect the integrity of the physical site, not the view or emotional experience. Thus, an SRMA for the historic site should be quite small.	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	

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				<p>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>	
Vermillion Ranch Limited Partnership	O-33	GC8A	The assumption that recreation or aesthetic land uses conflict is over-stated.	The statement in question regarding land use conflicts refers to all land uses, not just aesthetic and recreational, which were merely provided as examples of how some desired uses of public lands have changed since the last RMP was completed.	
Vermillion Ranch Limited Partnership	O-33	GC95 (R-GC8)	<p>Revise the following statement by adding the bolded language:</p> <p>"Modify existing fences on public lands where wildlife are adversely affected, when funds are available."</p>	<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>	
Vermillion Ranch	O-33	GC95A	The issue of fence reconstruction is contentious given the lack of funding for fences and the UDWR	All management prescriptions proposed in the RMP are predicated on the assumption that funding will	

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Limited Partnership		(R-GC8)	opposition to fences and other projects that would increase upland distribution. For this reason, any reconstruction must be funded and maintained by wildlife interests.	be available to accomplish them.	
Outdoor Industry Association	O-35	GC80 (JGC-3)	The draft RMP fails to establish a meaningful threshold in the development, presentation and analysis of hard data related to: recreation participation; a presentation of or adherence to a ROS; the socioeconomic values and benefits of preserving and promoting natural, cultural heritage and outdoor recreation resources, and; the short-and long-term ramifications of ignoring and ultimately handicapping outdoor recreation in favor of oil and gas production.	A discussion of recreation opportunities within the Vernal Planning Area can be found within description and analysis of socioeconomics as related to recreation opportunities and management decisions can be found in Sections 3.12.2.2.4 and 4.12.3.3.	
Center for Native Ecosystems	O-38	GC79 (JGC-2)	The draft RMP is extremely vague. The plan leaves most of the details about mitigation until later, the APD phase, the field development stage, the project phase, etc. This is not adaptive management; this is a plan without teeth and without boundaries for acceptable development.	Comment noted.	
Utah Petroleum Association	O-42	GC70 (GC-AA) (J-PR6)	BLM asserted that it would “make all possible attempts” to make the management prescriptions as “complimentary as possible” to local land use plans. (DEIS 1-10). This statement does not conform to FLPMA which requires BLM to “assure” that its land use plans are consistent with state and local plans to the extent they conform to federal law. (43 U.S.C. §1712(c) (9)). The affected counties have identified numerous inconsistencies with local land use plans, and BLM must address and justify any divergence.	See comment response GC20.	
Wilderness Society, Wild Utah Project, Center for Native	O-46	GC100 (NGC10)	Heart of the West and the Trout Unlimited report provide information that should be considered and incorporated into the Vernal EIS in evaluating the cumulative impacts of various activities on the ecosystem.	Comment noted.	

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Ecosystems					
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC101 (NGC11)	We urge BLM to expand its cumulative impacts analysis to consider the regional effects of the decisions made in the Vernal RMP and the potential side effects of activities outside the VPA on the resources within the VPA.	As described in Section 4.22 and throughout the subsections of Section 4.22, the cumulative effects analysis considers reasonably foreseeable developments and actions outside the VPA that may contribute to resource affects within the VPA.	
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC102 (NGC12)	The Heart of the West Conservation Plan is directly relevant to the Vernal RMP.	Comment noted.	
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC103 (NGC13)	The Heart of the West Conservation Plan recommends that all areas within core areas that possess wilderness characteristics be managed in accordance with the 1964 Wilderness Act.	Comment noted.	
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC104 (NGC14)	Predator control and trapping should be prohibited, unless necessary for restorative management or recovery of focal species.	Comment noted.	
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC105 (NGC15)	Human use should be managed to protect the ecological integrity of the area.	Comment noted.	
Wilderness Society, Wild	O-46	GC106 (NGC17)	Overall, core recovery areas should be managed with the objective of restoring them to an ecologically	Comment noted.	

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Utah Project, Center for Native Ecosystems			functioning and natural state, and eventually an integral component of intact core areas.		
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC107 (NGC18)	Lands with wilderness characteristics provide important support for wildlife, in addition to providing scenic value and recreational uses.	Comment noted.	
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC108 (NGC19)	Wilderness and protection of wilderness characteristics provide critical support to wildlife.	Comment noted.	
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC109 (NGC20)	Of key importance to land management agencies, wilderness and other protective designations can assist in maintaining viable populations of native species on Utah's public lands.	Comment noted.	
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC110 (NGC21)	Additional WSA/Wilderness designated within the Vernal Resource Area will bring us within each of another goal of conservation geology: the maintenance of ecological processes across a landscape.	Comment noted.	
Wilderness Society, Wild Utah Project, Center for Native	O-46	GC111 (NGC22)	A wilderness selection strategy that maintains intact environmental gradients and all physical habitat (soil types, slope aspects, etc.) and links these habitat together across the landscape is surely one of the best ways to provide for long term ecological change without	Comment noted.	

