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Name	Record ID & Comment Number		Resource Category	Comment Text	Response to Comment	Doc Mod
Michael L. Wolfe	12	1	WL	<p>My comments detailed below focus on the relative advantages for terrestrial wildlife of Alternative E proposed in the Supplement in comparison to other alternatives (especially Alternative A -the "preferred alternative") in the original DRMP/DEIS. A prominent theme in discussion is a consideration of the benefits to be gained by minimizing the adverse effects of habitat fragmentation. As supporting documentation I offer a "white paper" on the subjects of impacts of oil-gas and mineral development and roads on wildlife. The research referenced therein is intended to augment the agency's own analysis and inform of the benefits to wildlife from the alternative in the Supplement as opposed to the risks to wildlife from the other alternatives in the DRMP/EIS.</p> <p>NOTE: See Paper and referece list attached to hard copy.</p>	<p>The RMP does discuss habitat fragmentation. The BLM will work with UDWR, USFWS, and others to ensure that plans and agreements are updated as necessary to reflect the latest scientific data.</p>	
Michael L. Wolfe	12	2	WL	<p>Consideration should also be accorded to overall biological diversity and the potential importance of animals that function as keystone species with effects on other trophic levels (i.e., up or down the food chain). To some extent this may be implicit in other sections such as the discussion of "Other Non-game Species", but a more explicit description is likely warranted (see for example the discussion of impacts on various species in the attached review.</p>	<p>The RMP is at the landscape level, and therefore a more detailed review of individual species is out of the scope of analysis for this RMP.</p> <p>Activity Plans are defined under the BLM Land Use Planning Handbook H-1601-1 as:</p> <p>“A type of implementation plan; an activity plan usually describes multiple projects and applies best management practices to meet land use plan objectives. Examples of activity plans include interdisciplinary management plans, habitat management plans, recreation area management plans, and allotment management plans.”</p> <p>This would include ACECs, SRMAs sensitive species</p>	

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				<p>habitat, etc.</p> <p>Furthermore, H1601-1 states:</p> <p>“Upon approval of the land use plan, subsequent implementation decisions are put into effect by developing implementation (activity-level or project specific) plans. An activity-level plan typically describes multiple projects in detail that will lead to the on-the-ground action. These plans traditionally focused on single resource programs (habitat management plans, allotment management plans, recreation management plans, etc.). However, activity-level plans are increasingly interdisciplinary and are focused on multiple resource program areas to reflect the shift to a more watershed-based or landscape-based approach to management. These types of plans are sometimes referred to as ‘integrated or interdisciplinary plans,’ ‘coordinated resource managements plans,’ ‘landscape management plans,’ or ‘ecosystem management plans.’ A project-specific plan is typically prepared for an individual project or several related projects.”</p>	
Michael L. Wolfe	12	3	<p>WL</p> <p>Thee Supplement details the relative impacts of the various alternatives on big game and upland game species. Alternative A would increase the proportion of big game habitat open to surface oil and gas development by ~7%, while Alternative E would decrease the proportion of big game habitats open for development by ~19% (compared to the No-Action alternative. This represents an average net improvement of ~26% for big game species under Alternative E .</p> <p>These comparisons involve mule deer, elk and proghorn, but I found no mention of the differences for bighorn</p>	<p>Section 3.19 of Chapter 3-Affected Environment, provides information on big horned sheep. Big horned sheep habitat (prime for reintroduction efforts) has been designated by UDWR. Most of this habitat would be undevelopable due to the severe nature of the topography associated with this habitat. The State of Utah has been involved in an aggressive program for the past 30 years to restore bighorn sheep to their native habitat. The existing small herds of big horned sheep in northeastern Utah require augmentation by the additional reintroduction of sheep by UDWR.</p>	

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Michael L. Wolfe	12	4	<p data-bbox="600 397 680 423">sheep.</p> <p data-bbox="600 435 1255 889">Appendix Table I -9 in the DRMP/EIS contains a comparison of the mineral development land categorization in black bear habitat expected under the respective alternatives, but I found no discussion of this table in the Supplement. As with the ungulate species, Alternative C was the most restrictive with ~6% less area open to "standard stipulation" and "timing and controlled" surface ses. Presumably, Alternative E would represenat further improvement for this species. Similarly, I found no discussion of effects of the various alternatives on mountain lions in either document. In Section 3.19.1.8 of the DRMP/DEI it is stated that mountain lion habitat is essentially the same as that for its principal prey species, mule deer.</p> <p data-bbox="600 922 1268 1195">Both black bears a nd mountain lions may be subject to the adverse effects of habitat fragmentation. In the case of the latter species, these impactslikely transcend those involving its prey species. In Florida Dixon et al. (2007) found that habitat fragmentation and anthropogenic barriers to movement appeared to limit the dispersal capabilities of black bear, thereby reducing gene flow among populations.</p> <p data-bbox="600 1227 1255 1468">Road density can also function as a determinant of mountain lion vulnerability to hunting. Stoner (2004) analyzed the state wide cougar harvest(1996-2001) and found a relatively weak but statistically significant correlation (r = 0.53) between road density and the average number of cougars harvested per year (seeFigure 1 in attached review. Conversely, it can be argued that areas with low road</p>	<p data-bbox="1285 435 1906 708">As stated in the "Dear Reader" letter at the front of the Supplement to the Draft RMP/EIS, "Under Alternative E, the proposed decisions that apply to the lands outside of non-WSA lands with wilderness characteristics remain the same as those in Alternative C." The commenter needs to look at both the DRMP and SDEIS to have a full context of the document including a description of the alternatives, environment, and anticipated impacts.</p> <p data-bbox="1285 740 1919 857">The UDWR manages wildlife populations as the BLM manages the land for these species. Chapter 4 provides additional information concerning habitat fragmentation.</p> <p data-bbox="1285 889 1822 980">The BLM has clarified the impact of habitat fragmentation from routes and trails and other development.</p> <p data-bbox="1285 1013 1755 1039">See Response to Comment to 12-2-WL.</p>	

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			density can function as defacto refugia with source populations in a management context(Stoner et al. 2006). One of the potential refugia identified in that analysis was the Book Cliffs area.		
Michael L. Wolfe	12	5	<p>WL</p> <p>In terms of relative value there probably exists some differential among the various Non-WSA's proposed for exclusion from disturbing activities such as oil and gas exploration/development and off-road vehicle use. These relate to variables such as relative size, connectivity and juxtaposition to existing protected natural areas such as national monuments and WSA's. In general larger areas or clusters of smaller but contiguous tracts with connectivity have a lower degree of insularity and consequently greater value in offsetting the adverse effects of fragmentation. By these criteria the complex of Non-WSA areas adjacent to Dinosaur N .M. as well as Desolation Canyon and Wolf Point may be of particular importance. The same may apply to the complex(Bitter Creek,Sweet Water etc.) adjacent to the Colorado/Utah stateline. Its value could be enhanced depending upon the status of trans-border-lands in Colorado. Visual inspection f the mapscontained in the DRMP/DEIS and the Supplement indicate that the Wolf Point and White River Non- WSA 's are important deer and elk habitat, while Desolation Canyon contains lynx linkage zones. Inasmuch as the Supplement does not prioritize the individual Non-WSA's proposed for exclusion, there exists the possibility that Alternative E poses an "all or nothing" scenario. The need exists to conduct a detailed analysis of the value for wildlife provided by each of the Non-WSA laws with wilderness characteristics identified for consideration under Alternative E . Pending completion os such an analys, or</p>	<p>Five alternatives have provided analysis of wildlife for lands administered by the BLM. These alternatives have provided a range of analysis from no action or present management (Alternative D) to protection of natural and cultural resources (Alternatives C and E).</p> <p>The BLM determined that a single alternative analyzing the protection of all Non-WSA lands with wilderness characteristics would best provide a reasoned choice among the alternatives. Although the other alternatives do not provide specific management prescriptions to protect Non-WSA, these alternatives analyze and disclose the impacts of the proposed resource management prescriptions, uses and actions on the Non-WSA lands with wilderness 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>	

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			in the case that time precludes it, my recommendation is to adopt Alternative E. which protects all of them.		
Michael L. Wolfe	12	6	<p>WL</p> <p>The Vernal Planning Area contains important habitat for a wide variety of species and, due to the checkerboard with non-federal lands in the area, the unfragmented portions of federal lands have even greater value for wildlife in this area.</p> <p>It is well documented that energy development and motorized recreation both fragment habitat, and any analysis of these activities must consider the true extent of impacts and how they can best be avoided;</p> <p>Consideration should include both high profile, large game species and overall biological diversity and the potential importance of animals that function as keystone species with effects on other trophic levels</p>	<p>See Response to Comment 1-1-WL.</p> <p>The analysis provided in the document through the range of alternatives has considered the impacts to wildlife from energy development and motorized recreation. Appendix K provides stipulations for mitigation of impacts from surface disturbing activities on resources.</p>	
Michael L. Wolfe	12	7	<p>WL</p> <p>The research in the attached Addendum regarding the impacts of oil, gas and mineral development and roads on wildlife should be incorporated in to the agency's analysis of the benefits to wildlife from the alternative in the Supplement as opposed to the risks to wildlife from the other alternatives in the DRMP/EIS</p>	See Responses to Comments 1-1-WL and 12-2-WL.	
Karen Budd-Falen	20	1	<p>SOC</p> <p>The above described will diversely affect all local ranching activities within the VPA. Specifically, Alternative E will negatively affect the livelihoods of all ranchers within the area. It will also have a negative effect on the local economy as ranching is a large part of the stability of such economy.</p>	The commenter does not state how Alternative E will negatively affect the ranching community. Grazing would still be allowed in those areas being managed to preserve, protect and maintain wilderness characteristics.	
Karen Budd-Falen	20	2	<p>GRA</p> <p>The original DRMP/DEIS failed to properly address grazing related issues in violation of FLPMA (+S U.S.C. 5§ rTor-r785), the Taylor Grazing Act ("TGA") (43 U.S.C. 5§ StS-gr5r), and the Public Rangelands improvement Act ("PRIA") (43 U.S.C. S S</p>	<p>The VFO Proposed RMP/Final EIS is in compliance with the Taylor Grazing Act, as well as, applicable regulations, policies and guidance.</p> <p>The VFO determined the allowable uses of the public lands as provided for in FLPMA. FLPMA states in section 202(a) that land use planning provides for the</p>	

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			<p>1901-1908), and applicable regulations or policies of the Department of the Interior. These Federal mandates were implemented "to stabilize, preserve, and protect the use of public lands for livestock grazing purposes . . ." and to ensure the proper administration of such grazing. <i>Barton v. United States</i>, 609 F.zd g77 (10th Cir. 1979).</p> <p>The purpose of the TGA was to establish] a threefold legislative goal to regulate the occupancy and use of the Federal lands, to preserve the land and its resources from injury due to overgrazing, and 'to provide for the orderly use, improvement, and development of the range. "'Public Lands Council v. Babbitt, r54 F.3d 1160 at 1161(10th Cir.1998).' "One of the key issues the [TGA] was intended to address was the need to stabilize the livestock industry by preserving ranchers' access to the Federal lands in a manner that would guard the land against destruction." Id.</p> <p>By enacting the TGA, Congress authorized the reservation of public lands for the primary purpose of livestock grazing. See, President's Statement of Approval, 1943 Preface. The TGA specifically authorized he Secretary of the Interior to create grazing districts on all unreserved public lands. See,43 U.S.C.315. In establishing these grazing districts, the Secretary of the Interior selected lands that were "chiefly valuable for grazing and raising forage crops." These grazing districts were created to promote the highest use of the public land.</p> <p>The Tenth Circuit Court of Appeals has stated that once</p>	<p>use of the public lands "regardless of whether such lands previously have been classified, withdrawn, set aside, or otherwise designated for one or more uses". FLPMA further provides in Section 202(e) the authority to issue management decisions which implement newly developed or revised land use plans. Such decisions, including those that exclude one or more uses, are subject to reconsideration, modification and termination through revision of the land use plan.</p> <p>While it is the goal of the BLM to enhance rangeland health while providing for and recognizing the need for domestic sources of minerals, food, timber and fiber, there is no requirement in the Taylor Grazing Act (TGA) or other applicable law for the BLM to maximize the number of domestic livestock AUMs.</p> <p>According to section 2 of the TGA, it is the objective of the act to regulate the occupancy and use of the Grazing Districts and to preserve these lands.</p>	

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			<p>lands are included within established grazing districts," the primary use of that land should be grazing." Public Lands Council v. Babbitt, 167F.3d 1287, 1308(10thCir. 1999). Thus, in order to eliminate grazing in a grazing district, the responsible Federal agency must establish a showing of good cause. See 43 C.F.R. § 4110.3 (stating that changes in grazing use "must be supported by monitoring, field observations, ecological site inventory or other data acceptable to the authorized officer.").</p> <p>The Tenth Circuit Court of Appeals has also ruled that grazing permits may only be issued for grazing purposes and not for other purposes such as conservation use. The Court explained that while the Secretary of the Interior may include considerations such as "conservation" within the terms of a grazing permit, and may even suspend grazing for a period of time if in the best interest of the range, permits are to be issued for grazing alone. Public Lands Council v. Babbitt , 167 F.3d 1287, 1308 (10th Cir. 1999). Absent an express justification that is properly substantiated, grazing must continue.</p> <p>The TGA requires the Secretary of the Interior to "do any and all things necessary to accomplish the purposes of [the TGA] and to insure the objects of such grazing districts, namely to regulate their occupancy and use, to preserve the land and its resources from destruction or unnecessary injury, [and] to provide for the orderly use, improvement and development of the range" See 43 U.S.C. 315a. PRIA defines the term "rangeland" or "public rangeland" to mean BLM administered land "on which there is domestic livestock grazing or which the Secretary</p>		

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			<p>concerned determines maybe suitable for livestock grazing." See 43 U.S.C. 1902(a).</p> <p>Based on the information provided in both the DRMP/DEIS and Supplement, every alternative, besides the no action alternative, would increase the number of AUMs to wildlife and decrease the number of AUMs for grazing. See DRMP/DEIS at Tables 2.3; see also, Supplement at 2-5. Specifically Alternative E, eliminates historic non-use AUMs for wildlife. See Supplement at 4-31. Alternative E also provides that when livestock AUM use conflicts with wildlife AUM use, then livestock use would be reduced. Id. at 2-6. If forage conflicts between livestock and wild horses develop, use by both livestock and wild horses will be reduced, but the wild horse herd would not be reduced below 40 animals. Id. at 4-122. If wild horse AUM use conflicts with wildlife use, wild horse use too would have to be reduced. Id.</p> <p>In order to reallocate AUMs in such a manner, the BLM must provide sufficient justification for the change particularly in light of the requirements of the TGA as explained above. Neither the DRMP/DEIS nor the Supplement contain any discussion as to why livestock AUMs should be reduced and given to wildlife. Without a proper discussion and rationale for such a reallocation, as well as a showing of good cause, the reallocation is arbitrary and capricious and violates the letter and purpose of the TGA.</p>		
Karen Budd-Falen	20	3	GRA There are numerous reasons that the reallocation of AUMs to wildlife and the stealing of AUMs from livestock use is unlawful. First, the	See comment response 20-I-10.	

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			<p>AUM numbers presented in the DRMP/DEIS and the Supplement do not add up. The following table illustrates Alternatives A-D as provided in the DRMP/DEIS and Alternative E as provided in the Supplement</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Alternative A</td> <td style="width: 50%;">Alternative B</td> </tr> <tr> <td>Alternative C</td> <td>Alternative D (No Action)</td> </tr> <tr> <td>Alternative E</td> <td></td> </tr> </table> <p>Livestock 137,838; 139,163; 77,294; 146,161; 77,294 Wildlife 104,871; 104,871; 106,196; 96,607; 106,106 Wild Horses 2,940; 0; 3,960; 3,360; 3,960 Total 245,649; 244,034; 1B7,450; 246,128; t87,450</p> <p>See DRMP/DEIS at Table2.3 (p. 43); see also, Supplement Table 2.3 at 2-5. This table begs the question that if the total AUMs in the No Action alternative is 246,128, where are the rest of the AUMs in the other alternatives.</p>	Alternative A	Alternative B	Alternative C	Alternative D (No Action)	Alternative E			
Alternative A	Alternative B										
Alternative C	Alternative D (No Action)										
Alternative E											
Karen Budd-Falen	20	4	GRA	<p>Second, besides the discrepancies with the numbers of AUMs in the DRMP/DEIS and Supplement, both documents fail to comply with the TGA, PRIA, and BLM regulations in reallocating AUMs from livestock to another use (wildlife or wild horses). Before such a reallocation from livestock use is done, the BLM must show that the lands within the grazing districts are no longer chiefly valuable for livestock grazing. See Public Lands Council v. Babbitt, 167 F.3d 1287, 1308 (10th Cir. 1999); 43 U.S.C. 315; 43 C.F.R. 4110.3; 43 U.S.C. 1903; Mountain States Legal Foundation v. Andrus, 499 F.Supp. 383 (D. Wyo. 1980). Moreover, any change or modification in grazing use, according to the BLM's own regulations, "must be supported by monitoring, field observations, ecological site inventory,</p>	See comment response 20-I-10.						

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			<p>or other data acceptable to the authorized officer." See 43 C.F.R. 4110.3.</p> <p>Thus, in order to cut AUMs allocated to livestock grazing under the TGA, the BLM must first make a finding that livestock is no longer a valid multiple-use. The BLM cannot make such a finding arbitrarily or capriciously. The TGA requires the BLM to "adequately safeguard "the livestock grazing permittees' grazing privileges. See 43 U.S.C. 315b; see also, 43 U.S.C. 315a (mandating that the BLM "provide for the orderly use, improvement, and development of the range.")</p> <p>In this case, the BLM has eliminated a valid and recognized public use, livestock grazing, without proper or sufficient justification under the law or the facts. While still in the planning stages for the new RMP and EIS, the BLM should rectify this serious error. The livelihood and heritage of ranchers is directly affected by such an action. The importance of ranching to the community is understood and recognized by the BLM in the DRMP/DEIS. See DRMP/DEIS at 3.12.1, 3.12.2.1, and 3.12.4.2.</p>		
Karen Budd-Falen	20	5	GRA Third, the Solicitor or the Department of the Interior has expressly stated that even when a permittee voluntarily relinquishes a grazing permit, unless the Secretary of the Department of the Interior officially determines through land use planning that there is a better use for that land than grazing, "the forage attached to the permit remains available for other permittees until the TGA classification is terminated or the land is removed from the grazing district." Id. The Solicitor goes on to state that "[a]s long as the boundary	See comment response 20-I-10.	

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			<p>of the grazing district remains in place and the classification and withdrawals remain in effect, there is a presumption that grazing with a grazing district should continue." Id. citing Public Lands Council v. Babbitt, 167F.3d 1287, 1308(10th Cir.1 999), aff'd on other grounds, 529 U.S.728 (2000).</p> <p>The lands in this case have neither been determined by the Secretary for a better use nor removed from a grazing district. Thus, any retirement or removal from grazing is contrary to Federal law. This violation of law as contained in the current DRMP/DEIS and Supplement and therefore must be addressed and fully remedied before the final RMP/EIS is published.</p>		
Karen Budd-Falen	20	6	GRA Fourth, Alternative E removes the historic non-use AUMs to determine the total AUMs allotted for grazing while providing additional AUMs for wildlife. See Supplement at 4-31. This is in opposition with the grazing regulations which consider AUMs placed in non-use as still a part of the grazing permit and grazing preference which ranchers can still rely on. Under the regulations, a grazing permit is a document which authorizes grazing on public lands and specifies the grazing preference, as well as the terms and conditions under which permittees may make grazing use during the term of the permit. See 43 C.F.R. 4100.0-5. The grazing preference specified in each permit means "the total number of animal unit months on public lands apportioned and attached to the base property owned or controlled by the permittee, lessee or applicant for a permit or lease. Grazing preference includes active use and use held in suspension." See Id. [emphasis added].	As provided for in FLPMA, the Secretary has the discretion, in the land use planning process, to modify levels of use including livestock grazing. The RMP proposes, in all alternatives, to use monitoring information to adjust forage allocations based on current levels of livestock use, wildlife herd unit objectives, and wild horse AMLs in relationship to objectives set forth in each alternative (see alternative tables). This will assure that allocation levels are within the rangeland's ability to sustain them. While it is the goal of the BLM to enhance rangeland health while providing for domestic sources of minerals, food, timber and fiber, there is no requirement in the Taylor Grazing Act (TGA) or other applicable law for the BLM neither to "retain full grazing preference AUMs" nor to take "all necessary actions to do so". According to FLPMA, BLM is to manage for "multiple uses" which best meet the present and future needs of the American people without permanently impairing	

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			<p>Before the BLM may change grazing preference it must undertake the appropriate analysis under NEPA. See 43 C.F.R. 4110.3. As detailed below, the current DRMP/DEIS and Supplement thereto do not satisfy this requirement as the mandates of NEPA have not been complied with. Provided that NEPA is complied with, the BLM must also give permittees and lessees two years prior notice before cancelling a grazing permit and eliminating a grazing reference even if part of that preference is in non-use. See 43 C.F.R. 4110.4-2.</p> <p>The current DRMP/DEIS and Supplement fail to comply with these provisions as every one of the alternatives decrease AUMs for livestock grazing and Alternatives E and C remove historic non-use AUMs to determine total AUMs allotted for grazing. Any changes in grazing total AUMs as provided by the regulations above can only be implemented through a showing of good cause. Should a NEPA review provide that it is in the best interest to cancel grazing permits, this to requires notice and may only be accomplished after a two year notice period has been satisfied. As these regulations have not been satisfied, case law supports non-use AUMs being considered a part of the permittees' grazing permit and cannot be taken unless formally relinquished.</p>	<p>the productivity of the land. The use of monitoring data to adjust forage allocations based on the lands capability is consistent with FLPMA, PRIA, and the TGA.</p>	
Karen Budd-Falen	20	7	GRA	<p>The TGA mandates that recognized and acknowledged grazing privileges be adequately safeguarded. See 43 U.S.C. 345b. To adequately safeguard grazing rights, regulations were promulgated that establish both the grounds for modifications of grazing</p>	<p>Comment noted. The Vernal Field Office RMP determines the allowable uses of the public lands as provided for in FLPMA. FLPMA states in section 202(a) that land use planning provides for the use of the public lands "regardless of whether such lands previously have</p>

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			<p>privileges and the process by which these modifications must be accomplished. If these regulations are not followed, the resulting decisions will be declared unreasonable and invalid. The significant expansion of oil and gas development on Mr. Robinson's grazing allotments will result in a failure to "stabilize, preserve, and protect the use of public lands for livestock grazing purposes." The BLM must consider whether this significant expansion will infringe upon the rights protected by the TGA.</p> <p>Additionally, the Mineral Leasing Act ("MLA") contain significant requirements for the BLM once oil, gas and pipeline development occurs. The MLA was enacted to provide for the leasing of public mineral rights. See 30 U.S.C. 181 et seq. Under the MIA, the BLM has the broad power to both lease public lands and to ensure compliance with environmental and other regulations. Specifically, "[t]he Secretary of the Interior is authorized to prescribe necessary and proper rules and regulations. . . ." See 30 U.S.C. 189. Under the MLA, the "authorized officer...is ... Directed to... require that all operations be conducted in a manner which protects other natural resources and the environmental quality, [and] protects life and property." Id. Based upon the plain reading of the above regulations, it is clear that as part of its duties under the MLA, the BLM is required to protect the range resources and environment upon which Mr. Robinson depends. Oil and gas lessees are required to exercise due care and diligence to assure that leasehold operations do not result in undue damage to surface or subsurface resources or surface improvements. Additionally, upon the conclusion of operations, the operator shall</p>	<p>been classified, withdrawn, set aside, or otherwise designated for one or more uses". FLPMA further provides in Section 202(e) the authority to issue management decisions which implement newly developed or revised land use plans. Such decisions, including those that exclude one or more uses, are subject to reconsideration, modification and termination through revision of the land use plan. See comment response LG45A regarding FLPMA policy to manage the public lands on the basis of multiple use and sustained yield.</p> <p>While it is the goal of the BLM to enhance rangeland health while providing for and recognizing the need for domestic sources of minerals, food, timber and fiber, there is no requirement in the Taylor Grazing Act (TGA) or other applicable law for the BLM to maximize the number of domestic livestock AUMs. According to section 2 of the TGA, it is the objective of the act to regulate the occupancy and use of the Grazing Districts and to preserve these lands.</p>	

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			<p>reclaim the disturbed surface in a manner approved or reasonably prescribed by the authorized officer. See 43 C.F.R. 3162.5-1. There is no indication the BLM has the staff or resources to ensure compliance with these regulations and that Mr. Robinson's grazing use will be protected. These issues have to be analyzed as part of the NEPA process which, as detailed below, has not been complied with. The effects and impacts on grazing and livestock are real and should be adequately addressed in the RMP/EIS.</p>		
Karen Budd-Falen	20	8	<p>SCO</p> <p>The BLM's alternatives analysis fails to comply with NEPA because it fails to explore and objectively evaluate all reasonable alternatives. The DRMP/DEIS and Supplement discuss four alternatives beyond the required no-action alternative (Alternative A, B, C, and E). However, the range of the alternatives that were discussed merely differed on minor matters and provided no real alternatives with discernable differences. The provided alternatives have relatively minute differences between them. See Northern Plains Resource Council v. Lujan, 874 F.2d 661 (9th Cir. 1989) (alternatives with impacts that are essentially without discernible differences need not be evaluated in an EIS). The failure to include and analyze a proper range of alternatives has been deemed to be a fatal flaw in complying with NEPA and can lead to the EIS being remanded to the agency. See Natural Resources Defense Council, Inc. v. Morton, 458 F.2d 827 (D.C. Cir. 1972); City of Tenakee Springs v. Clough, 915 F.2d 1308 (9th Cir. 1990); Dubouis v. United States Department of Agriculture, 102 F.3d 1273 (9th Cir. 1996) cert. denied, 521 U.S. 1119 (1997). The DRMP/DEIS analyzed only three alternatives beyond the no action alternative and the Supplement adds the</p>	<p>The CEQ regulations (40 CFR 1502.1) require BLM to consider reasonable alternatives, which would avoid or minimize adverse impacts or enhance the quality of the human environment, based on the nature of the proposal and facts in the case (CEQ 40 Most Asked Questions 1b.). While there are many possible management prescriptions or actions, the BLM used the scoping process to determine a reasonable range alternatives that best addressed the issues, concerns, and alternatives identified by the public. Public participation was essential in this process and full consideration was given to all potential alternatives identified.</p> <p>The BLM determined that a single alternative analyzing the protection of all Non-WSA lands with wilderness characteristics would best provide a reasoned choice among the alternatives. Although the other alternatives do not provide specific management prescriptions to protect Non-WSA, these alternatives analyze and disclose the impacts of the proposed resource management prescriptions, uses and actions on the Non-WSA lands with wilderness characteristics. This gives the public the ability to fully compare the consequences of</p>	

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			<p>addition of an alternative E which is very similar to alternative C. The failure to analyze a greater range of alternatives is a fatal flaw of the DRMP/DEIS. See <i>Muckleshoot Indian Tribe v. U.S. Forest Serv</i>, 177 F.3d 800, 813-14 (9th Cir. 1999) (failure to consider forest swap involving modifications to the acreage involved; range of alternatives- a no-action alternative and two nearly identical action alternatives - was inadequate, especially given that agency failed to consider alternatives more consistent with its basic policy objectives)</p> <p>Alternative E is simply "the same as Alternative C, except that it adds a protective management prescription to 277,596 acres of land in 25 areas that comprise non-WSA lands with wilderness characteristics." See Supplement Executive Summary *t. For example, Alternative E, like Alternative C, proposes 156,425 acres of prescribed fire treatments per decade to restore vegetation communities and naturalness to lands with wilderness characteristics. <i>Id.</i> at 2-36. This proposed action is identical to the actions proposed under Alternatives A and B and varies from alternative D only in the amount of acreage proposed for fire treatments. <i>Id.</i> All alternatives advocate fire treatment with only minute differences between them.</p> <p>Therefore, the DRMP/DEIS and Supplement fail to comply with the requirements of NEPA in that they fail to pose a real alternatives with discernable differences between them.</p>	<p>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>	
Karen Budd-Falen	20	9	GRA Those lands which were identified under Section 603 as WSAS would be managed in a manner that did not impair the suitability of such	All of the laws, regulations, and cases cited in this comment were carefully considered in the planning process.	

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				<p>areas for preservation and official designation as wilderness. See 43 U.S.C. 1782(c). This is often referred to as the "nonimpairment standard". However, courts have determined that grandfathered uses, which include grazing, are not subject to the non-impairment standard. <i>Rochv Mountain Oil and Gas Association v. Watt</i>, 696 F.2d 734, 749 (10th Cir.1982). Grandfathered uses may continue even if they impair wilderness characteristics. <i>Id.</i> Those uses that are considered "grandfathered" according to Section 603 were those uses that were being conducted on October 21, 1976. <i>Id.</i> At 746. These grandfathered uses are exempt from the Wilderness Act to "the manner and degree in which [they were] being conducted on October 21, 1976. <i>Id.</i> At 747. The BLM, however, is required to take actions that will prevent the unnecessary or undue degradation of the WSAs. <i>Id.</i> Courts have further indicated that "unnecessary" is that which is not necessary for the grandfathered use and "undue" is that which is excessive, improper, immoderate, or unwarranted. <i>Utah v. Andrus</i>, 486 F. Supp. 995, 1010 (D. Utah 1979).</p>		
Karen Budd-Falen	20	10	GRA	<p>The case law interpreting section 603(c) has created two distinct land management standards for WSAs that apply depending on what the land is being used for and when that use began. Those standards are (1) the non-impairment standard and (2) the undue degradation standard. See <i>The Wilderness act of 1964: a Practitioner's Guide</i>, 21 J. Land Resources and Env'tl. L. 21 at 269-70 (2001). The undue degradation standard applies when there is either a valid existing right to the land that pre-existed FLPMA or when the land is used for grazing, mining, or mineral leasing which began before the</p>	See comment response 20-I-9.	

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			passage of FLPMA (October 1976) and is considered grandfathered See 43 U.S.C.1782(c). This standard requires that the least degrading land use alternative be implemented. The no impairment standard applies to all other land use in WSAs. Sierra Club v. Watt, 608 F. Supp. 305, 335 (D.C. Cal. 1985). As stated by the Tenth Circuit, this interpretation "comports with common sense." Rocky Mountain Oil and Gas, 696 F.2nd at 750..		
Karen Budd-Falen	20	11	GRA To date, with very limited exceptions, Congress had not acted on the President's recommendations and the public lands areas designated as W WSAs continue to be managed as such.	Comment noted.	
Karen Budd-Falen	20	12	GRA that the BLM's authority under section 603 of FLPMA to conduct wilderness reviews terminated no later than 1993. Id. at *4. As a result, the BLM is without authority to establish post-603 WSAs. Id. At *18. However, under Section 201, the BLM still has the authority to conduct public lands inventories the purpose of which is to "prepare and maintain on a continuing basis an inventory of all public lands and their resource and other values" so that the present use may be protected through the land use planning process. Id. at *19. Under Section 201, areas are generally managed according to Section 202's multiple use and sustained yield land use policy whereas those areas that were eligible for wilderness preservation under Section 603 are required to be managed in a manner that does not impair the suitability of the area for preservation as a wilderness. Id., see also, 43 U.S.C. 1782(c).	See comment response 20-I-9.	
Karen Budd-Falen	20	13	GRA Multiple use means managing public lands "so that they are utilized in the combination that will best meet the present and future needs of the American people." See 43 U.S.C. 1702(c).	Comment noted.	

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			Sustained yield 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 use." Id.		
Karen Budd-Falen	20	14	GRA The Supplement fails to follow these mandates for both the WSAs and the non-WSAs with wilderness characteristics. For those lands which have been designated WSAs, grandfathered uses must be allowed to continue. This means allowing grazing, including the ownership and possible use of current non-use AUMs, and mineral leasing to continue in the manner and degree in which the same was being conducted on October 21, 1976. Rocky Mountain Oil, 696 F.2d at 739. All that the BLM is allowed to do is take action to prevent unnecessary and undue degradation. Id. Thus, grandfathered uses must be allowed to be maintained and improved in the traditional manner regardless of whether it involves motorized vehicles to access areas, or building/improving range improvements. Any activity, whether it be grazing or mining, that occurred before 1976 must be allowed to continue in the same manner and degree as it took place in 1976. Id.	The H-8550-1 Interim Management Policy for Wilderness Review does allow grazing under section D. Rangeland Management, which includes changes in grazing, increases in grazing, and livestock developments, etc. Section 4.22.1.3 of the SEIS states: "Under all alternatives, livestock (cattle and sheep) would continue to graze on public lands in non-WSA lands with wilderness characteristics."	
Karen Budd-Falen	20	15	GRA The Supplement provides that should existing WSAs be released from wilderness consideration and management by Congress the released WSAs would be managed to protect the wilderness characteristics. The proposal states that such areas would be closed to oil and gas leasing, mineral leasing, and that construction of livestock facilities would only be allowed if compatible with the goals and objectives for management of non-WSA lands with wilderness characteristics. See Supplement at 2-t6. This analysis is legally incorrect. Should the lands be released from	The H-8550-1 Interim Management Policy for Wilderness Review does allow grazing under section D. Rangeland Management, which includes changes in grazing, increases in grazing, and livestock developments, etc.	

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			wilderness consideration, they must be managed according to the multiple use and sustained yield standard, not a standard which prohibits other uses in favor of wilderness characteristics. Additionally, those uses which were grandfathered in under FLPMA must be allowed to continue at the 1976 levels.			
Karen Budd-Falen	20	16	GRA	The Supplement under Alternative E , proposes closing all non-WSA lands with wilderness characteristics to mineral leasing and off-road vehicles. See Supplement 2-3. Approximately 228 miles of off-road vehicle routes would be closed to travel. Id. at 4-21. With the closure of over 200 miles to off-road vehicles in the non-WSA areas, accessing those "valid existing rights" and/or grandfathered uses is made nearly impossible. It is not feasible to access oil and gas projects, nor to graze livestock and make range improvements entirely through the use of non-motorized travel.	Please see Response to ID No. G-20-Comment 15.	
Karen Budd-Falen	20	17	GRA	For non-WSA lands under Alternative E, there would also be prohibitions on changes in class of livestock when fencing or other structures would be necessary, if the conversion would result in resource conflicts, or if the action was not consistent with the goals and objectives of protecting the non-WSA lands with wilderness characteristics. Id. at 4-34. Again, lands must be managed under the principles of multiple use and sustained yield, and not simply to protect wilderness characteristics to the detriment of ranchers who financially depend on the ability to graze livestock including the ability to make any and all necessary range improvements.	Section 4.7.2.6.2 Alternative E, states "Management decisions to protect these values include prohibitions on changes in class of livestock (e.g., sheep to cattle) when fencing or other structures would be necessary, if the conversion would result in resource conflicts, or if the action was not consistent with the goals and objectives of protecting the non-WSA lands with wilderness characteristics. However, new livestock facilities can be constructed in non-WSA lands with wilderness characteristics if consistent with the goals and objectives of managing non- WSA lands with wilderness characteristics."	
Karen Budd-Falen	20	18	GRA	An EIS is supposed to address mitigation measures that will be implemented to reduce harmful environmental impacts. See 40 C.F.R.	Mitigation measures for various actions are referenced in several appendices (i.e., Appendix A (BMPs), Appendix F (Standards and Guides), and	

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			<p>1502.14(f) and 1502.16, see also 40 C.F.R. 1505.3; Tyler v. Cuomo, 236 F.3d 1124, 1135-36(9th Cir.2000) ("Under 40 C.F.R. 1505.3, mitigation established during review of the EIS "and committed as part of the decision shall be implemented by the lead agency."). With regard to mitigation in an EIS, the Council on Environmental Quality stated the following:</p> <p>The mitigation measures discussed in an EIS must cover the range of impacts of the proposal. The measures must include such things as design alternatives that would decrease pollution emissions, construction impacts, esthetic intrusion, as well as relocation assistance possible land use controls that could be enacted, and other possible efforts. Mitigation measures must be considered even for impacts that by themselves would not be considered "significant." Once the proposal itself is considered as a whole to have significant effects, all of its specific effects on the environment (whether or not "significant") must be considered, and mitigation measures must be developed where it is feasible to do so. Sections 1502.14(f), 1502.16(h), 1508.14.</p> <p>See NEPA's 40 Most Asked Question (Answer to 19).</p> <p>The DRMP/DEIS and Supplement fail to discuss any of the mitigation measures</p>	<p>Appendix K (Surface Stipulations). Mitigation is also built into the various management prescriptions described in the alternatives.</p>	

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			<p>taken or proposed for implementation to reduce the adverse impacts to grazing and other multiple uses, on the allotments within the VPA. The Vernal Field Office has already acknowledged previous NEPA documents(e.g., Preliminary Environmental Assessment North Chipita Natural Gas Well Development Project, Uintah County, Utah, Environmental Assessment #UT-080-2003-0307V) already acknowledge that the environmental circumstances/situations on allotments in the VPA are such that oil and gas development will have long-term and permanent harmful impacts on the local environment. These long-term negative impacts will affect vegetation and rangeland health and will consequently "have a direct adverse impact on grazing within those affected allotments. The DRNIP/DEIS and Supplement should incorporate and include the NEPA documentation already done by the Vernal Field Office and address those issues.</p> <p>The Supplement fails to discuss in detail any mitigation measures taken or proposed for implementation to reduce the adverse impacts to grazing and other multiple uses on the allotments. Chapter 4 of the Supplement contains a section entitled "Mitigation Measures" however, this section is vague and generalizes the mitigation measures common to all Alternatives. See Supplement at 4-2t5. Specifically, this section states," [there are a number of actions proposed under all alternatives that would limit surface disturbance, focus on primitive forms of recreation, and maintain or restore vegetation condition, all of which would maintain and enhance the wilderness</p>		

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			<p>characteristics. . . ." Id. It goes on to state that all alternatives prohibit surface disturbance within flood plains and within 100 meters of riparian zones. Id. The alternatives prescribe burning to restore vegetation communities and advocate enhancement of wildlife habitat. Id. at 4-216. These mitigation measures along with being vague and nondescript, also assume without proper foundation that grazing is detrimental to the vegetative conditions.</p> <p>The Supplement does not describe what measures will be implemented to mitigate adverse affects to grazing and other uses on the allotments but rather generally describe measures that are supposedly designed to maintain rangeland health. The development of oil and gas has a detrimental effect on grazing activities which has not been addressed through the mitigation measures.</p> <p>In sum, the final DRMP/DEIS should contain specific discussion and analyses of mitigation measures for the impacts of an action/alternative, the feasibility of such mitigation measures, the costs for such, who will bear the burdens of such costs, the adequacy of such mitigation measures, etc. Until the DRMP/DEIS makes significant changes with regard to the mitigation, it will be susceptible to legal challenge.</p>		
Karen Budd-Falen	20	19	SOC Under NEPA, the BLM when preparing an EIS must include an adequate economic analysis. See, 40 C.F.R. 1508.8 and 1508.14. This economic analysis must take into consideration the impacts on the communities that will be affected by the action. Federal courts have upheld the necessity of an economic analysis to require, where economic analysis forms the basis of choosing among alternatives that the	The Proposed RMP/Final EIS has an identical number of AUM's as the No Action alternative, which is the current situation. The BLM acknowledges that all some of the No Action alternatives could have a negative economic impact on ranchers, but these decisions are not part of the Proposed RMP/Final EIS.	