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Ecosystems			losing biodiversity.		
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC112 (NGC23)	BLM has the authority and obligation to protect areas with wilderness characteristics. We maintain that the April 2003 settlement agreement between Secretary Norton and the State of Utah (win which BLM abdicated its authority to designate any additional Wilderness Study Areas – WSAs) is invalid and will ultimately be overturned in pending litigation. However, we recognize that the Vernal Filed Office is operating under current guidance that directs BLM not to identify new WSAs.	Comment noted.	
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC113 (NGC24)	BLM should take appropriate actions to protect wilderness characteristics, whether through alternate designations, such as ACECs, or by simply managing to protect wilderness characteristics as a priority over other uses, such as oil and gas development or off-road vehicle use.	Comment noted.	
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC114 (NGC25)	The DEIS does not adequately protect wilderness characteristics; BLM should include management designations and prescriptions that will specifically protect these lands.	<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</p>	

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				<p>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 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>	
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC115 (NGC26)	In order to comply with NEPA, the RMP should require more detail on the mitigation actions to be performed, the manner in which they will prevent environmental consequences, the degree to which potentially significant impacts are mitigated to levels below significance, and a definitive schedule for taking any such actions.	Comment noted.	
Wilderness Society, Wild Utah Project, Center for Native	O-46	GC116 (NGC27)	All core recovery areas should be managed with an objective to restore and protect natural ecological conditions.	Comment noted.	

General Comments

Commenter	Record ID & Comment Number	Resource Category	Comment Text	Response to Comment	Doc Mod
Ecosystems					
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC117 (NGC28)	In its discussion of "Irreversible and Irretrievable Impacts," "Unavoidable Adverse Impacts" and "Short-Term Use Versus Long-Term Productivity" with respect to wildlife and special status species, BLM takes note of the irretrievable habitat fragmentation that would be caused by minerals development in the planning area, as well as the long-term loss of special status species and even complete loss of the ferruginous hawk population. However, the BLM does not propose meaningful measures to avoid or limit these impacts. It is not acceptable for the BLM to merely identify impacts and label them "unavoidable."	The RMP is a programmatic document establishing management goals and objectives and broad scale management prescriptions. In order to be effective and appropriate, mitigation must be tailored to the specific nature and intensity of the identified adverse impacts. To this end, additional impacts analyses are conducted through project-scale environmental studies subsequent to the RMP/EIS. Avoidance, minimization, and mitigation measures are thus focused on the known impacts and are not speculative. Including detailed mitigation measures within the programmatic level RMP presupposes the precise nature of impacts.	
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC118 (NGC29)	BLM finds that the proposed energy development would likely destroy primitive recreation in wilderness quality lands, stating: "[g]iven the number and spacing of industrial facilities, it would be difficult to escape the adverse impacts to solitude and primitive recreation throughout the areas having wilderness character." However, BLM does not propose meaningful measures to avoid or limit these impacts.	See comment response GC114.	
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC119 (NGC30)	BLM concludes that opening certain portions of the planning area to mineral development "may be inconsistent with the direction to manage for large unfragmented blocks of continuous wildlife." However, BLM does not propose meaningful measures to avoid or limit these impacts.	See comment response GC114.	
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC120 (NGC31)	BLM can and should fully assess the existing multiple resources and uses in the Vernal Resource Area (VRA) and the risk to them from potential management decisions.	Comment noted.	

General Comments

Commenter	Record ID & Comment Number	Resource Category	Comment Text	Response to Comment	Doc Mod
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC121 (NGC32)	The Trout Unlimited report identifies key areas for habitat, which provide an important basis for analyzing the direct, indirect and cumulative impacts of various activities that will be governed by the RMP on wildlife and habitat.	Comment noted.	
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC122 (NGC32)	As part of this analysis, DEIS should provide a map showing those rangelands that today meet rangeland health standards and those that do not. Some of the key indicators used to determine rangeland health are important on their own and should be displayed individually. The more telling measurable indicators that have established standards include Indicator 4 (bare ground), 15 (annual plant production), 16 (invasive plants). Maps that show the value that each allotment gives to these specific indicators (a five step scale) are an important analysis tool.	Current range conditions are discussed in Section 3.7.1 and were considered in the analysis. Inclusion of a map in the PRMP/FEIS is not necessary for the inclusion of the information in analysis.	
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC130 NGC16	In general, we recommend that the chief human uses in core areas be limited to non-motorized activities.	Comment noted.	
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC135 (NAT10)	Heart of the West and Wildlife At A Crossroads provide environmentally protective alternative management practices that should be fully evaluated and incorporated into the Vernal RMP for protection of the ecosystem.	Comment noted.	
Wilderness Society, Wild Utah Project, Center for Native	O-46	GC136 (NAT16)	The DEIS should provide precipitation information for as long as records were kept for this area.	The inclusion of precipitation information in the RMP is not necessary for the development of broad scale management actions. The effects of drought and the relationship to grazing management are reflected in the alternatives.	