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			<p>analysis not be misleading, biased or incomplete. Seattle Audubon Society v. Lyons, 871 F. Supp. 1291, 1324 (W.D.W.A. 1994). One court has noted that "In some instances environmental costs may outweigh economic and technical benefits and in other instances they may not. But NEPA mandates a rather finely tuned systematic balancing analysis in each instance." Sierra Club v. Sigler, 695 F.2d 957, 978 (5th Cir. 1983).</p> <p>Both the DRMP/DEIS and Supplement fail to properly include and assess the environmental impacts on the local economies that would be affected, in particular with regard to the effect that reduced livestock grazing, including the elimination of non-use AUMs, will have on the local economy. The alternatives considered, with the exception of the no action alternative, all consider reducing the number of AUMs for livestock (to be allocated to wild horses, wildlife, or even retired) or calls for the reduction of only livestock use of the range. The BLM must consider the economic and historic contributions of ranching and livestock grazing to the local economy and balance that against the harm that will be caused to the economy if that grazing is reduced. This point is punctuated by Executive Order 13272 (Proper Consideration of Small Entities in Agency Rulemaking (August 13, 2002)).</p> <p>The Supplement fails to detail and discuss the negative effects that reductions in grazing will have on the local economies. Much of the economic discussion centers around the positive effects that oil and gas development will have on the VPA. Under Chapter 2, the Supplement details Social and Economic</p>		

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			<p>Considerations by providing that mineral development will create 90,000 plus jobs over the course of 20 years and that the development will result in over \$453 million in revenue for the state. See Supplement at 2-28 and 2-29. It also provides that through the development of recreation, tourism will increase resulting in increased revenue for the locale economies. Id. The Supplement briefly touches on the "possible" impacts to grazing lands from the enactment of Alternative E, but fails to go into detail regarding such effects. Chapter 4 does discuss the effects of Alternative E on ranching operations, but does not detail the negative effects. Rather, it states that the adverse impact of Alternative E on grazing would be "the limitation of permittees to expand the size of their operations above current levels." Id. at 4-32. Ranches could also be indirectly impacted by a slowed economy from the reduction in AUMs. Id. This reduction could also affect their ability to obtain financing as permits are a recognized value to lending institutions. Id. These few sentences which are specific to Alternative E, are the only ones which discuss the adverse impacts to ranchers from a decrease in grazing lands. However, four sentences does not constitute a discussion or an analysis of the adverse impacts to the local economies and ranching operations.</p>		
Karen Budd-Falen	20	20	WHB Both the DRMP/DEIS and Supplement contemplate the reintroduction of wild horses in the Bonanza area. The past experience with wild horses in this area shows that the horses were uneasily managed and overgrazed the Bonanza area. When the wild horses were on the Bonanza area, the wild horse population exceeded prescribed numbers and overgrazed areas within the Bonanza area. See M	Comment noted. The Proposed Plan FEIS will not reintroduce wild horses in the Bonanza HA.	

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				<p>memo from Jean Nischke-Sinclear, Vernal BLM Assistant Field Manager for Renewable R resources to Virginia Harrington at p. 4. The range conditions have improved since the removal of the wild horses.</p> <p>The BLM has continually had difficulties in maintaining herd populations within the herd maximum as specified in planning documents. Numerous lawsuits have been raised because of this issue. See e.g., "BLM threatened with suit over wild horses," Casper Star Tribune, March 22, 2003; Mountain States Legal Foundation v. Hodel, 799 F.2d 1423 (10th Cir.1986). The Vernal BLM's previous failure to properly manage herd numbers in the Bonanza area along with the failures by other BLM field offices shows a pattern of inability to properly manage herd numbers. Because of this pattern of inadequate management by the Vernal BLM and the BLM in general, before any wild horses are approved for reintroduction, a functional and practical management change has to be instituted so that the numbers of wild horses do not exceed what is permitted and further injury caused by wild horse overgrazing will be avoided.</p> <p>Before the BLM finalizes the RMP and the EIS, it should properly address the management concerns for the introduction of wild horses, as well as the impacts of such. The impacts would include the likely event of the BLM's failure to maintain the horses within the prescribed number for an area (or herd management area), alternatives, mitigation, and a system for quantifying damages or effects of such through a proper monitoring plan.</p>		
Herm Hoops	22	1	SOC	The lands managed by the BLM have a national	The BLM acknowledges that it has a national	

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			<p>constituency. BLM should not only represent local interests, but should solidly represent that national constituency. The fact that BLM managed lands have economical value in no way requires that BLM has any duty to develop those lands for support of any local economy. I do not feel the RMP makes those points clearly and definitively.</p>	<p>constituency. The BLM also has a sustained yield, multiple-use mandate. 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. Issue identification was open to all who wished to participate, and the BLM received numerous comments from outside the planning area. The Proposed RMP/Final EIS attempts to strike a balance between resource use and resource protection, and is not simply a tool for local economic development. The BLM, in developing the Proposed RMP/Final EIS, 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> <p>Chapter 1 of the Proposed RMP/Final EIS has an extensive discussion of the scoping process, as well as the multiple national laws and policies that the BLM utilized throughout the current planning process.</p>	
Herm Hoops	22	2	VRM The RMP does not adequately address scenic vista protection, sound pollution or the pollution of night skies by lights. The Book Cliffs, White River Canyon and	Visual Resource management was adequately covered in a wide range of alternatives during Vernal Field office's Land Use Planning Process.	

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			<p>Desolation Canyon are very special resources where people can escape (to some degree) the encumbrances and pressures of society. You need to address such issues as routing and re-routing of power lines, baffling of lights, emphasis on directional drilling to reduce skyline impact, emphasis on reducing the visual impact of items like tanks, pipelines and extraction infrastructure. Given the HIGH profit margin that private companies make from PUBLIC resources. (We the People own the oil, gas, shale and such) there should be no problem requiring greater emphasis on protecting the vistas and night sky. Roads, rigs and developmental sites should be designed to reduce visual and sound pollution. They should also be required to meet minimal decibel standards that protect the "quiet" nature of the land.</p>	<p>The specific recommendations that the commenter refers to (i.e. Re-routing of power lines, baffling of lights, emphasis on directional drilling etc.) Are all part of mitigation requirements determined by an interdisciplinary team according to VRM manual H-8410-1 requirements for VRM class assignments.</p>	
Robert B. Hall	23	1	<p>MIN</p> <p>I appreciate that you have taken the time to analyze a sixth alternative; however, all viable alternatives within the Vernal DEIS and Supplement generally ignore timely scientific studies and do not provide adequate assurances for sustaining mule deer, Rocky Mountain bighorn sheep, pronghorn, elk, sage grouse, and wild trout. The impacts of development on big game and fisheries populations should be weighed or minimized. Leasing entails a de facto contractual obligation for development. While timing stipulations are important, they do not address how an area will be developed in order to minimize impacts on wildlife habitats and populations. Upfront planning prior to leasing is a necessary component of responsible energy development.</p>	<p>Please see Appendix K of the FEIS for surface stipulations applicable to all surface-disturbing activities. Also, please see Section 4.19.2.5 of the FEIS for the discussion of effects of mineral resource decisions on wildlife and fisheries resources.</p> <p>Section 2.4.18.1 of the FEIS states that one of its goals and objectives is to: "Maintain, restore, enhance, and protect crucial habitats for all fish and wildlife species and restore degraded habitats. Manage for unfragmented blocks of continuous habitat that would provide the life cycle requirements of a variety of wildlife species."</p> <p>Section 2.4.18.2 of the FEIS for Actions Common to All alternatives states one of its goals and objectives is to: "Reduce habitat fragmentation by requiring oil and gas field development plans and encouraging such activities as sell clustering, multiple drilling from</p>	

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Robert B. Hall	23	2	REC	<p>Furthermore, the BLM should detail how public lands proposed for leasing and development will be managed for a balance of uses including hunting and fishing, as required by their multiple-use mandate in the Federal Land Policy and Management Act. Given the long-term nature of energy development, the BLM should include its plan for compensating hunters for the loss of big game that might occur as a result of development. Specific areas of concern include the Book Cliffs and Nine Mile limited mule deer hunting units and the Nine Mile, Book Cliffs, Three Corners, and Diamond Mountain limited elk hunting units, plus the Green River blue-ribbon fishery.</p>	<p>a single pad, utilization of existing roads and pipelines, and other measures to minimize surface impacts.”</p> <p>The BLM mitigates the potential impacts to wildlife habitat from energy development projects by incorporating mitigation measures and the use of surface stipulations.</p> <p>As a multiple-use agency, the BLM is required to implement laws, regulations and policies for many different and often competing, land uses and to resolve conflicts and prescribe land uses through its land use plans. For example, 43 CFR Group 2500 provides guidance and requirements for Disposition; Occupancy and Use of public lands; Group 2800 for Rights-of-way; Group 3400 for Coal Management; Group 6000 for Designated Wilderness, and Group 8200 for Natural History, part 8351 for Wild and Scenic Rivers. Multiple-use management requires a balancing of the mandates for these separate programs.</p> <p>BLM prepares overlays for land disposition, rights-of-way, coal, wilderness, and other special designation areas, etc., and overlays the information to identify conflicts and opportunities on the public lands. Each overlay is designed to meet the requirements law, regulation and policy for the particular program.</p> <p>BLM's Land Use Planning Handbook requires that specific decisions be made for each resource and use (Appendix C, H-1601-1). The required decisions must be included in each of the alternatives analyzed</p>	

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					<p>during development of the land use plan. As each alternative is formulated, each program decision is overlain with the other program decisions and inconsistent decisions are identified and modified to be compatible with the objectives of the alternative. The potential conflicts between programs identified in the comment have been analyzed for each of the alternatives in the Final EIS.</p> <p>The Final EIS includes the decisions required for each program and BLM will attempt to ensure that the allowable uses and allocations are compatible and meet the objectives of the selected plan.</p>	
George Alderson	27	1	WC	The Supplement contains a fallacy, the deletion of 133,723 acres (refer to Table 3.22.1) that were found to lack wilderness characteristics. We've been down that road before in 1978-80, when BLM found all the other 277,596 acres in Table 3.22.1 to lack wilderness characteristics. BLM should not try to disqualify more lands again.	Comment noted.	
Virginia Norris Exton	33	1	MIN	Finally, I would like the BLM to include stronger language in the RMP to support the use of directional drilling techniques as much as possible in order to minimize the surface disturbance of areas designated for exploration.	It is inappropriate at the RMP level to determine what oil and gas wells could be directionally drilled since the RMP is not addressing site specific locations for proposed oil and gas well development. However, in subsequently prepared development NEPA documents that are more site specific, directional drilling is an alternative considered that accounts for site specific circumstances, which includes both the subsurface and surface resources.	
David Armbruster	131	1	WC	Reading through your documentation, it appears that the BLM is effectively establishing new defacto Wilderness Areas without clear direction or authority to do so. Defining an area as "Non-WSA Lands with Wilderness Characteristics: and managing the area functionally as if it was a Wilderness or WSA does not change the fact	Please see Response to ID No. G-9-Comment 6.	

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				<p>that this is a move by the BLM to circumvent the established public land use process.</p> <p>The SEIS is based on the 1999 utah stte-wide BLM inventory which identified wilderness areas. The basis criteria for this inventory were not subject to public review and comment. As a directly affected user I hae a right to review and comment before action to change land use management is taken. This SEIS will in a practical way circumvent that legal process. Additionally, the existing 1999 inventory identified vehicle trails within areas that had wilderness characteristics. If the presence of these trails then did nto impact the planning decision then why is the BLM proposing to change the management now?</p>		
Randy Norton	137	1	TRV	<p>The cumulative loss of recreational opportunity of OHV users has been significant and should be brought into the analysis and incorporated into the decision making process!</p>	<p>The commenter does not provide analytical data, nor provide reference to what cumulative loss of recreation opportunity of OHV users has taken place.</p> <p>OHV use has been adequately addressed within the range of alternatives within the Draft RMP including alternative D –No action, which would not change the current OHV policy and therefore provide no cumulative loss of recreational opportunity to OHV users.</p>	
Cindy MacDonald	149	1	WHB	<p>Herd Management Areas need to be the equivalent of the total acres identified in the 1971 Herd Area acres that were reserved for wild horse conservation. All HMA boundaries must include the complete acreage identified at the time of the passage of the Wild Free-Roaming Horse & Burro Act in 1971.</p> <p>Also, since original acreage has been transferred for other uses, BLM must include mitigation measures in the RMP that account for the significant loss of wild horse habitat and its impact to their populations.</p>	<p>“Herd Area (HA) means the geographic area identified as having been used by a herd as its habitat in 1971” (43 CFR 4700.0-5 (d). The Herd Management Area (HMA) is the area within the HA established for the maintenances of wild horse and/or burro herds. BLM considers the appropriate management level for the herd, the habitat requirements of the animals, the relationships with other uses of the public and adjacent private lands, and the constrains contained within (43 CFR 4710.3-1). The HMA does not always include the complete</p>	

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				<p>acreage of an HA (and often does not), and depends on conditions surrounding each area.</p> <p>Regarding mitigation measures, BLM has constraints on management cited in 43 CFR 4710.4. "Management of wild horses and burros shall be undertaken with the objective of limiting the animals' distribution to herd areas." Thus, opening up new areas outside of the original HA's is prohibited. Acreage has not been transferred from HAs for other uses but rather BLM managing lands as discussed below.</p> <p>Under FLPMA's multiple-use mandate, the BLM manages many different resource values and uses on public lands. Through land use planning BLM sets goals and objectives for each of those values and uses, and prescribes actions to accomplish those objectives. Under the multiple-use concept, the BLM does not necessarily manage every value and use on every acre, but routinely manages many different values and uses on the same areas of public lands. The process of applying many individual program goals, objectives, and actions to the same area of public lands may be perceived as "layering". The BLM strives to ensure that the goals and objectives of each program (representing resource values and uses) are consistent and compatible for a particular land area. Inconsistent goals and objectives can lead to resource conflicts, failure to achieve the desired outcomes of a land use plan, and litigation. Whether or not a particular form of management is restrictive depends upon a personal interest or desire to see that public lands are managed in a particular manner. Not all uses and values can be provided for on every</p>	

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					<p>acre. That is why land use plans are developed through a public and interdisciplinary process. The interdisciplinary process helps ensure that all resource values and uses are considered to determine what mix of values and uses is responsive to the issues identified for resolution in the land use plan. Layering of program decisions is not optional for BLM, but is required by the FLPMA and National BLM planning and program specific regulations.</p> <p>The FLPMA directs BLM to manage public lands for multiple use and sustained yield (Section 102(a)(7)). As a multiple-use agency, the BLM is required to implement laws, regulations and policies for many different and often competing land uses and to resolve conflicts and prescribe land uses through its land use plans. The BLM's Land Use Planning Handbook requires that specific decisions be made for each resource and use (See, Appendix C, Land Use Planning Handbook "H-1601-1"). Specific decisions must be included in each of the alternatives analyzed during development of the land use plan. As each alternative is formulated, each program decision is overlaid with other program decisions and inconsistent decisions are identified and modified so that ultimately a compatible mix of uses and management prescriptions result.</p>	
Cindy MacDonald	149	2	WHB	<p>Genetic Viability In a detailed analysis of the most current and best available science regarding equine genetics, American Wild Horse Preservation Campaign provided numerous issues and references to the current crisis wild horses and burros now face due to the dangerously low Appropriate Management Levels (AMLs) that BLM has established for American's wild horse and burro herds.</p>	<p>Comment noted. In the Proposed Plan FEIS, all wild horses are going to be removed from the Planning Area due to the complexity of surface ownership, manageability of the wild horses, and the EIA illness.</p>	

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			<p>It includes complete references from Dr. Gus Cothran, a leader in the field of equine genetics and Dr. Francis Singers, a research ecologist with the Biological Resources Division of USGS in Fort Collins, Colorado, that clearly establishes that wild horse and burro populations are in serious danger due to many of the wild herds being issued AMLs that comprise their sustainability and long-term preservation, of which this RMP/EIS continues to perpetuate, and that an absolute minimum population necessary to ensure viable, self-sustaining herds requires at least 150 adult individuals capable of intermixing as a metapopulation within the HMA areas. See Appendix I for the article in its entirety, Managing For Extinction.</p> <p>Augmenting Wild Populations I oppose the periodic introductions of other wild horses to maintain herd characteristics and genetic viability as this is a mitigation measure BLM is using to counteract inappropriate management of wild horse populations so they may instead allocate the habitat requirements necessary for their survival in an inequitable manner; specifically to livestock and big game at the expense of the wild horse herds.</p> <p>In a recently issued ruling by the Interior Board of Land Appeal on August 2, 2007 (172 IBLA 128), the IBLA ruled that there was nothing in the Wild Free-Roaming Horse and Burro Act that prohibits BLM from augmenting non self-sustaining herds through periodic introductions.</p> <p>BLM has immediately jumped on this ruling as granting them the authority to reduce AMLs and continue management that have authorized dangerously low</p>		

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			<p>populations levels that pose a threat to the long-term sustainability of the wild horse and burro populations throughout all Herd Management Areas.</p> <p>Since its release, BLM publications have been popping everywhere citing this management practice in such a manner that the general public not familiar with the evolution of management techniques now employed by BLM within the HMAs would tend to believe the augmentation of wild herds is and has been a standard practice that protects rangelands from degradation associated with overpopulation while still finding “ways” to maintain wild horses and burros on public land within the HMAs.</p> <p>Nothing could be further from the truth</p> <p>This ruling was about a Herd Management Area that is located in the desert with extremely minimal water and forage resources, no livestock grazing and almost all big game populations “managed” in the area residing at much higher elevations than wild horse and burro herds.</p> <p>Yet the BLM is attempting to use a management technique approved for ONE HMA or HMAs that qualify for herd augmentation in areas of limited resource availability to areas where resources are overwhelmingly abundant as they attempt to justify inequitable and incomparable resource distribution in the land use plans and within the HMAs, a direct violation of BLM Policy, CFR 4700.0-6(b).</p> <p>The IBLA ruling also indicates that BLM has chosen to ignore the best currently available science provided by some of the top experts in their respective fields and</p>		

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			<p>have insisted that a wild population of merely 50 adults is a satisfactory and meets the criteria of self-sustaining herds in all instances.</p> <p>After Dr. Cothran and Dr. Singer began revealing their findings on equine genetics that included warnings of a dangerously low AMLs wild herds were being managed at, the BLM immediately instigated counter measures through Linda Coate Markles, who provided supportive studies and statistics to discount Dr. Cothran and Dr. Singers findings and BLM has been substituting her “conclusions” in all areas to justify the continued mismanagement and misappropriation of resources to wild horse and burro herds within their respective “protected areas” ever since.</p> <p>Recommended Appropriate Management Levels Based on the supplied information above, an increase in the wild horses Appropriate Management Levels to support more genetically viable herds by establishing a population range of at least 150-350 wild horses per Herd Management Area is necessary to effectively manage for long-term sustainability of this federally protected species. This recommended AML would also still only establish a maximum forage utilization of 12,600 Animal Unit Months (AUMs) within the Herd Management Areas, which is still far, far below proposed or current forage allocations for livestock and wildlife.</p> <p>BLM regulations, CFR 4710.3, requires setting an appropriate population level that considers the needs of self sustaining wild herds and a minimum population level of 150 adults is needed to preserve their genetic integrity – this is now considered “appropriate” according to our best available science.</p>		

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Cindy MacDonald	149 3	WHB	<p>For excerpts from the GAO's report, see attachment II.</p> <p>Furthermore, BLM is required to provide the habitat requirements necessary to maintain self-sustaining wild horse herds through issuing forage and resource allocations that will support them and the preservation of wild horses in HMAs take precedence over livestock grazing as per CFR 4710.5.</p> <p>Wild horse populations must not be reduced below 150 adults within all HMAs in the planning areas for any reason. If conflicts occur with livestock or big game species or environmental conditions require adjustments to rangeland utilization, reduction of livestock use within the HMAs to accommodate the wild horse AML of 150-350 is the top priority for their continued conservation and preservation. Once livestock utilization has been reduced to allow self-sustaining herds to continue to thrive at the recommended AMLs, rescue livestock and wildlife allocations in an equitable manner.</p>	<p>Comment noted. In the Proposed Plan FEIS, all wild horses are going to be removed from the Planning Area due to the complexity of surface ownership, manageability of the wild horses, and the EIA illness.</p>	
Cindy MacDonald	149 4	WHB	<p>In all Alternatives presented, including the newest Alternative E, no examination is made as to the impacts of the various designations of ACECs to wild horses of their habitat. This is an error that must be corrected!</p> <p>Generally, United States Fish and Wildlife Service (USFWS) acts as the lead agency in determinations of ACECs, issuing Biological Opinions the support resource management and species protection for BLM and other coordinating agencies, as well as studies, determinations, listings for proposed candidates, etc.</p> <p>The first issue of concern is that wild horse and burro populations have historically been completely eliminated from their "protected areas" (HMAs) and critical</p>	<p>Section 4.18.2.1 in the Proposed RMP/Final EIS provides the analysis of the impact of Special Designations (ACECs) for Alternatives A through E. The BLM's authority for managing lands to protect or enhance wilderness characteristics is derived directly from FLPMA Section 202 (43 U.S.C. §1712).</p> <p>In the Proposed Plan FEIS, all wild horses are going to be removed from the Planning Area due to the complexity of surface ownership, manageability of the wild horses, and the continued presence of a the highly infectious disease – Equine Infectious Anemia (EIA).</p>	

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			<p>resources necessary for their survival when a ACEC or protected species is introduced into their HMAs.</p> <p>The listing of the Desert Tortoise and their ACECs single handedly wiped out almost the entire wild burro population of Southern California, an area that in 1980 had approximately 3.5 million acres of wild burro habitat with an established AML of 2,747 wild burros on 19 recognized HMAs.</p> <p>Today, the entire state of California has only 3 HMAs remaining with merely a maximum allowable population of 345 wild burros. The same area in Southern California as previously discussed has seen a 90% reduction in both habitat and population levels and are now "managed" with less than 300,000 acres still remaining and a AML of 229 or less wild burros.</p> <p>Additionally, during many instances when an organization actually had funding to take USFWS to court, the courts have frequently remanded USFWS for the lack of actual data to support their Opinions and Findings</p> <p>There is also the recent scandal with claims that Julie MacDonald exerted political pressure to have USFWS employees lie and skew data to promote an agenda that was NOT beneficial to the various species requiring their intervention but instead sought to twist listings and proposals to solely favor economic interests at the expense of long-term preservation and sustainability and in direct defiance of a multitude of federal laws, regulations and policies.</p> <p>A thorough examination must be provided of the short</p>		

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Matthew T. Miller	156	1	SCO	<p>and long-term impacts of these proposed ACEC designations will have on the wild horse populations.</p> <p>I have been concerned about the wording of the last few EIS/RMP reports, with the heavy usage of the phrase "Non-WSA Lands with Wilderness Characteristics." I am concerned that there is a tendency to view and manage non-Wilderness lands as WSAs even though they have not gone through the proper process of being added as a WSA.</p>	<p>The Dear Reader letter to the SEIS clarifies the use of the term non-WSA lands with wilderness characteristics as follows:</p> <p>"Wilderness Characteristics and Non-WSA Lands Likely to Have Wilderness Characteristics. Further, you may have seen or heard other terms like wilderness inventory areas, reasonable probability determination areas, or simply, areas with wilderness characteristics. All of these terms refer to the same lands: those public lands outside of existing WSAs that BLM has determined have wilderness characteristics and that will be considered for management of those characteristics in this planning effort. For consistency and to minimize confusion, those lands will be referred to as non-WSA lands with wilderness characteristics throughout this Supplement."</p> <p>The definitions for the terms 'wilderness', wilderness characteristics', and 'wilderness study area' can be found in the glossary.</p>	
Steven C. Hansen	161	1	CUL	<p>The value of the scientific data and the educational opportunities that this area provides is a result of the fact that today this area remains roadless. It has been made clear from wilderness and archaeological research that the greater the number of people who have access to unique and delicate cultural sites, the higher the probability that the sites will be vandalized. Research confirms this fact (Spangler, Jerry: Site Condition and Vandalism Assessments of Archeological Sites, Lowe and Middle Arch Canyon; Colorado Plateau Archaeological Alliance 2006). I shudder to think of what</p>	<p>The DRMP/DEIS acknowledges that the illegal activities, such as vandalism and looting, may be impacted by changes in access, as is specifically identified. In particular the DEIS notes that increased access to cultural sites could increase contact by visitors who could intentionally damage sites by collecting surface artifacts, vandalizing, illegally digging, or otherwise excavating the sites. The DRMP/DEIS does analyze under the various alternatives the illegal activities in association with the level of access as restricted by the alternatives and</p>	

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				will happen to the region's archaeological/anthropological footprint if trails and roads are modified to accommodate industrial activity. Rock art, habitation sites, storage granaries, and more than have remained pristine for thousands of years will be rapidly compromised and damaged if energy development and off-road vehicle access are allowed to encroach into the area.	does not imply that illegal activities are restricted solely to the areas adjacent to the OHV routes. During the development of the RMP, cultural resource conflicts were considered during the route identification process. Allocation of law enforcement presence for closed routes is an Administrative Action by the BLM and does not require a specific planning decision to implement	
Steven C. Hansen	161	2	PRP	First of all, let me appeal to you to extend the public comment period by at least 120 days, in order to allow the public time to adequately research the proposals and respond. It is obvious to me and the public in general, that the simultaneous release of multiple EISs, EAs, RMPs that affect public lands in the region, was done so to overwhelm the public's ability to research and provide substantive comments by the deadlines that have been announced.	See comment response 142-O-14.	
Brenda Durant	165	1	SCO	Your preferred alternative would allow many miles of roads into these precious and rare oases and it would protect a mere 3% of BLM land in this District from oil and gas development. How can this be balanced and thoughtful management of public lands?	See comment response 20-O-8..	
Brenda Durant	165	1	SCO	The BLM has overall failed to provide an alternative which fulfills the BLM's duty to protect cultural resources in the Vernal Management Area as outlined by the National Historic Preservation Act.	See comment response 20-O-8. In the Vernal DRMP/DEIS, Alternative E emphasizes the protection and preservation of natural resources and minimizes human activities, over commodity production and extraction and motorized recreation access. Alternative B best protects and preserves historic, cultural and natural resources fulfilling both the requirements of FPLMA and NEPA. The BLM did give full consideration to the Great Dinosaur/Book Cliffs Heritage Plan, in particular the concept that a desirable BLM Travel Plan contains an equitable allocation between non-motorized and motorized	

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					recreation. Although for the reasons outlined in the DRMP/DEIS the Great Dinosaur/Book Cliffs Heritage Plan was eliminated from detailed analysis, components of the proposal were carried forward for consideration and analysis in all the action alternatives.	
Brenda Durant	165	2	CUL	<p>I have consulted with J. Claire Dean of Dean and Associates Conservation Services. Ms. Dean has over 27 years of experience in rock art and archeological conservation. Ms. Dean states that industrial traffic can damage rock art in several ways. Dust accumulates on the rock surface. The natural hydrology of the rock lays down a mineral layer on the rock surface which may mix with the dust and essentially coat the rock art, reducing the visibility of the petroglyphs. The extent and amount of damage depends on the geologic and hydraulic characteristics of the rock surface. Without studying these characteristics, the BLM cannot know whether or not energy development will damage or destroy world class cultural resources. Your plans do not discuss or even mention these important factors in your energy development plans. Further, without such research, no development should occur where rock art would be exposed to industrial dust.</p> <p>Another consideration, entirely neglected by the BLM draft management plan, is the impact of wind-blown dust on the surface of rock art. In Nine Mile Canyon, industrial traffic has caused 30 foot plumes of dust which have covered panels on high cliff surfaces. Ms. Dean states that wind-blown dust and sand act like an abrasive on rock surfaces. The rock art literally can be sanded off the surface with cumulative and continual sand blasting. I saw no mention of this danger in your consideration of energy development in cultural resource</p>	<p>Currently the BLM is working with Constance Silver, a leader in rock art conservation with over 26 years of practical experience. She has completed a preliminary report on the impact of dust generated by industrial traffic on dirt roads in Nine Mile Canyon. Her preliminary Dust Study report is available as Appendix G of the PFO WTP DEIS. Her work is considered pioneering research, prior to Connie's work in Nine Mile Canyon; there has been almost no scientific literature on the effects of dust on rock art specifically. Although the research remains in progress, it has been concluded that the degraded sections of road are generating large amounts of particulates as industrial traffic passes. The preliminary results show that the accumulation of dust on rock art panels located in close proximity to roads experiencing high levels of traffic does have a harmful effect on the physical integrity and visual aesthetic of the rock art. Ms. Silver has alerted BLM and other agencies to be aware of the potential for damage that magnesium chloride may present. Ms. Silver's Final Report will be available as an appendix in the Final EIS for the West Tavaputs Plateau to be released in Fall of 2008.</p> <p>See Response to Comment 166-2-CUL.</p>	

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			<p>areas.</p> <p>In Nine Mile Canyon, magnesium chloride has been used as a dust suppressant. This salt may introduce further risk to the rock art. Magnesium chloride could cause fractures in the rock surface, again damaging or destroying the rock art.</p> <p>I have discussed dust resulting from industrial traffic, but ORV's and ATV's may also cause sufficient dust to do damage to rock art. URARA recommends that no roads or trails be further designated within one quarter mile of rock art. We feel this is a conservative request without the benefit of necessary research.</p>	<p>At this time, BLM has never approved the use of magnesium chloride in association with dust control on BLM system roads within the canyon bottoms. Approval of such a use is beyond the scope of this document. The Nine Mile Canyon road is county maintained.</p> <p>In the WTP DEIS, it is discussed as an alternative to ongoing dust suppression or due to safety considerations; certain road sections may be improved with hard surfacing, such as asphalt or chip-seal, or other materials as approved by the BLM or counties as appropriate.</p> <p>Under Alternative E, areas of high cultural resource site density would be closed to both oil and gas leasing and to OHV travel. Alternatives A, B, and D – No Action would permit oil and gas leasing in these areas but would restrict OHV travel to designated routes. The closure of these areas would significantly reduce potential and ongoing impacts to cultural resources as compared to the current management situation and other action alternatives by substantially reducing levels and frequencies of surface disturbance.</p> <p>Under Alternative E, on- and off-site interpretive facilities would be established at all appropriate cultural resource sites in a manner that would not adversely impact the resource. Such interpretive facilities would be established proactively and independent of mitigation for authorized or permitted undertakings. Sites with high traditional values to</p>	

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				Native American tribes still would not be designated for interpretation unless tribal approval was granted.	
Diane G. Orr	166	1	SCO	The BLM has overall failed to provide an alternative which fulfills the BLM's duty to protect cultural resources in the Vernal Management Area as outline by the National Historic Preservation Act.	See comment response 20-O-8. The Great Dinosaur/Book Cliffs Heritage Plan was considered and elements of this plan have been incorporated into the alternatives.
Diane G. Orr	166	2	CUL	I have consulted with J. Claire Dean of Dean and Associates Conservation Services. Ms. Dean has over 27 years of experience in rock art and archeological conservation. Ms. Dean states that industrial traffic can damage rock art in several ways. Dust accumulates on the rock surface. The natural hydrology of the rock lays down a mineral layer on the rock surface which may mix with the dust and essentially coat the rock art, reducing the visibility of petroglyphs. The extent and amount of damage depends on the geologic and hydrologic characteristics of the rock surface. Without studying these characteristics, the BLM can not know whether or not energy development will damage or destroy world class cultural resources. Your plans do not discuss or even mention these important factors in your energy development plans. Further, without such research, no development should occur where rock art would be exposed to industrial dust.	See comment response 165-O-2.
Diane G. Orr	166	3	CUL	Another consideration, entirely neglected by the BLM DRMP, is the impact of wind-blown dust on the surface of rock art. In Nine Mile Canyon, industrial traffic has caused 30 foot plumes of dust which have covered panels on high cliff surfaces. Ms. Dean states that wind-blown dust and sand act like an abrasive on rock surfaces. The rock art literally can be sanded off the surface with cumulative and continual sand blasting. I saw no mention of this danger in your consideration of energy development in cultural resources areas.	See Response to Comment 166-2-CUL.

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Diane G. Orr	166	4	CUL	In Nine Mile Canyon, magnesium chloride has been used as a dust suppressant. This salt may introduce further risk to rock art. Magnesium chloride could cause fractures in the rock surface, again damaging or destroying rock art.	See comment response 165-O-2.	

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Theodore Roosevelt Conservation Partnership	1	1	WL	The Vernal DEIS generally ignores timely scientific studies and does not provide adequate assurances for mule deer, Rocky Mountain bighorn sheep, pronghorn, elk, sage grouse, and trout.	<p>A goal and objective in the Proposed RMP/Final EIS is to “Provide, maintain, enhance, and protect habitats for a diversity of fish and wildlife species within the planning area.” Individual sections of Chapter 2 provide further information for the species mentioned, as well as other species.</p> <p>The PRMP/FEIS was prepared using the latest scientific data available. Plans and agreements are updated as necessary to reflect the latest scientific data.</p>	
Theodore Roosevelt Conservation Partnership	1	2	MOG	The Vernal DEIS fails to adequately address oil and gas development and how it can be conducted in a way that does not unnecessarily impact fish and wildlife in their habitats.	Please see Appendix K of the FEIS for surface stipulations applicable to all surface-disturbing activities. Also, please see Section 4.19.2.5 of the FEIS for the discussion of effects of mineral resource decisions on wildlife and fisheries resources.	
Theodore Roosevelt Conservation Partnership	1	3	MLE	<p>Geographically Phased Development: The Vernal FO should consider geographically-phased energy development prior to leasing stage to responsibly balance the needs of fish and wildlife with natural gas excavation. Large geographic areas to be offered for oil and gas leasing first should be subdivided into smaller parcels to be leased-each with the necessary crucial habitats and migration corridors to maintain fish and wildlife populations and the ecological function of the area. The parcels should be developed fully and completely restored (with respect to fish and wildlife habitat) one at a time before subsequent parcels are developed.</p> <p>For geographically phasing to be effective in reducing adverse impacts on wildlife populations, the species-specific life stage habitat requirements must be known for the impact area so that all life-stage requirements are</p>	<p>It is not possible to address phased development at this time due to the unknown nature of future discoveries. Phasing of development is more appropriately considered in project-specific NEPA documents.</p> <p>Attempting to plan for phased development at the RMP level was not considered practical for a variety of reasons. It is not known at this time where leasing interest will occur. Many leases are issued that are never developed. The location and nature of future discoveries cannot be predicted. Phased or staged development is more appropriately considered in the NEPA process for larger development proposals, where there are fewer uncertainties.</p>	

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			provided for; even in the face of parcel subdivision and development.			
Theodore Roosevelt Conservation Partnership	1	4	MOG	<p>Upfront Commitment of Funds for Management, Monitoring and Restoration:</p> <p>The DEIS fails to provide a commitment to adequate funding of wildlife management, monitoring, and restoration for oil and gas development projects.</p> <p>Funding appropriated for fish and wildlife management should be used to proactively manage habitats and populations, not just mitigate damage, process energy permits or plan for energy projects.</p> <p>Included with increases in funding should be provisions for ongoing, intensive monitoring of fish and wildlife species and their habitats to facilitate alternations in development if unintended adverse impacts occur.</p>	<p>One of the assumptions identified in Section 4.1.1 of the FEIS states that: “The 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> <p>Section 4.1.1 further states that: “All decisions, projects, activities, and mitigation for the alternatives would be completed as described in Chapter 2 and Appendix K (Surface Stipulations Applicable to all Surface Disturbing Activities).</p>	
Theodore Roosevelt Conservation Partnership	1	5	MLE	<p>Mitigation Plan:</p> <p>Given the nature of leasing and the need for upfront comprehensive planning, it needs to be known during the RMP process how the Vernal FO will establish plans for mitigation, including detailed fish and wildlife monitoring and the use of adaptive management strategies to prevent, minimize or mitigate impacts of oil and/or gas exploration and development for future parcels offered for leasing. It needs to be known what the BLM will do to ensure that the areas that are developed get restored so that they can be hunted again during the lifetime of Utah hunters and anglers. Under the current practice of leasing prior to planning, the Vernal FO is sacrificing their ability to adequately plan energy development and accomplish the mitigation tactics of avoiding, minimizing, and reducing impacts on</p>	<p>See comment response WL-2 .</p> <p>The Vernal Field Office will establish plans for mitigation, including detailed fish and wildlife monitoring and the use of adaptive management strategies to prevent, minimize or mitigate impacts of oil and/or gas exploration and development for future parcels offered for leasing during the site specific NEPA stage for each proposed lease parcel.</p>	

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Theodore Roosevelt Conservation Partnership	1	6	MLE	<p>the public's fish and wildlife habitat.</p> <p>Multiple Use Management:</p> <p>The BLM should detail in the Vernal RMP how public lands proposed for leasing and development within the Vernal resource area will be managed for a balance of uses, as required by FLPMA. FLPMA sets for a multiple use mandate [The Organic Act for the BLM] that federal agencies must not ignore. With regards to energy development in the Vernal FO, this means that the BLM must consider effects on outdoor recreation and the conservation of fish and wildlife species and habitat, notably mule deer, elk, desert and Rocky Mountain bighorn sheep, pronghorn, Colorado Cutthroat Trout, and sage-grouse in determining appropriate natural gas extraction management.</p>	<p>Chapter 4 of the FEIS clearly details the environmental consequences of the management actions proposed under each of the alternatives, including wildlife and fisheries resources (see Section 4.19).</p> <p>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.</p> <p>The BLM strives to ensure that the goals and objectives of each program (representing resource values and uses) are consistent and compatible for a particular land area. Inconsistent goals and objectives can lead to resource conflicts, failure to achieve the desired outcomes of a land use plan, and litigation. Whether or not a particular form of management is restrictive depends upon a personal interest or desire to see that public lands are managed in a particular manner. Not all uses and values can be provided for on every acre. That is why land use plans are developed through a public and interdisciplinary process. The interdisciplinary process helps ensure that all resource values and uses are considered to determine what mix of values and uses is responsive to the issues identified for resolution in the land use plan.</p>	

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				<p>FLPMA directs BLM to manage public lands for multiple use and sustained yield (Section 102(a)(7)). As a multiple-use agency, the BLM is required to implement laws, regulations, and policies for many different and often competing land uses and to resolve conflicts and prescribe land uses through its land use plans. The BLM's Land Use Planning Handbook requires that specific decisions be made for each resource and use (See Appendix C, Land Use Planning Handbook, H-1601-1). Specific decisions must be included in each of the alternatives analyzed during development of the land use plan. As each alternative is formulated, each program decision is overlaid with other program decisions and inconsistent decisions are identified and modified so that ultimately a compatible mix of uses and management prescriptions result.</p> <p>Furthermore, the BLM coordinates with Utah Division of Wildlife Resources (UDWR) in the management of this habitat to help ensure that UDWR wildlife management goals are being addressed. This coordination includes determination on the appropriate big game herd numbers to ensure that forage meets Rangeland Health Standards and forage production for livestock is not decreased. See Chapter 2 Management Common to All, section 2.4.18.1.</p>	
Theodore Roosevelt Conservation Partnership	1	7	MOG All alternatives should retain sufficient management discretion for BLM to permit development of the gas resource without improperly committing itself to wholesale conversion of the area from lands containing wildlife habitat, rangeland, watershed, and energy resources into a single-use industrialized zone effectively committed to natural gas extraction to the exclusion of	Section 2.4.18.1 of the FEIS states that one of its goals and objectives is to: "Maintain, restore, enhance, and protect crucial habitats for all fish and wildlife species and restore degraded habitats. Manage for unfragmented blocks of continuous habitat that would provide the life cycle requirements of a variety of wildlife species."	