General Comments

Commenter	Record ID & Comment Number	Resource Category	Comment Text	Response to Comment	Doc Mod
Ecosystems					
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC138 (NRE2)	TWS encourages the BLM to ensure that energy development, ORV use, and livestock grazing occur only in the many areas where they will cause fewer impacts to key wildlife species, riparian areas, and wilderness-quality lands.	Comment noted.	
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC98 (NGC8)	We are especially concerned with the deficiencies in the DEIS's analysis of the impacts from potentially destructive activities, which has led to corresponding deficiencies in recommendations for protective measures – such as closures of sensitive areas to oil and gas development or ORV use and the imposition of stringent lease stipulations, including best management practices.	Comment noted.	
Wilderness Society, Wild Utah Project, Center for Native Ecosystems	O-46	GC99 (NGC9)	The BLM must protect species, habitat and landscapes: The Heart of the West Conservation Plan, Trout Unlimited's Gas and Oil Development on Western Public Lands Report, the TWS' Wildlife at a Crossroads Report and the Greater Dinosaur/Book Cliffs Heritage Plan provide vital information for the DEIS regarding management of wildlife habitat.	Several of these documents, including the Greater Dinosaur/Book Cliffs Heritage Plan, were consulted in the preparation of the RMP.	
Southern Utah Wilderness Alliance	O-47	GC67 (GC-X)	Although this planning process is a tremendous opportunity, thus far the DRMP fails to take any significant positive steps to protect the wilderness values, wildlife habitat, water resources, scenic values, cultural resources, and other natural resources.	Table 2.1.10 (Non-WSA Lands with Wilderness Characteristics) in the PRMP/FEIS along with Appendix K outline broad management actions to be taken to address lands with wilderness characteristics, wildlife and wildlife habitat, special status species, soil and water resources, scenic values, cultural and paleontological resources, among other resources. The management prescriptions are designed to balanced land use and resource protection to the extent possible.	
Southern Utah	O-47	GC68	Unfortunately, the two fatal flaws of the DRMP are 1) its failure to protect 98% of wilderness quality lands	Comment noted.	

General Comments

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Wilderness Alliance		(GC-Y)	outside of existing WSAs from oil and gas development; and 2) the lack of any meaningful ORV management or intelligent route designations.		
Southern Utah Wilderness Alliance	O-47	GC69 (GC-Z)	The RMP must reflect the changing resource values in this area, emphasizing the increasing importance of unfragmented wildlife habitat, clean water, clean air and primitive recreation opportunities. Oil and gas often directly conflicts w/ these values.	See comment response GC67.	

Hazardous Materials

Commenter	Record ID & Comment Number	Resource Category	Comment Text	Response to Comment	Doc Mod
State of Utah	G-1	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>	X
UBAOG	G-22	HZ1	<p>Because of BLM requirements for isolation of natural gas in the well bore and lack of natural escapes of gas, this section should be struck.</p>	<p>In the interest of full disclosure under NEPA, this section is retained.</p> <p>Abatement of the health and safety hazards presented by natural seeps would be addressed on a case-by-case basis.</p>	

Hazardous Materials

Commenter	Record ID & Comment Number	Resource Category	Comment Text	Response to Comment	Doc Mod
Vermillion Ranch Limited Partnership	O-33	HZ4 (RHZ-1)	We suggest the following revisions to this paragraph "Where appropriate, the RMP would address will identify hazardous materials issues that are regulated by the state but which may arise due to proposed oil, gas, and mineral development."	Section 1.7.4 of the PRMP/FEIS has been revised as follows: "Where appropriate, the proposed RMP will identify hazardous materials issues that may arise due to proposed oil, gas, and mineral development."	X
Vermillion Ranch Limited Partnership	O-33	HZ4A (RHZ-1)	As written the paragraph implies that BLM can regulate hazardous materials, when that is delegated to the Environmental Protection Agency and the Utah Department of Environmental Quality.	The paragraph as written does not state that the BLM regulates hazardous materials, but merely acknowledges that potential hazardous materials issues may arise from minerals and energy development managed under the RMP, and as such, the BLM must address these issues. Clarification of the BLM's role in addressing hazardous materials issues is outlined in Section 3.5, wherein the relationship of the BLM's management to the regulatory agencies and policies is described.	
Enduring Resources	O-40	HZ3 (JHZ-1)	DEIS says "Dangerous sites, structures, roads or other facilities, e.g., abandoned mines would be stabilized or closed if it is determined that they are a public hazard."	We are unable to discern the nature of your concern from your comment.	