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			<p>most other uses. Given the lack of upfront planning within the DEIS, it is concerning to us that the draft RMP is on track to such single-use zones.</p>	<p>Section 2.4.18.2 of the FEIS for Actions Common to All alternatives states one of its goals and objectives is to: "Reduce habitat fragmentation by requiring oil and gas field development plans and encouraging such activities as sell clustering, multiple drilling from a single pad, utilization of existing roads and pipelines, and other measures to minimize surface impacts."</p>		
Theodore Roosevelt Conservation Partnership	1	8	WL	<p>The BLM fails to show how it will work to maintain wildlife objectives set by the UT Division of Wildlife Resources (UT DWR). Any determination of areas available for leasing and the appropriate development of these leases should be done with careful consideration of wildlife management objectives set by the UT DWR. The BLM also should consider how energy development will impact long-term hunter recruitment, license sales, and corresponding sportsmen-created revenue to the UT DWR and local communities.</p> <p>All important habitat areas should not be opened for leasing until the Vernal Field Office develops a plan for development that uses science-based measurable benchmarks to allow the development to take place in a way that will not considerably impact UT DWR's ability to meet management objectives for fish and wildlife and provide public opportunities for hunting and fishing.</p>	<p>The State of Utah has cooperating agency status for the Proposed RMP/ Final EIS. The State of Utah, as well as individual state agencies, including the UDWR, was consulted throughout the RMP process. Furthermore, as stated in Chapter 2 the BLM will: "Coordinate with UDWR and other partners to accomplish the population and habitat goals and objectives of current, revised, and/or future big game Herd Management Plans that are consistent with and meet the goals and objectives of this land use plan."</p> <p>The PRMP/FEIS will identify lands which will be open for leasing with appropriate stipulations as determined through the RMP process.</p>	
Theodore Roosevelt Conservation Partnership	1	9	REC	<p>Given the long-term nature of energy development, the BLM should include a plan in the FEIS for compensating hunters for the loss of big game that might occur as a result of energy development. The Vernal FO must identify the hunting values of the areas being considered for energy development and then determine how subsequent development will impact the uses sportsmen make of our federal public lands during oil and/or gas</p>	<p>The BLM mitigates the potential impacts to wildlife habitat from energy development projects by incorporating mitigation measures and the use of surface stipulations.</p>	

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			exploration and development of these lands. It needs to be determined what the Vernal FO will do to provide our members and UT sportsmen with alternative locations where they can continue hunting during the appropriate lease-area determination process.			
Theodore Roosevelt Conservation Partnership	1	10	REC	The RMP is not adhering to Executive Order 13443, issued on Aug. 16, 2007 and Instructinal Memorandum No. 2008-006 issued Nov. 12, 2007. (Available at http://www.blm.gov/nhp/efoia/wo/fy08/IM2008-006.html).	The BLM is clearly adhering to EO 13443 and WO IM #2008-006. However, this Instructional Memorandum is not a planning level IM. During the planning process, the BLM works extensively with state, local and tribal governments, scientists, landowners, individual sportsmen, non-profit organizations and other interested parties (Non-Federal Partners) in the development of protection measures for big game and other wildlife species.	
Theodore Roosevelt Conservation Partnership	1	11	WL	Under CEQ NEPA regulations, BLM must make use of all the best available scientific information to assess the effects of land management actions, including cumulative effect from existing, prposed, or foreseeable development projects in the resource management areas. Referenced below (see letter) are peer-reviewed scientific studies on the impacts on sage grouse, elk, and mule deer from vehciel traffic, roads, and oil and gas development. The information from these studies should be incorporated into the FEIS.	See Response to Comment 1-1-WL.	
Capital Trail Vehicle Association (CTVA)	142	1	TRV	There is nothing radically wrong with the existing condition except that it does not meet all of the needs of motorized recreationists, does not provide equal opportunity, and does not adequately address the growing need of motorized re creationists. The evaluation and proposal must adequately address these issues and the predisposition to motorized closures must be avoided.	The Proposed RMP/Final EIS will develop, improve, and sign about 800 miles of motorized trails. These identified trails will result in direct long-term beneficial impact by reducing the density of OHV users, increasing user safety, and reducing user conflicts. The designation would also alleviate strains on trails currently used for a variety of recreational activities and would potentially reduce overland OHV use.	
Capital Trail Vehicle Association	142	2	TRV	A motorized travel plan is a plan that specifically designates roads, trails and ares for motorized use, designates which vehicles will be allowed on which	Comment noted. A comprehensive travel management plan will be	

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(CTVA)			<p>routes and if seasonal restrictions apply. A comprehensive trail designation plan does the same thing except it includes all trail users, including mountain bike, equestrian and hiking. This is a very important distinction because the anti-access groups will attempt to convince the planning team to develop a "comprehensive" travel plan by using the existing inventory of motorized routes. They do this by identify existing motorized trails that are good for mountain bikes, equestrians, and for bird watching... or whatever. The current approach is inequitable because it takes the current motorized route inventory and tries to make it the route inventory for all users. It leaves out possibilities for constructing or otherwise developing non-motorized trails and ignores existing non-motorized trails that exist in both the planning area and adjacent lands. Now, that doesn't mean the agency can't take into consideration the effect each alterative will have on non-motorized visitors. It can- and it should be part of the NEPA analysis. But that is totally different from specifically providing a non-motorized trail system via the existing inventory of motorized routes. We support the creation, designation and management of non-motorized trails, but not at the expense of motorized visitors. We request that the agency not use the existing motorized trail inventory for designating non-motorized trails. Instead, if there is a need for non-motorized trails, then the agency should consider options that do not reduce the existing opportunity for motorized users.</p>	<p>completed within 1-5 years after the Record of Decision.</p>	
Capital Trail Vehicle Association (CTVA)	142	3	TRV <p>The project has a critical flaw which is the lack of a true "pro-recreation" alternative that adequately address motorized recreation. All of the alternatives developed for consideration represent the current opportunity. Conversely, virtually every project has developed a "preservation" alterative, where a maximum amount of</p>	<p>NEPA and CEQ require that BLM provide a reasonable range of alternatives in the DRMP/EIS, and the BLM asserts that it has done so in providing for motorized recreation. The Vernal Field Office is very aware of the need to provide for motorized recreation opportunities in the planning area. The</p>	

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			<p>closures are considered. The increasing demand for OHV recreation opportunities on public lands is extensively documented. Therefore, it is incumbent upon the project team to formulate at least one alternative that maximizes motorized recreation, or at least does not reduce motorized recreational opportunities in the planning area. Therefore, we request that the project team formulate a wide range of alternatives including at least one Alternative that maximizes motorized recreational opportunity in the project area and addresses the following:</p> <p>**The project team must formulate a least one alternative that emphasizes OHV use in Roded Natural and Semi-Primitive Motorized opportunity settings for recreation.</p> <p>**The pro-recreation alternative should strive to provide for the current and future demand for OHV recreational routes.</p> <p>**Alternatives should include areas where OHV trails can be constructed and maintained when demand increases.</p> <p>**Where appropriate, the agency should use this process to analyze the impacts of any future route construction and include those in the decision.</p> <p>**Direction for the required process to construct new routes should be incorporated into each alternative.</p> <p>**At least one alternative should maximize the ability to construct new sustainable trails to meet the current and future need.</p> <p>**The project team should develop management alternatives that allow for proactive OHV management.</p> <p>**All alternatives should include specific provisions to mark, map, and maintain designated roads trails and areas in cooperation with OHV users.</p> <p>**All alternatives should include direction to engage in cooperative management with OHV groups and individuals.</p>	<p>Travel Management Plan has designated routes of 4,860 miles. Alternative D, the no action alternative, did not designate any routes.</p>	

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Capital Trail Vehicle Association (CTVA)	142	4	TRV	One of the specific requirements under NEPA is that an agency must consider the effects of the proposed action in the context of all relevant circumstances, such that where "several actions have a cumulative... environmental effect, this consequence must be considered in an EIS." Neighbors of Cuddy Mountain v. U.S. Forest Serv., 137 F.3d 1372, 1378 (9th Cir. 1998) (quoting City of Tenakee Springs v. Clough, 915 F.2d 1308, 1312 (9th Cir. 1990)) A cumulative effect is "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonable foreseeable future actions." 18 40 C.F.R. § 1508.7. The cumulative effect of all motorized closures has been significant and is growing greater every day yet they have not been adequately addressed. Ignoring cumulative effect allows the agency to continue to close motorized routes unchecked because the facts are not on the table. CEQ guidance on cumulative effects was developed to prevent just this sort of blatant misuse of NEPA.	A systematic interdisciplinary approach was used to provide accurate, objective and scientifically sound analysis on the environmental consequences associated with the management actions or prescriptions under each alternative. Reasonably foreseeable future actions of limiting or expanding motorized recreation are part of the analysis that discloses the direct, indirect and cumulative effects, both adverse and beneficial, on resources and uses administered by the Vernal Field Office sufficiently for the decision maker to make a reasoned choice among alternatives.	
Capital Trail Vehicle Association (CTVA)	142	5	TRV	The site specific analysis of each road or trail to be closed must address or identify where the public would go to replace the motorized resource proposed for closure. In other words, the analysis must adequately evaluate the site specific value of a road or trail proposed for closure to motorized recreationists. It must also quantify the significant negative cumulative impact experienced when motorized recreationists could not find a trail or road with a similar experience in the area. The quality of our experience has been significantly reduced. It must also quantify the significant cumulative impact that the closure of a system of road and trails would have collectively when enough routes are closed to eliminate a good motorized day outing. An incomplete analysis is not acceptable under NEPA requirements.	A comprehensive Travel management plan will be completed within 1-5 years of the Record of Decision; Site specific NEPA will take place for each proposed route. See Response to Comment 142-4-TRV for discussion of cumulative impact analysis.	

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Capital Trail Vehicle Association (CTVA)	142	6	TRR	The action must develop a preferred alternative that mitigates the significant impacts on the public from the loss of motorized access and motorized recreational opportunities from the proposed action and the combined cumulative effect of all other actions in the State.	<p>The Vernal Field office considered a reasonable range of alternatives as part of the NEPA process. Some alternatives were more restrictive to specific resource use, and some were less restrictive.</p> <p>The Draft RMP and Supplement clearly provide a large range of motorized opportunities within the range of alternatives.</p>	
Capital Trail Vehicle Association (CTVA)	142	7	TRV	Note that some new construction may be required to accomplish a reasonable system of loops. Therefore, new construction must be included in the scope of the project.	<p>New route designations and/or construction would be based on monitoring and site specific NEPA analysis as part of a comprehensive travel management plan to be completed within 1-5 years of the Record of Decision. The travel management plan is a type of implementation plan that describes a project or multiple projects and applies best management practices to meet land use plan objectives.</p> <p>The commenter should note that the BLM has proposed up to 800 miles of motorized trails and 400 miles of non-motorized trails as part of the range of alternatives.</p>	
Capital Trail Vehicle Association (CTVA)	142	8	TRV	The existing level of motorized access and recreation must not be dismissed without adequate consideration because it is only associated with the No Action Alternative. The existing level of motorized access and recreation is a reasonable alternative and alternative other than No Action must be built around it. This reasonable alternative should also include mitigation to protect the natural environment and compensate motorized recreationists for the significant cumulative effect of past losses, and enhancement to adequately address the growing need for motorized access and recreation.	NEPA and CEQ require that BLM provide a reasonable range of alternatives in the DRMP/EIS, and the BLM asserts that it has done so in providing for motorized recreation in the alternatives A through E. The Vernal Field Office is very aware of the need to provide for motorized recreation opportunities in the planning area. The Travel Management Plan has designated routes of 4,860 miles. Alternative D, the no action alternative, did not designate any routes.	
Capital Trail Vehicle	142	9	TRV	A sense of magnitude must be used when making decisions about road closures based on indicators such	A systematic interdisciplinary approach would be used to provide accurate, objective and scientifically	

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Association (CTVA)				as sediment production. For example, a route should not be closed because it is estimated to produce 10 cubic yards less sediment. The sediment yield must be compared to naturally occurring conditions which includes fires. Recent fires in the Sequoia National Forest discharged thousands of cubic yards of sediment to the area streams which is more than all of the motorized routes in the project areas for the next 100 years.	sound analysis on the environmental consequences associated with the alternatives being considered for a proposed action of road closure. Reasonably foreseeable future actions of limiting or expanding motorized recreation are part of the analysis that discloses the direct, indirect and cumulative effects, both adverse and beneficial, on resources and uses administered by the Vernal Field Office sufficiently for the decision maker to make a reasoned choice among alternatives.	
Capital Trail Vehicle Association (CTVA)	142	10	TRV	<p>Lack of Reasonable Alternatives</p> <p>* The fact that comments are needed on Alternatives for the RMP and the Alternatives for the Travels Plan is not made clear in the document.</p> <p>* The difference between an RMP (general guidance) and the Travel Plan (implementation decisions) is not clearly described in the DEIS. The FEIS should clearly articulate the difference.</p> <p>* None of the Alterantive presented are acceptable as they stand, including the Preferred Alternative C, which mandates unworkable and impractical management of camping and motorized travel. In addition, in all of the Atlernatives, managment for the Whtie Wash Sand Dunes is fatally flawed and must be reconsidered (see comment below).</p> <p>*Alternative D fails to provide a true motorized focus.</p>	<p>The CEQ regulations (40 CFR 1502.1) require BLM to consider reasonable alternatives, which would avoid or minimize adverse impacts or enhance the quality of the human environment, based on the nature of the proposal and facts in the case (CEQ 40 Most Asked Questions 1b.). While there are many possible management prescriptions or actions, the BLM used the scoping process to determine a reasonable range alternatives that best addressed the issues, concerns, and alternatives identified by the public. Public participation was essential in this process and full consideration was given to all potential alternatives identified.</p> <p>A comprehensive Travel management plan will be completed within 1-5 years of the Record of Decision; Site specific NEPA will take place for each proposed route. Activity/Implementation Plans are defined under the BLM Land Use Planning Handbook H-1601-1.</p>	
Capital Trail Vehicle Association (CTVA)	142	11	TRV	BLM's open area in Alternative C and D must be expanded. The current proposal is unworkable because it confines a huge amount of vehicle use into a very small area and the area's boundaries are not well defined and cannot be easily identified on the ground.	<p>See Response to Comment 10-6-TRV.</p> <p>The BLM disagrees that the open area must be expanded. Current monitoring of cross-country OHV usage defined the area of heavy usage. Monitoring</p>	

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					of usage in the open areas will occur.	
Capital Trail Vehicle Association (CTVA)	142	12	TRV	<p>Similar Stats needed for the Moab RMP and DEIS.</p> <p>Commentor presents stats for a Forest Service area that reports total number of forest/motorized visitors versus the total number of wilderness visits. Uses this as an argument for more multiple use and motorized access because the total number of forest visitors/motorized users is much higher (64%) than wilderness users. (36%). Statistics are from the Social Assessment of the Beaverhead-Deerlodge National Forest, a national survey on Recreation titled Outdoor Recreation Participation, and the Southern Research Station's report Off-Highway Vehicle Recreation in the US.</p>	This comment does not apply to the Vernal PRMP/FEIS. The Vernal Field Office does not have comparable statistics to those quoted from the "Social Assessment of the Beaverhead-Deer Lodge National Forest.	
Capital Trail Vehicle Association (CTVA)	142	13	TRV	<p>Note: Simililar Statistics Needed for the Moab DRMP and DEIS. Provided as an example.</p> <p>Commentor provides FS stats on high rate of wilderness designation (24%) while no more than 2.55 % of visitors are wilderness visitors. Reiterates points above in comment #12.</p>	See Response to Comment 142-12-TRV.	
Capital Trail Vehicle Association (CTVA)	142	14	PRP	<p>The number of NEPA actions at any moment that we would have to evaluate and comment on in order to be involved would total 150 to 180. Recently the route designation process has added considerably to the effort required. It it simply impossible for the public to comment on every road, trail, and NEPA document.</p> <p>The 300 page draft environmental document is just too much for the general public to understand and participate in. The size of the environmental document is being used as a mechanism to overwhelm the public and allow the agency to effectively ignore the needs of the public for motorized access and motorized recreation.</p>	The BLM provided the public with 90 days to review and comment on the DRMP/DEIS, as required by the BLM land use planning regulations (43 CFR 1610.2(e)). The standard comment period for a DEIS is 45 days in accordance with CEQ regulations at 40 CFR 1506.10(c). Per CEQ regulations, the BLM planning and NEPA processes are integrated. Therefore, the BLM provided a 90-day comment period doubling the amount of time for the public to review and comment on the DRMP/DEIS. The BLM made the DRMP/DEIS available, free of charge to the public, in a variety of mediums, including paper, CD, and online. In addition, the BLM staff has offered to meet individually with groups or individuals to explain	

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					the DRMP/DEIS and help focus review and comment efforts.	
Capital Trail Vehicle Association (CTVA)	142	15	TRV	All planning projects should disclose the added benefit to non-motorized recreational resources resulting from the closure of roads by adding the miles of closed roads to the miles of existing non-motorized trails. Additionally, we request that the cumulative negative impact on motorized recreationists resulting from this lack of adequate accounting be evaluated and adequately mitigated.	The BLM formulated alternatives which best address the issues and concerns that were raised during scoping. NEPA and CEQ require that BLM provide a reasonable range of alternatives in the DRMP/EIS, and the BLM asserts that it has done so in providing for motorized and non-motorized recreation in the alternatives A through E. The Travel Management Plan has designated routes of 800 miles of motorized routes and 400 miles of non-motorized routes. Alternative D, the no action alternative, did not designate any routes.	
Capital Trail Vehicle Association (CTVA)	142	16	TRV	The different management plans being developed by the BLM and Forest Service are using generated, estimated and inadequate data to forward an agenda of eliminating access and motorized recreation from public lands. Economic models such as Implan should not be used when the input data is estimated and not factual or actual. Adequate effort must be exercised by the agencies to gather true and the ground data from businesses and individuals that use our public lands.	The socioeconomic section has been revised in the Proposed RMP/Final EIS.	
Capital Trail Vehicle Association (CTVA)	142	17	TRR	Existing single-track trails or potential single-track trails were not adequately identified and included in the project. There are many single-track "cow" trails that motorcycle trail riders could use in the project area.	Existing single-track trails or potential single-track trails will be considered as part of a comprehensive travel management plan to be completed within 1-5 years after the Record of Decision as per the Land use Planning Handbook directives found in H-1601-1. Individual routes proposals will go through the NEPA process and are therefore beyond the scope of this document.	
Capital Trail Vehicle Association (CTVA)	142	18	REC	The document and decision must clearly disclose on maps and tables and summaries all existing areas, and existing roads and trails that would be closed to motorized access and motorized recreationists.	The commenter requests specific information that will be provided within a comprehensive travel plan The commenter requests specific information that will be provided within a comprehensive travel plan as which	

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			Summaries should include overall closures percentages. Otherwise public disclosure has not been adequately provided and the public will not be informed and the public including motorized recreationist will not be able to adequately participate and comment.	<p>will be completed within 1-5 years of the Record of decision. As per Land use planning handbook H-1601-1, the BLM is not required to provide a comprehensive Travel Management plan within the RMP process as part of the Record of decision.</p> <p>Individual trail proposals and routes will need to go through site specific NEPA, and are beyond the scope of this document.</p> <p>A framework for motorized travel can be found within figures 25-28 in the Draft RMP and on Figure 28e in the Supplement.</p>		
Capital Trail Vehicle Association (CTVA)	142	19	SOC	<p>We request that the analysis include an adequate benefit-cost analysis of non-motorized versus motorized trail use. This analysis should include the annual cost of the non-motorized trails per the actual and documented number of non-motorized trail user. The economic analysis should also compare the annual benefit-cost per non-motorized user versus the annual benefit-cost per motorized user if the trails and funding were used as multiple-use/motorized trails.</p>	<p>The BLM has no data to separate out motorized versus non-motorized recreation spending, even assuming that the two groups are completely distinguishable. The commenter provides no evidence to support the implicit assumption that recreationists are neatly divided into motorized and non-motorized users, with no participation by the one group in activities of the second group. The commenter provides no evidence that the existence of such data would change any of the BLM's conclusions in Chapter 4.</p> <p>Also, see Responses to Comments 174-39-SOC and 174-40-SOC.</p>	
Comcast	148	1	GRA	<p>We note that, in particular, livestock grazing is not analyzed in a range of alternatives (DEIS Chapter 2) which include No Grazing, Significantly Reduced Grazing, and No Action. This failure must be corrected to meet the intent of NEPA and in order to provide a comparison of the impacts of livestock on riparian and upland areas, water quality, soils and wildlife under proposed stocking rates as compared to conditions in</p>	<p>As required by NEPA, the RMP/EIS analyzed a range of alternatives and management actions to ensure that resources are protected and to ensure that a balanced approach was recommended that allows opportunities for legitimate land uses.</p> <p>The alternatives are clearly described in Table 2.1.8</p>	

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			<p>the absence of livestock. Otherwise, no true evaluation of the impacts of livestock grazing can be claimed. Furthermore, there are no reviews of the science relating to livestock grazing, grazing systems, sock rates, current forage consumption rates of livestock, utilization rates, or impacts of livestock grazing to justify any of the proposed alternatives. For example, Appendix 1 reviews the 50% utilization rate allowed and shows it is excessive. The RMP/EIS has failed to take a hard look at the issue of livestock grazing, instead, putting off decisions to some uncertain time in the future, while impacts. Which are massive across the Resource Area, continue. BLM has not provided for enforceable permit terms and conditions. While BLM puts off livestock decisions, it ignores that current livestock weights and forage consumption are much greater than in the past and just accounting for that added forage consumption would require a stocking rate reduction of 33% or more. Appendix 2 provides an update to the AUM analysis in Appendix 1.</p>	<p>(Livestock and Grazing Management) and Table 2.1.12 (Range Improvements) of the PRMP/FEIS.</p> <p>Section 1.8 of the PRMPO/FEIS has identified that No Grazing is beyond the scope of the plan. Livestock and grazing impacts are thoroughly discussed in Section 4.7</p>	
Comcast	148	2	TRV <p>The Preferred Alternative ignores the ecological impacts of off-road vehicles and allows their use on over 96% of the RA, including 4860 miles of roads and 800 miles of trails open to these "Thrillcraft" which spread their noise and impacts across the RA. The impacts of off-road vehicles are discussed in the following sections and must be considered in the analysis, otherwise, the lack of an alternative that eliminates off-road vehicles and the lack of analysis of impacts of OHVs violates the intent of NEPA.</p>	<p>The BLM has met its requirement to consider a wide range of alternatives with respect to OHV use and impacts within the VPA.</p> <p>Impacts on each resource by recreation and OHV use are contained within the following sections: 4.3.2.6, 4.3.2.8, 4.4.2.4, 4.6.2.1, 4.9.1.6, 4.9.2.5, 4.9.2.6, 4.10.2.8, etc.</p> <p>The NEPA process has been followed during the Vernal Field Office Land Use Planning process.</p> <p>The BLM's authority for managing lands is derived directly from FLPMA. The FLPMA gives the Secretary of the Interior authority to manage public lands for</p>	

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				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 use" 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 OHV management, amongst the various resources in a way that provides uses for current and future generations.	
Comcast	148	3	WAT	There is no analysis of the impacts of the hundreds of water developments for livestock, the miles of fences and their impacts on wildlife, the loss of riparian and wetland areas due to water developments nor the thousands of acres of watershed and plant community degradation that occur around livestock water developments. There is no analysis of the watershed impacts from livestock grazing including the degree of loss of ground cover, the accelerated rate of erosion compared to natural conditions with intact plant and biological crust communities, the loss of ground water and watershed storage or the impacts on the Colorado River System and its endangered species. The Colorado River Salinity Control Act is not addressed in regards to livestock, erosion, sedimentation and salinity.	BLM has provided analysis in the PRMP/FEIS. Chapter 4—Environmental Consequences, identifies and addresses impacts of livestock on resources of concern to the commenter.
Comcast	148	4	SCO	The RMP/EIS should analyze and present the baseline and environmental data on climate, soils, microbiology,	The BLM used the best available information to present the affect environment. The current condition

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				birds animals, aquatic ecosystems, surface and ground water and air quality that was generated in the Prototype Oil Shale Program on Tracts U and UB in the 1970's and 1980's and make this data available to the public. Many monitoring locations were established during that program. What is the current condition of those monitoring sites now, their birds, wildlife, fish, aquatic invertebrates, water quality compared to the baseline? How do the baseline and current conditions relate to potential.	of all resources are clearly identified and described in Chapter 3.	
Comcast	148	5	RIP	The riparian goal of PFC is totally inadequate because PFC is only a minimal hydraulic evaluation, is highly subject and biased. PFC does not address habitat or water quality. Regarding stubble height standards, they are ineffective because they are typically not enforced, do not represent use in riparian areas and little strips of sedges do not filter sediment. For filtering sediment, intact riparian areas with vegetated stream banks and fully vegetated riparian areas are needed to reduce erosion and filter sediment. These deficiencies should be addressed by closing all riparian areas to livestock.	See Table 2.1 pages 2-19 and 2-31. The text on 2-19 has been revised in Grazing in River Corridors, 4th sentence – the word “temporarily” has been removed to reflect that after all options have been exhausted those riparian areas would be closed to grazing. Comment noted	X
Comcast	148	6	GRA	Despite an improper capability and suitability analysis, the DEIS failed to quantify and analyze the impacts of livestock grazing within riparian/wetland areas which are critical and sensitive ecosystems within the western landscape.	The RMP adopts the Utah Rangeland Health Standards under all alternatives. These standards include specific management goals related to riparian. The BLM, by adhering to these Standards, would be managing to meet these riparian goals. See Table 2.3, page 2-53 (Riparian) of the DEIS for information on grazing in riparian zones.	
Comcast	148	7	WL	The DEIS failed to analyze the role and values of predators in controlling rodent populations and fulfilling their role in a healthy ecosystem. Studies have documented the importance of predators to restoration of plan communities, particularly riparian and aspen areas.	The RMP does discuss the role of predators and protection of riparian and other significant habitat. The RMP is at the landscape level, and therefore a more detailed review of individual species is out of the scope of analysis for this RMP.	

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Comcast	148	8	GRA	Stocking rates and grazing systems must take into account the precipitation and forage production elements with proper stocking rates based on utilization rates that are sustainable. The DEIS does not present an allotment by allotment summary of current monitoring information that describes the trend or condition as compared to the existing RMP.	Appendix L provides the current Ecological Condition/Succession and the Rangeland Health Standard information by allotment.	
Comcast	148	9	GRA	The DEIS does not analyze or propose science based utilization standards for upland and riparian areas, stream bank stability standards or other critical livestock management mechanisms. It does not analyze different grazing systems and their requirements for rest to protect plants during critical growth periods. These are fundamental decisions that must be made at the planning level or BLM cannot claim it is managing in a sustainable manner that does not impair productivity as mandated by FLPMA.	Grazing strategies addressing riparian areas, stream bank stability, or other livestock management mechanisms would be developed in the Allotment Management Plan (AMP).	
Comcast	148	10	REC	The USU Institute for Outdoor Recreation and Tourism has conducted studies showing	Comment noted.	
National Wildlife Federation	157	1	WL	Finally, the Vernal RMP SDEIS fails to provide the requisite "hard look" at the environmental impacts of each alternative. The discussion of the environmental consequences contained in Chapter 4 of the DEIS consists of little more than a statement that the Preferred Alternative will have greater adverse impacts on environmental values than Alternatives C and E but fewer than Alternatives B and D. NWF believes this conclusion is not supported by the analysis contained in the SDEIS.	The DRMP/DEIS together with the Supplement constitute the complete DRMP/DEIS. The SDEIS only discusses the environmental impacts for Alternative E (non-WSA lands with wilderness characteristics). The analysis for the other four alternatives are found in the DRMP/DEIS. A summary of the Impacts is thoroughly presented in Table 2.5 of the SDEIS as well as the text found in Chapter 4. The commenter needs to look at both the DRMP and SDEIS to have a full context of the document including a description of the alternatives, environment, and anticipated impacts.	
National Wildlife Federation	157	2	WL	While Alternatives A and E preserve the use of timing stipulations to reduce the stress of oil and gas construction activities, they fail to provide other mitigation measures necessary to conserve crucial	The DRMP/DEIS together with the Supplement constitute the complete DRMP/DEIS. The SDEIS only discusses the environmental impacts for Alternative E (non-WSA lands with wilderness	

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			winter ranges and other big game habitats. The SDEIS states only that drilling practices intended to prevent the fragmentation of wildlife habitat will be "encouraged."	<p>characteristics. The analysis for the other four alternatives are found in the DRMP/DEIS.</p> <p>Table 2.1.26 (Wildlife & Fisheries Resources) in the Proposed RMP/Final EIS consolidates several mitigation and management prescriptions under the subsection "Management Common to all Action Alternatives." Further stipulations may be found in Appendix K.</p> <p>The current common management statement is "Reduce habitat fragmentation by requiring oil and gas field development plans and encouraging such activities as well clustering, multiple drilling from a single pad, utilization of existing routes and pipelines, and other measures to minimize surface impacts." A field development plan would analyze a range of alternatives that would include the aforementioned activities.</p>	
National Wildlife Federation	157	3	<p>PRP</p> <p>BLM Manual 6840 at .01. Pursuant to BLM policy, "[l]and use plans shall be sufficiently detailed to identify and resolve significant land use conflicts with special status species without deferring conflict resolution to implementation-level planning." Id. At .21J. The SDEIS lists the following objective as common to all the management alternatives considered.</p> <p>[i]mplement the management necessary to increase populations of special status species, including federally listed animal species, and restore them to their historic ranges by enhancing, protecting, and restoring known and potential habitat.</p>	See comment response 150-B-2.	

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			DEIS at 2-30. The Preferred Alternative fails to meet these commitments.			
National Wildlife Federation	157	4	AA	<p>The SDEIS simply fails to make use of available scientific data that would aid BLM in evaluating, anticipating, and preventing impacts to sage-grouse. Scientific data has shown that even a minimal level of development within 3-5 km of a sage-grouse lek negatively influences breeding activity. In fact, recent information from a doctorate dissertation on the impacts of oil and gas development to Greater sage-grouse in the Pinedale Anticline revealed that, as development increased, lek activity declined up to 100%. Holloran (2005). Based on these findings, both Holloran (2005) and Connelly et al. (2000) recommend implementing at least a 5 km buffered around active sage-grouse leks. Despite these recommendations, a 1/4 mile NSO buffer around known sage-grouse leks remains BLM's mitigation measure of choice. Vernal RMP DEIS at 2-61. NWF does not believe that this buffered is adequate to conserve Greater sage-grouse and their habitat. The United States Fish and Wildlife Service repeatedly has stated that this 1/4 mile buffer should not be considered as appropriate mitigation for sage-grouse.</p>	<p>One of the goals and objectives listed in Table 2.1.21 of the PRMP/EIS states, "BLM would continue to work with USFWS and others to ensure that plans and agreements are updated as necessary to reflect the latest scientific data," thereby providing the BLM the flexibility to adopt revisions to plans as they occur.</p> <p>Table 2.1.21 of the PRMP/EIS describes a range of five alternatives that were considered for the management of sage grouse.</p>	
National Wildlife Federation	157	5	WL	<p>BLM's Preferred Alternative does propose a 0.6-mile seasonal "avoidance area" around leks in addition to the 1/4 mile NSO buffer. Yet, BLM itself has admitted that "data indicate a 2-mile [seasonal] buffered would inadequately protect sage-grouse leks, nesting success, and recruitment of yearlings..." Draft Resource Management Plan and Environmental Impact Statement for the Pinedale Resource Area (Pinedale RMP DEIS) 4-210. Mitigation measures are intended to offset negative impacts, thereby protecting wildlife species. NWF does not understand why BLM would choose to implement mitigation measures that it knows will be inadequate.</p>	<p>A range of alternatives for protecting sage grouse is presented in Table 2.1.21 of the Proposed RMP/Final EIS.</p> <p>No surface disturbing activities within 2 miles of active sage grouse leks would be allowed from March 1 through June 16. No permanent facilities or structures would be allowed within 2 miles, when possible, of an active sage grouse lek.</p>	

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National Wildlife Federation	157	6	AA	Again, none of the alternatives described in the SDEIS include an implementation of strategies to monitor the health of sage-grouse populations. Winter habitat is also not adequately addressed in the DEIS. This is partially due to the fact that the winter habitat of sage-grouse has not been adequately researched or mapped. This should be done prior to commencement of the project so that well pads and other facilities are not placed directly in winter habitat.	Site-specific NEPA analysis is conducted prior to any surface-disturbing activity. A wide range of resources are assessed (including sage-grouse leks and populations) by an Interdisciplinary Team. wildlife surveys are conducted as part of this process. Based on the survey results, the VFO implements an array of protection measures (including mitigation measures, Condition of Approval, etc.) to protect the species.	
National Wildlife Federation	157	7	AA	As discussed above, the SDEIS' analysis of environmental consequences is rudimentary. Moreover, impacts to wildlife species also cannot be adequately determined without greater information regarding locations of well, facility, and road sites. Impacts such as fragmentation and barriers to movement and migration can be effectively analyzed only when the actual location of well pads, facilities and roads are known. Impacts to big game species, particularly in crucial winter range, differed significantly depending on whether the development is concentrated in one area of the range or spread throughout. Likewise, impacts to sage-grouse depend on this distribution of development.	See comment response 151-O-4. Any potential surface disturbing activities based on future proposals will require site-specific NEPA analysis and documentation. Resource Management Plans are landscape-level documents that address resource uses based on broad goals and objectives. They generally do not make site-specific (implementation-level) decisions. Information regarding future site-specific actions does not exist to permit meaningful analysis or decision-making at this level until the project approval stage.	
National Wildlife Federation	157	8	AA	Finally, the SDEIS refers to Best Management Practices, such as directional drilling, as measures intended to mitigate impacts to wildlife. What is missing, however, is any indication of where or when or if any of these measures would be employed. Without knowing how many and which measures would be used, it is impossible to identify and compare the environmental impacts associated with this RMP.	See comment response 157-O-7.	
National Outdoor Leadership	160	1	TRR	In principal, NOLS and OIA support the initiative to limit OHV travel to designated routes throughout the Green River Corridor, unless an area is closed to motor	Comment noted. Specific routes will be considered as part of a	

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School			<p>vehicles. Such a plan improves the BLM's ability to manage motorized traffic. We recommend that the BLM strive to avoid designating redundant routes in areas that have wilderness characteristics.</p> <p>A better balance should be found between Alternative B and Alternatives C and E. Alternative B contains 60,187 acres that would be closed to OHV travel, and Alternative C and E contain 366,559 acres that would be closed to OHV travel. The preferred alternative finds 75,845 acres that would be closed to motorized travel, while simple math would put a balanced figure at about 215,000 acres closed to OHV travel. The VFO would strive to create a more balanced final plan, and closing the Desolation Canyon and white River Non-WSA lands with Wilderness Characteristics to OHV travel would be an excellent step in that direction, and would help to reduce conflicts between the motorized and river-runner communities.</p>	<p>comprehensive travel management plan to be completed within 1-5 years after the Record of Decision as per the Land use Planning Handbook directives found in H-1601-1.</p> <p>Individual routes proposals will go through the NEPA process and are therefore beyond the scope of this document.</p> <p>The BLM declines to alter the acreage amounts as recommended for areas designated as "Closed". The Draft RMP has adequately provided a wide range which management can use to formulate a Record of Decision.</p>	
National Outdoor Leadership School	160	2	ACE	<p>NOLS also recommends stricter language to preserve "important scenic values and wildlife resources." The current language in regards to the Middle Green River states that "special management attention would include permitting only those surface-disturbing activities that are found to be complementary to the goals and objectives of the ACEC. The area would be open to oil and gas leasing subject to standard lease terms or managed with timing and controlled surface use. Visual resources would be managed as VRM Class II, III, or IV. OHV would be limited to designated routes," (4-83). Allowing for development with standard lease terms and decreased Visual Resource Management (VRM) standards that are not consistent with ACEC management direction, which should avoid "irreparable damage to important historic, cultural, or scenic values,</p> <p>The BLM declines to make the suggested wording changes for a variety of reasons including, but not limited to, the following:</p> <ol style="list-style-type: none"> 1. The BLM does not find the suggested changes necessary or appropriate. 2. The suggested wording change does not substantively contribute to or clarify the discussion. 3. The commenter did not provide any rationale why the suggested change is necessary or how the current data and analysis is incorrect. 4. The suggested change expressed personal opinions or preferences. 5. The suggested change had little relevance to the adequacy or accuracy of the RMP/EIS. <p>The BLM considered a wide range of alternatives for</p>	

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				<p>fish and wildlife resources or other natural systems or processes, or to protect life and safety from natural hazards," (Vernal Draft Resource Management Plan, p. 2-28). Section 202(c)(3) of the Federal Land Policy and Management ACT (FLPMA) requires that priority be give to the designation and protection of ACECs. The Vernal Field Office should adopt more stringent management guidelines for ACECs in its final plan.</p>	<p>and the language that states, "...only those surface-disturbing activities that are found to be complementary to the goals and objectives of the ACEC..." is sufficient. Within the range of alternatives the Middle Green River is also proposed as a Wild and Scenic River with the tentative classification of Recreational. This could afford additional protections if selected by management as part of the final plan within the Record of Decision.</p>	
Utah Rock Art Research Association	162	1	CUL	<p>We are concerned about the process used to identify cultural resource management associated with this supplement. See. (RMP 3-19)</p> <p>This problematic approach does not acknowledge that people and their archaeological footprint are entirely predictable. Nor does it consider the significance of sites, only probability of a site presence. Consequently sites of major significance are valued in the same manner as lesser sites. What proportion of the area under consideration has been inventoried? How many of the high archeological density areas determined by the BLM are afforded special archeological protection? This information is necessary to asses this supplement and has not been provided. As a result it is difficult for us to assess the quality of this supplemental.</p>	See Response to Comment 186-1-CUL.	
Utah Rock Art Research Association	162	2	CUL	<p>Section 106 (16 U.S.C. 470f) obligates the BLM to consider the effects of management actions on cultural resources listed or eligible for listing to the National Register of Historic Places. Section 110 of the NHPA requires the BLM to manage and maintain those resources in a way that gives "special consideration" to preserving archaeological and cultural values. Section 110 also requires the BLM to ensure that all historic properties under the jurisdiction or control of the agency</p>	<p>The BLM integrates the protection of resource values such as cultural resources with its responsibilities for land use planning and resource management under FLPMA to ensure that the affects of any activity or undertaking is taken into account. In addition, National Programmatic Agreement, which regulates BLM's compliance with National Historic Preservation Act, serves as the procedural basis for BLM managers to meet their responsibilities under Section</p>	

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			<p>are identified, evaluated, and nominated to the National Register of Historic Places. Id. 470h-2(a)(2)(A). There are only eight sites nominated to the NRHP in this region. Not all of these protect pre-historic resources. There are thousands of cultural resource sites in this region. How can the BLM claim to be honoring their legal responsibilities give this pitiful record of nomination to the NRHP?</p>	<p>106, and 110. Until 1980, Section 106 of the NHPA required agencies to consider the effects of their undertakings only on properties listed on the National Register of Historic Places. However in 1980, Section 106 was amended to require agencies to consider an undertaking's effects on properties included in or eligible for inclusion in the National Register. Since that time the BLM, through its land use planning process, outlines specific management prescriptions and mitigation measures to protect sites both listed and eligible for the National Register. Any potential surface disturbing activities based on future proposals will require compliance with Section 106 and site-specific NEPA documentation.</p>	
Utah Rock Art Research Association	162	3	<p>CUL</p> <p>From the maps provided we are concerned that alternative E does not protect areas where know cultural resources to exist. We will provide specific comments below. We would be happy to meet with the BLM to provide specific site locations should you require more detailed information.</p> <p>We are concerned that development near rock art sites including campgrounds, roads, ORV trails, oil and gas exploration and development which include seismic testing, pipelines and access roads, and mineral extraction pose a threat to the integrity of rock art sites, It is clear to us that the greater the number of people that have access to a site, the higher the probability that the site will be vandalized. Recent research (Spangler, Jerry: Site Condition and Vandalism Assessments of Archeologica Sites, Lower and Middle Arch Canyon; Colorado Plateau Archaeological Alliance; 2006) confirms our experience. Further, we are concerned about the absence of a clearly stated intent to initiate</p>	<p>The permitting process for oil and gas operations is an implementation decision and involves site-specific analysis of proposals on a case-by-case basis to identify specific conditions of approval to protect resources. The BLM cannot require an oil and gas operator to conduct clearances on non-related actions.</p> <p>See comment response 165-O-2.</p>	

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				<p>NHPA SEction106 compliance prior to the designation of OHV routes and other development activities. Roads provide access to site areas; therefore their impact is greater than the perceived footbed of a narrow road corridor. The location of roads OHV routes must give consideration both to the cultural resources directly in their path and the resources they provide access to.</p> <p>Roads, in proximity to rock art sites, also subject sites to impact from dust and vehicular emissions. There is good evidence in Nine Mile Canyon of dust coating sites and limiting the ability of the site to be seen. We are concerned that dust and dust suppression chemicals (magnesium chloride) may damage the surface of rock art sites. "Dust is a well known problem. The dust sticks to the surface of the rock art and become incorporated in the surface of the rock and cannot be removed." (Bob Mark, Rupestrian CyberServices) Save Outdoor Sculpture did a national assessment of statuary. The local project, coordinated through The Utah Museum of Fine Art, found that those monuments located in areas of high vehicular traffic were experiencing degradation from the corrosive effects of vehicular emissions. This parallels the experience of many European countries who are attempting to preserve their cultural resources. Diesel is of particular concern and would be the most prevalent form of exhaust from large oil and gas vehicles. We feel that it is important that the BLM study and resolve this issue prior the development and use of roads that may experience high traffic from oil and gas or other vehicles near rock art sites.</p>		
Utah Rock Art Research Association	162	4	CUL	We are concerned that ACEC designation will inadvertently or intentionally publicize cultural resource locations not generally known. The smaller the ACEC borders, the higher the degree of concern. The BLM has	The BLM's policy is to fully protect cultural resources. Protection is accomplished largely through avoiding disturbing sites, which is the BLM's preferred method of mitigation.	

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				<p>a legal obligation under ARPA to protect site locations.</p>	<p>Federal Laws protecting Cultural Resources are followed by the BLM in monitoring, completing Class III inventories, and nominating sites to the National Historic Register.</p>	
Utah Rock Art Research Association	162	5	CUL	<p>This area which borders Dinosaur National Monument is exceptionally rich in culturally important rock art, archeology, and paleontology. The sites in this area contain images believed to date from Archaic to the Fremont period and through the occupancy of the Ute people, a period spanning 6000 BCE to the late 1800's. Cub Creek represents the northern boundary of images associated with the world-class Barrier Canyon Style. Some of the Fremont images in the panels are unique to this area of the Uintah Basin; others show that there was ingress of Plains Indian People, or cultural influence from the Plains Indians. Thus, the rock art is important both locally and nationally because it has the potential to provide important information on prehistoric movement of cultures and ideologies in North America. These images also have the potential to provide important information about cultural changes over time.</p> <p>Images in this area demonstrate characteristics similar to those in Dry Fork, while having characteristics unique to the area. Each contains a unique assemblage of images that provides scientists and scholars an opportunity to determine the meaning and purpose of the images in all of the panel. Therefore, each panel is significant because of the information that it can contribute to this understanding of how cultural influences are disseminated but also evolve in a local context. These sites need to be nominated to the NRHP.</p>	<p>Federal Laws protecting Cultural Resources are followed by the BLM in monitoring, completing Class III inventories, and nominating sites to the National Historic Register. The RMP is a planning document and it does not preclude the nomination of Cultural Sites to the Register. Nomination is a process of determining the eligibility of a site. That process is dictated by Federal Laws which protect Cultural Resources. The BLM will comply with its Section 106 responsibilities as directed by the NHPA regulations and BLM IM-2007-030 (Clarification of Cultural Resource Considerations for Off-Highway Vehicle Designation and Travel Management). As described in BLM IM-2007-030, cultural resource inventory requirements, priorities and strategies will vary depending on the effect and nature of the proposed OHV activity and the expected density and nature of historic properties based on existing inventory information.</p> <p>A. Class III inventory is not required prior to designations that (1) allow continued use of an existing route; (2) impose new limitations on an existing route; (3) close an open area or travel route; (4) keep a closed area closed; or (5) keep an open area open.</p> <p>B. Where there is a reasonable expectation that a proposed designation will shift, concentrate or expand travel into areas where historic properties are likely to be adversely affected, Class III inventory and</p>	

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			<p>Rock art panels on the cliff faces on BLM land on the south side of Cub Creek appear to be reasonably free of vandalism. However, the extension of ATV trails and ORV roads on the plateau above the cliffs makes access to the high cliffs and rock art easy. It is our observation that in the past ten years off-road vehicles have created new spur trails from unauthorized and undesignated older trails. Currently these new spur trails literally cross over Fremont habitation sites on the plateau.</p> <p>We are particularly concerned about two sites. First, a magnificent set of panels which occur in a narrow rock passageway leading from the plateau and on the adjacent cliffs above Cub Creek. There are large images in the passageway and large panels on the nearby cliff. This area which some call a "birthing or creation" site displays unique Fremont figures with gender characteristics. The female figure facing Cub Creek is one of the best in the state. The entire site is significantly different from Fremont figures in Dinosaur Monument, Nine Mile Canyon, Range Creek and Dry Canyon. Recently ATV drivers created a spur very close to this important site.</p> <p>Second, a long set of dinosaur footprints are located on the underside of a cliff in a draw on the same plateau. The location of these tracks should not be publicly available and vehicle access routes should be closed</p>	<p>compliance with Section 106, focused on areas where adverse effects are likely to occur, is required prior to designation.</p> <p>C. Proposed designations of new routes or new areas as open to OHV use will require Class III inventory of the Area of Potential Effect and compliance with Section 106 prior to designation. Class III inventory of the APE and compliance with Section 106 will also be required prior to identifying new locations proposed as staging areas or similar areas of concentrated OHV use.</p> <p>D. Class II inventory, or development and field testing of a cultural resources probability model, followed by Class III inventory in high potential areas and for specific projects, may be appropriate for larger planning areas for which limited information is currently available</p>	
Utah Rock Art Research Association	162	6	<p>CUL</p> <p>Chew Ranch Area</p> <p>The Chew Ranch area south of the Green River contains unique rock art. It is mentioned in Castleton as "The Canyon." (Castleton; Petroglyphs and Pictographs of Utah, Vol. 1; page 54-44). This 100 foot long densely pecked panel, has rare pecked Barrier Canyon figures</p>	<p>See Response to Comment 162-6-CUL.</p> <p>The PRMP/FEIS acknowledges that the illegal activities, such as vandalism and looting, may be impacted by changes in access, as is specifically identified. In particular the FEIS notes that increased</p>	

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				<p>and Fremont figures in classic Dry fork style and can be tied into glyphs at Swelter Shelter which has been excavated and dated. This panel is significant because of the information that it can contribute to the understanding of how cultural influence are disseminated. This area has a long history of visitation and vandalism, which has continued into the present. These panels deserve special consideration because of their well known location and fragile nature at ground level. The unnamed canyon to the west has three life size Barrier Canyon Style figures.</p>	<p>access to cultural sites could increase contact by visitors who could intentionally damage sites by collecting surface artifacts, vandalizing, illegally digging, or otherwise excavating the sites. The PRMP/FEIS does analyze under the various alternatives the illegal activities in association with the level of access as restricted by the alternatives and does not imply that illegal activities are restricted solely to the areas adjacent to the OHV routes. During the development of the RMP, cultural resource conflicts were considered during the route identification process. Allocation of law enforcement presence for closed routes is an Administrative Action by the BLM and does not require a specific planning decision to implement.</p>	
Utah Rock Art Research Association	162	7	CUL	<p>Cliff Creek</p> <p>The area includes several outstanding panels. The cliffs proceeding north from the highway include rock art for approximately 1.5 miles (Castleton; Petroglyphs and Pictographs of Utah, Vol. 1; page 39). The many rock art panels seem to span hundreds of years of Fremont and Numic history and seem to demonstrate continuous use since archaic times. The Cockleburr Wash panels are impressive and warrant National Historic Register nomination. The images include a very large anthropomorphic figure with long thin horns and snake-like arms and it stands next to a carved sheep with an interior negative-image of a smaller sheep. This image appears to be a portrayal of pregnancy. There is also a beautiful shield design with two lizard figures. The craftsmanship on many of the panels is outstanding. The outcroppings east of the Cockleburr Wash site also contain important panels. Lithic scatters are ubiquitous. Glyphs in this area indicate stylistic ties with cultures in</p>	<p>The BLM integrates the protection of resource values such as cultural resources with its responsibilities for land use planning and resource management under FLPMA to ensure that the affects of any activity or undertaking is taken into account. In addition, National Programmatic Agreement, which regulates BLM's compliance with National Historic Preservation Act, serves as the procedural basis for BLM managers to meet their responsibilities under Section 106, and 110.</p> <p>Until 1980, Section 106 of the NHPA required agencies to consider the effects of their undertakings only on properties listed on the National Register of Historic Places. However in 1980, Section 106 was amended to require agencies to consider an undertaking's effects on properties included in or eligible for inclusion in the National Register. Since that time the BLM, through its land use planning</p>	

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				<p>the San Rafael Swell, Moab, and Wyoming. There are additional sites in the area that we would be happy to discuss with the BLM.</p> <p>Currently access to this area is limited and it receives little visitation. Erosion of Cocklebur Wash makes direct access to the panels almost impossible. Consequently, the panels are better preserved than most. We are concerned that oil and gas development on the plateaus above the cliffs or in the valley adjacent to the deep wash would both damage and increase accessibility to these important sites.</p>	<p>process, outlines specific management prescriptions and mitigation measures to protect sites both listed and eligible for the National Register. Any potential surface disturbing activities based on future proposals will require compliance with Section 106 and site-specific NEPA documentation.</p> <p>Also, see Response to Comment 162-6-CUL.</p>	
Utah Rock Art Research Association	162	8	CUL	<p>Upper, Middle, and Lower Brush Creek</p> <p>A number of significant archaeological and rock art sites are scattered all along Brush Creek and its main forks as it meanders from the Uintah Mountains to the Green River. Fremont rock art panels, ruins and apparently two unstudied prehistoric roads exist in this drainage. These sites are important because they contain imagery associate with the Anasazi of southern Utah and northern Arizona. They contain information important in understanding prehistoric population movement and the interaction between the Fremont and Anasazi Cultures, as well as the later Numic people and Plains Cultures, and are significant in North American prehistory.</p>	See Response to Comment 162-7-CUL.	
Utah Rock Art Research Association	162	9	CUL	<p>Little Dry Fork Mountain and Surrounding Areas</p> <p>Little Dry Fork Mountain is dense with archeology and rock art of world-class caliber located on public and private land. Protection of the canyon bottom, canyon walls, and associated uplands is essential. The rock art panels in this area meet the high standards necessary for a National Historic Register Nomination. McConkie Ranch is already so designated and the rock art and</p>	See Response to Comment 162-7-CUL.	

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			<p>archeology continues beyond their site.</p> <p>Dry Fork has been a major cultural center for hundreds of years and a dense area of occupation. A local rancher once told us: "every time I dig a fence post hole, I am uncovering a cultural site." Dry Fork may be the last significant Fremont habitation zone in Utah prior to Fremont abandonment of the state. As such, it may hold clues as to the disappearance of the Fremont.</p>			
Utah Rock Art Research Association	162	10	CUL	<p>Nine Mile Canyon and Surrounding Region (Including North Frank's Canyon to the Green River)</p> <p>Nine Mile Canyon contains evidence of human activity over millennia. The density of archeological artifacts rivals any location in the United States. These rich cultural resources provide a significant opportunity for researchers to understand the poorly known Fremont culture and its development over time.</p> <p>The rims and adjacent plateaus contain many habitation, and structural sites that are not fully defined. The may be defensive sites demonstrating important interaction between cultural groups. There are so many sites in this area that it is difficult to discuss individual sites without writing an entire book. We provide only the brief following comments: Rock art sites at the confluence of Frank's Canyon and Minnie Maude Creek are unique. One panel shows wolves in animated positions watching bighorn sheep.</p> <p>There are many panels, some very ancient archaic panels along Minnie Maude Creek in the BLM areas between the last private ranch and the Green River. We have documented the presence of pit houses on the plateaus above the river in this area. This entire area</p>	<p>See Response to Comment 162-7-CUL.</p> <p>The road in Nine Mile Canyon is County Road and not BLM.</p>	

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				<p>needs careful inventory work. It is relatively undisturbed and should be protected for scientific research into the Fremont culture. The entire area has large mysterious Fremont cairns on the buttes above the river. Further, there are many white pictographs inside of the porous rocks on the slopes. These strange, abstract patterns may have had an important ceremonial purpose. We also recommend C-SMA protection for Jack and Rock Canyons. These Nine Mile tributaries contain important rock art and archeological sites. We have noted recently excavations at pictograph sites in Jack Canyon.</p> <p>We are concerned about the future of cultural resources in the area of Argyle Creek, particularly the rock art in the lower file miles of the canyon. Recent news stories indicate the possibility of tar sand/oil shale development in the region. These activities will be the source of an EIS. However, given the amount of energy development that has been permitted by the BLM on the Tavaputs without an EIS we want to go on record now that we oppose mineral development in this important area.</p> <p>Since it is unlikely that oil and gas development will abate on the Tavaputs Plateau in the near future we believe that the road in Nine Mile Canyon should be paved or hard surfaced and increased management presence commensurate with the increased traffic. We are extremely disappointed that the BLM has allowed the use of magnesium chloride on roads in the canyon without researching the impact of this corrosive on rock art.</p>		
Utah Rock Art Research Association	162	11	CUL	<p>Bitter Creek</p> <p>Rock art in this region is described by Castleton (Castleton; Petroglyphs and Pictographs of Utah, Vol. 1;</p>	BLM manages all Cultural Resources according to Federal Laws that provide the process for protecting Sites. Vandalism is a criminal act and anyone who vandalizes or removes Cultural Resources from	

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				<p>page 69-72). Additional sites are located near Rat Hole Canyon and should be included in the C-SMA. Spring Canyon should also be protected.</p> <p>The recent vandalism that destroyed a pristine Barrier Canyon Style panel in this area is a good example of why the BLM needs to provide management plans and protection for easily accessed archeological sites.</p>	<p>Federal Lands will be prosecuted and fined according to Federal Law. Federal Law is inclusive in the RMP.</p>	
Public Lands Advocacy	170	1	WC	<p>Notwithstanding the Court's decision, the 1999 Utah Wilderness Inventory results were not based upon any formal BLM policy that authorized a new inventory to be conducted. They do not comply with the requirements of NEPA because no public comment process was conducted and they most certainly do not comport with the designation of wilderness study areas under Section 603 of FLPMA, which was completed in 1991.</p>	<p>The supplement carried forward criteria from the DRMP. One of the planning criteria in Section 1.4.1.2 is that the revised RMP would recognize valid existing rights Comment noted.</p>	
Public Lands Advocacy	170	2	SCO	<p>The DSEIS fails to adequately analyze the impacts Alternative E would have on future oil and gas development because it does not accurately identify the significant loss of energy, particularly natural gas resources associated with the withdrawal, and the contribution these resources would make to the nation's need for domestic energy supplies. Of additional concern is that the reasonably foreseeable development scenario prepared for the Vernal RMP revision in 2003 was found inaccurate by industry because it relied on outdated information and didn't consider the improved economic climate for the exploration for and development of a broader spectrum of current geologic data available, including geophysical data, from the energy industry to upgrade the RFD scenario. Since the RFD was not revised in conjunction with the SDEIS, the potential impacts of implementation of Alternative E and the other alternatives would be radically greater than projected by BLM. We recommend BLM reanalyze the</p>	<p>Section 4.12 in the PRMP/EIS provides a revised analysis of socioeconomic impacts for the Vernal Planning area.</p>	

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			<p>effects of the Alternative R as well as the alternatives contained in the previously released Vernal Draft EIS/RMP by utilizing updated geologic data and recognizing increased exploration and development activities in the area.</p>		
Public Lands Advocacy	170	3	<p>MLE</p> <p>While the SDEIS states valid existing lease rights would be honored, it fails to discuss how the agency would ensure access to the 36,000 acres of lands currently under lease but included in lands slated for withdrawal from leasing. Access to these leases would be needed in order for them to be developed despite the fact the surrounding lands would be closed to leasing and development. BLM needs to specify how it would manage these lands with respect to valid existing rights.</p> <p>We find no acknowledgement in the DEIS of valid existing rights associated with RS 2477 rights-of-way claimed by the State of Utah. R.S. 2477 was a Homestead-era federal law in place from 1866 until 1976. It states that "the right of way for the construction of highways over public lands, not reserved for public uses, is hereby granted." States and local governments throughout the western United States used R.S. 2477 to construct the roads that are the foundation of the transportation infrastructure in many states. The statute allowed local governments to acquire a property interest in roads and other public highways they constructed across unreserved federal land. PLA understands that a Memorandum of Understanding (MOU) was agreed upon between the Department of Interior and the State of Utah that established a process to resolve many of the longstanding disputes over R.S. 2477 rights-of-way in Utah. We recommend that BLM acknowledge the MOU and carefully consider these valid existing rights in preparation of the final EIS and proposed RMP for the</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 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.</p> <p>Revised Statute (RS) 2477 assertions will be addressed with current policy and not in this RMP. Please see Section 1.4.1.2 Step 2: Development of Planning Criteria.</p>	

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			Vernal Field Office.		
Public Lands Advocacy	170	4	PRP In addition, BLM has ignored the findings of EPCA Phase II which evaluated and analyzed the impacts of drilling permit conditions of approval in addition to lease stipulations, as required by Section 364 of the Energy Policy Act of 2005. It is of grave concern that Alternative E would withdraw 60 percent of the Vernal Resource area from oil and gas leasing and development when the Uintah/Piceance Basin is projected to contain as much as 35 TCF of natural gas reserves. Alternative E is contrary to the direction contained in the EPCA II and the National Energy Policy as established in Executive Order No. 13211 and must not be adopted or incorporated into the final Vernal RMP.	Comment noted.	
Public Lands Advocacy	170	5	SOC The socio-economics analysis contained in the SDEIS underestimates the impacts of Alternative E regarding the loss of jobs related to the energy industry. The analysis must evaluate the negative impacts associated with lost revenue to the local, state and federal treasuries. Additionally, the SDEIS must analyze the increased costs associated with development of existing leases in conjunction with the severe restrictions contained in Alternative E and their impact on responsible energy development. These flaws must be rectified and fully considered before the FEIS is released.	The Proposed RMP/Final EIS has an expanded discussion of the economic impacts of the plan's minerals decisions, including fiscal impacts. Existing leases are subject to those constraints in place at the time of the original lease, and are not directly affected by decisions in the current planning effort.	
Wild Horse Observers Association	173	1	WHB In summary, WHOA feels that further evaluation is required regarding an actually balanced program. An overall program which considers the big picture/the overall program, in the west, as well as looking at each HMA and HA individually. Something that looks like this; available forage adjudication to Cattle 30-40%, Deer and Elk/Game species 50%, Wild Horses 10-20%. Under the current "balanced" program there is no standard set to ensure any kind of fair representation for wild horses	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,	

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			<p>who as proven by mitochondrial DNA (http://www.wildhorsepreservation.com/resources/native.html) are "native species" who evolved with this flora and fauna unlike the many foreign game species and cattle. Under the current program, our biologically AND legally wild horses are being eradicated like varmints at a huge cost to tax payers (over \$30 million/yr)</p> <p>There are no balanced alternatives offered in this RMP or it's supplement, though Alternatives E/C have a tiny but almost insignificant amount of AUM more adjudicated to the legally wild and native species, the wild horse. In both graphs below, Bar 3 is the Wild Horse. In Graph 1 Bar 1 is cattle and Bar 2 is the wild ungulate species. This is reversed in Graph 2. (SEE GRAPHS IN LETTER) This lack of balance is embarrassing when viewed graphically</p> <p>A congressionally-mandated study by the National Academy of Sciences found that, in one year, livestock consumed 70% of grazing resources on public lands, while wild horses and burros consumed less than 5%. (From AWHPC) Again WHOA asks, where is the balance as required by law and common sense?</p>	<p>and alternatives identified by the public. This includes wild horses located in the Vernal Planning Area.</p> <p>An Interdisciplinary team of resource specialist, with on-the-ground knowledge of the planning area, analyzed the current management situation, desired conditions, the uses and activities to create a framework to resolve the issues raised through the development of the alternatives. A balanced approach consistent with FLPMA's principles of "multiple use" was a key component of the analysis.</p> <p>The FLPMA makes it clear that the term "multiple use" 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 analyzing impacts to and allocating resource uses, including wild horses, as well as conserving and protecting other resource values for current and future generations.</p> <p>In the Proposed Plan FEIS, after review of the alternatives analyzed, all wild horses are going to be removed from the Planning Area due to the complexity of surface ownership, manageability of the wild horses, and the continued presence of a the highly infectious disease – Equine Infectious Anemia (EIA).</p>	
Wild Horse	173	2	The BLM and FS must look at the Wild Horses and	This comment is beyond the scope of the planning	

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Observers Association				<p>Burros Program in an overall fashion. We have millions of deer, elk, and cattle across the west. However, we have only ONE wild horse herd in Montana and less than 30,000 wild horses in the wild total. (Less than half of what we had in 1974 after the first joint BLM and Forest Service count required by the 1971 Act). Whereas we have over 6 million privately owned cattle on federal lands. A ratio of 200 to 1 at best. This wild horse and burro program appears more like a "spoiled brat" program where special interests gets 1000 of what they want and the American people get 0.1 of what they want which amounts to almost nothing. As currently managed, the Wild Horse and Burro Program does not represent a "balanced program".</p> <p>BLM must manage the Vernal herd and all others "within a balanced program that considers all public values including wild horses, wildlife, watershed, recreation, archeological and scenic values (Federal Register, Vol. 33 No. 173, September 12, 1986)."</p>	process.	
Wild Horse Observers Association	173	3	WHB	<p>The BLM admits that "Previous studies on Assateague Island National Seashore (ASIS) have shown that at least 50-80% of all breeding-age mares must be treated equally to effectively minimize herd growth to near zero." However, the BLM uses this immuno-contraception almost nowhere. Increased PZP use, higher AML's, expansion of territories, and re-opening of many that have been closed, would solve the false lack of forage :issue" and the absolutely false over population "issue".</p>	Comment noted.	
Wild Horse Observers Association	173	4	WHB	<p>Interesting that the BLM/this EA does not want to increase recreational activity regarding the horses. It is not mentioned how many hunting licenses have been given out and what their trend has been over the time frame mentioned. Do hunters have less of an impact than photographers and sight seers? What are the</p>	Hunting, photography, watchable wildlife, and other recreational activities are identified in the Analysis of the Management Situation available for review in the Vernal Field Office. The reduction of the number of acres open to OHV travel to less than 1% provides long-term beneficial impact to wild horses from	

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				relative numbers of these groups?	human presence and noise, motion, night presence, or herd harassment.	
Wild Horse Observers Association	173	5	WHB	WHOA does not want the wild horse HMAs or HA's burned in controlled burns. The horses and deer evolved with this flora and when they graze it, they spread seeds, they cause it to grow faster, and if the land is rested it will re-flourish and then go back down later due to lack of grazing pressure. See Environmental Assessment for the Lomos Altos Allotment (No. 971) Grazing Lease Renewal, EA NM-010-2000-077 and it's bibliography. If this reasoning applies to cattle who evolved in Asia, it certainly applies to horses and deer and elk, etc. who actually did evolve here with this flora in North America.	Comment noted. In the Proposed Plan FEIS, all wild horses are going to be removed from the Planning Area due to the complexity of surface ownership, manageability of the wild horses, and the EIA illness.	
The Wilderness Society	174	1	PRP	As a Supplement, this document should permit review and comment without a complete rereading of the DRMP/EIS. The original DRMP/EIS did not address the crucial issue of protecting lands with wilderness characteristics; the BLM is obligated to provide this Supplement to remedy the omission and cannot place an unreasonable burden on the public in order to review it. See, e.g., 40 CFR § 1502.9. It is the BLM's obligation under NEPA to "make diligent efforts to involve the public in preparing and implementing their NEPA procedures." 40 CFR § 1506.6(a). This Supplement does not meet this obligation.	Comment noted.	
The Wilderness Society	174	2	SCO	The BLM is not considering a true range of alternatives. The Supplement presents a new alternative, which would manage all of the lands with wilderness characteristics outside WSAs that have been identified by the BLM. However, none of the other management alternatives include specific management of these areas to protect their wilderness characteristics. The Supplement could have, but does not, present a range of	The Dear Reader letter to the SEIS explains the purpose of the Supplement to the DRMP/DEIS as follows: "The DRMP/DEIS presented four alternatives for managing the public lands and resources and analyzed the effects of each management approach. None of these alternatives addressed management to	

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			<p>alternatives, such that each alternative would include an option for managing non-WSA lands with wilderness characteristics. Instead, the approach taken in the Supplement implies that the agency has no intention of adopting Alternative E and it taking an “all or nothing” approach to managing non-WSA lands to protect their wilderness characteristics. The Supplement appears to offer Alternative E as a “straw man” to be dismissed in favor of the preferred alternative.</p>	<p>protect all non-WSA lands with wilderness characteristics. This Supplement analyzes a fifth alternative, Alternative E, which emphasizes protection of all non-WSA lands with wilderness characteristics and analyzes the effects of that management. Alternative E is the same as Alternative C except it adds a protective management prescription to 277,596 acres of land in 25 areas that comprise non-WSA lands with wilderness characteristics. Alternative E, however, prescribes how all public lands managed by the Vernal Field Office will be managed, not just the non-WSA lands with wilderness characteristics. Under Alternative E, the proposed decisions that apply to the lands outside of non-WSA lands with wilderness characteristics remain the same as those in Alternative C.”</p> <p>The Supplement, in combination with the DRMP, presents a reasonable range alternatives that best address the issues and concerns presented by the public during the scoping process.</p>	
The Wilderness Society	174	3	WC	<p>The Supplement underestimates the impacts on wilderness characteristics by incorrectly limiting the acreage considered. The failure to recognize the wilderness characteristics of all of the lands with wilderness characteristics outside WSA has compromised the Supplement’s and the DEIS’ analysis of impacts from the various alternatives, including Alternative E. BLM is required to assess and disclose the impacts of management decisions on wilderness characteristics; and this analysis must use accurate data and acceptable methods. The BLM does not acknowledge the wilderness characteristics of more than 140,000 acres of the areas proposed for protection.</p> <p>FLPMA Section 201 gives BLM the authority to inventory for wilderness characteristics. Section 302 of FLPMA gives BLM general management authority for the public lands. Section 202 of FLPMA gives BLM the authority for planning how the public lands are to be managed. It is BLM policy as stated in its planning handbook and in Instruction Memorandums 2003-274 and 2003-275 Change 1, that through planning, BLM may consider managing for wilderness characteristics on non-WSA lands.</p> <p>A BLM Interdisciplinary Team conducted an internal review of non-WSA lands with wilderness characteristics and concluded that not all areas</p>	

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					<p>proposed in the 1999 inventory met the wilderness characteristics criteria.</p> <p>Non-WSA lands found either to have wilderness characteristics or likely to have wilderness characteristics will be managed according to the direction established in this land use plan. Unlike for WSAs, there is no statutory or policy directive requiring BLM to protect the wilderness characteristics of these non-WSA lands. These non-WSA lands have many resource values, and the draft RMP/EIS considered all available information and a range of alternative prescriptions for how the values and uses of the non-WSA lands would be managed. Through its land use planning revision process and to comply with the FLPMA multiple-use mandate, BLM has discretion to choose how the non-WSA lands ultimately will be managed, considering all the values and potential uses of these non-WSA lands and the other lands within the planning area.</p>	
The Wilderness Society	174	4	ACE	The BLM has identified these ACECs as meeting its criteria for possessing relevant and important values, which need special management to prevent their destruction and also identified the important benefits to other resources. The BLM should designate these ACECs to fulfill its obligations to prioritize designation of ACECs under FLPMA, as well as to meet its obligations to avoid adverse environmental impacts and manage to protect the many values of the public lands.	The FLPMA states that in developing land use plans the BLM shall give priority to the designation and protection ACEC. The BLM gave full consideration to the designation and preservation ACEC during this land use planning process. Nominations for ACECs from the public were specifically solicited during the scoping period. A total of 13 ACEC nominations were received and the relevance and importance of each were determined. Seven new and two expansions of the ACEC nominations were found to meet both the criteria of relevance and importance and all these were included for special management as proposed ACECs in Alternative C.	

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					<p>The BLM Manual 1613.23 states that:</p> <p>“After completing the analysis of the effects of each alternative, the manager selects the preferred plan alternative which best meets the planning criteria and the guidance applicable to the area. The preferred alternative reflects the BLM’s proposals for designation and management of ACECs.”</p> <p>The BLM has full discretion in the selection of ACECs for the various alternatives. In the selection of the preferred alternative, a comparison of estimated effects and trade-offs associated with the alternative leads to development and selection of the preferred alternative.</p> <p>The FLPMA further requires public lands to be managed under the principles of multiple use and sustained yield. This means that even though an area is determined to have relevance and importance as an ACEC, all other management options for the land are not automatically precluded. The BLM may choose to manage the lands in a manner that does not protect the relevant and important values identified during the ACEC review process, or that protect those values via management decisions that do not require an ACEC designation.</p>	
The Wilderness Society	174	5	WC	In order to ensure ongoing protection of wilderness characteristics in the WSAs, the Vernal RMP should provide for the WSAs to be managed to protect wilderness characteristics in the event that all or part of any WSA is released by Congress.	Comment Noted.	

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The Wilderness Society	174	6	WC	The BLM should acknowledge the important benefits to Dinosaur National Monument from managing non-WSA lands with wilderness characteristics and the corresponding benefits to the recreation experience and management of wilderness values in the VPA. The Vernal RMP should adopt protection of wilderness characteristics more consistent with the National Park Service's management of Dinosaur National Monument.	Comment Noted.	
The Wilderness Society	174	7	ACE	We have nominated ACECs to conserve Graham's penstemon and Pariette cactus, but, despite being described by BLM as including designation of all proposed ACECs, Alternative E does not include these ACECs and the Supplement again fails to acknowledge these nominations. BLM Manual 1613 specifically requires that each area recommended for consideration as an ACEC, including from external nominations, be considered by BLM through collection of data on relevance and importance and evaluation by an interdisciplinary team; then, if an area is not to be designated, the analysis supporting the conclusion "must be incorporated into the plan and associated environmental document." Manual 1613, Section .21 (Identifying Potential ACECs). The agency has not met these obligations, in the Draft RMP/EIS or either of the Supplements that it has prepared.	See Response to Comment 174-7-ACE. Appendix G outlines the process the interdisciplinary team underwent to determine whether a nominated ACEC had relevance and/or importance values. The appendix provides information concerning relevance and importance criteria for existing and nominated ACECs. The size of the proposed ACECs is limited only to the area(s) of geography where the relevance and importance values are manageable to protect and prevent irreparable damage. In the Proposed Plan, the potential ACECs generally do not have redundant special designations and/or other existing protections applied.	
The Wilderness Society	174	8	SSS	The BLM provides no real analysis of the manner in which more protective management of non-WSA lands with wilderness characteristics would affect special status species. While there is a general discussion in the Supplement (at p. 4-97), there is no discussion of which species might be receiving the "direct and indirect beneficial impacts" of protecting non-WSA lands with wilderness characteristics, indicating that the BLM evidentially has not conducted such an analysis. Without this analysis, it is impossible to determine whether some	Alternative E & C are the same with regards to benefits (or less harm) to wildlife; however, additional lands posed in Alternative E with wilderness characteristics will be afforded more protection. Overall, the additional benefits to wildlife would be negligible.	

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			species may be managed adequately under Alternative E.		
The Wilderness Society	174	9	SSS The treatment of special status species in the Supplement does not fulfill the BLM's obligations under NEPA to conduct a thorough analysis of potential impacts and to provide sufficient information for public comment; nor does it fulfill BLM's obligations and the Endangered Species Act to protect special status species.	The supplement is intended to be reviewed in conjunction with the Draft RMP. USFWS consultation is still ongoing and will be completed before the signing of the Record of Decision.	
The Wilderness Society	174	10	SSS The BLM proposes to use the Connelly et al. (2000) guidelines for sage-grouse management. However, these guidelines do not adequately account for the findings and recommendations of noted experts, including those of Holloran (2005) regarding the impacts of development activities and those of Braun (2006) has provided more recent guidelines that the BLM should employ instead. The BLM should apply the guidelines for sage-grouse management set out in "A Blueprint for Sage-grouse Conservation and Recovery" (attached and incorporated herein by reference), which details the habitat requirements for successful and sustaining sage-grouse populations.	As stated in Section 2.5: "Land use plan decisions must be consistent with BLM's mandate to recover listed species and must be consistent with objectives and recommended actions in approved recovery plans, conservation agreements and strategies, MOUs, and applicable biological opinions for threatened and endangered species. Currently, the VFO has one federally listed bird species (and one candidate species), two federally listed mammal species, and six federally listed plant species (and one candidate species). Species conservation measures (Appendix K) have been developed in coordination with the U.S. Fish and Wildlife Service. They will be implemented under the Proposed RMP and all alternatives. In addition, there are federally listed as well as state sensitive species where Timing Limitations and Controlled Surface Use stipulations are applied. The BLM will work with UDWR, USFWS, and others to ensure that plans and agreements are updated as necessary to reflect the latest scientific data." When analyzing the effects of proposed land management actions on resources, BLM staff use a	

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				variety of information sources including peer-reviewed literature, government and non-government organization research and reports, filed office inventory and monitoring data, and field observations. By using the BLM's library in Denver, staff have access to the most recent peer-reviewed literature. There is a great amount of data available that presents the best scientific information concerning impacts on wildlife. Although the BLM may not have used the specific article listed by the commenter in development of the SRMP/SEIS, the BLM appreciates the commenter supplying the recommended articles. The BLM will review and use them as needed in the development of NEPA analysis.	
The Wilderness Society	174	11	SSS	We searched for the terms "penstemon," "beardtongue" and "Graham" and found no occurrences of any of these in the new Supplement. The BLM still is not addressing the habitat needs of Graham's penstemon. The agency has also failed to provide records that the Cetner for Native Ecosystems has requested regarding the penstemon under the Freedom of Information Act, and CNE has been forced to litigate in order to obtain these documents.	All Special Status Plant Species are discussed in the Draft RMP. A supplemental analysis focuses only those parts of the EIS that require updating before a decision on that proposed action is actually made, and therefore the analysis only focus on management prescriptions lands that have are identified as non-WSA lands with wilderness characteristics.
The Wilderness Society	174	12	SSS	The BLM continues to backpedal on the actions it will actually take to protect prairie dogs. The USFWS ninety-day finding on the Endangered Species Act listing petition submitted by CNE, SUWA, and other reported that the Vernal Field Office did not specifically address white-tailed prairie dog habitat protection and that the neighboring Moab and Price FO, which did not have any white-tailed prairie dog management directives, would consider special status species management directives in their pending land use plans with "protections similar to those for species protected under the ESA." 69 Fed.	The BLM is complying with the requirements of the Endangered Species Act and associated regulations. Consultation with USFWS is still ongoing and will be completed prior to the signing of the Record of Decision.

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				Reg. 64,889,64,889 (Nov 9, 2004).		
The Wilderness Society	174	13	SSS	The BLM should be aware that the FWS has admitted that the petition finding for the white-tailed prairie dog was illegally tampered with by political appointee Julie MacDonald, and the agency intends to move forward with listing under the Act by completing a status review for the species. Center for Native Ecosystems has filed suit in order to secure a date by which the Service will complete this review. Again, the agency has the perfect opportunity to provide adequate management via all of the RMPs that are under revision, but this Supplement does not indicate that the BLM is prepared to do so.	Consultation with USFWS is ongoing and will be completed prior to the signing of the Record of Decision. It is premature at this time to conclude a specific outcome from the consultation process.	
The Wilderness Society	174	14	ACE	It is unclear what protection from oil and gas drilling the BLM intends to provide in the Coyote Basin ACEC. The Supplement states (at both p. 2-13 and p. 4-82) that: "This area would be subject to standard lease terms, and managed with timing and controlled surface use or NSO for oil and gas leasing." This is an extremely broad range of options and does not provide any actual commitments to protective management for this alternative. The BLM must clearly identify which stipulations it will apply and what level of surface disturbance will be permitted under each alternative.	The BLM has Identified a wide range of alternatives, contained within that range of alternatives are the options for management to choose from while formulating a site specific Activity Level plan for the Coyote Basin ACEC. Should the ACEC be designated the management tools chosen would have to be sufficient to protect the Relevance and Importance criteria identified for the ACEC and is not specifically based on surface disturbance.	
The Wilderness Society	174	15	SSS	The BLM should also spell out what "actions to maintain or enhance ferret habitat and associated prey base" (Supplement, p.2-13) it intends to take in Coyote Basin. Ferret habitat and prey base both really mean white-tailed prairie dog habitat, so the BLM should be specific about how it will conserve and recover prairie dogs in this context.	Conservation measures for the White-tailed prairie dogs are addressed within the Black-footed Ferret Reintroduction Environmental Assessment, 1999. A supplement EA, Northeastern Region Black-footed ferret Management Plan in coordination with UDWR is still in draft form.	
The Wilderness Society	174	16	SSS	The Castle Peak EIS confirmed that the BLM continues to take the position that it cannot require greater avoidance measures than those permitted under standard lease terms unless specific lease stipulations are attached, even for drilling in ACECs. However, the	Table 2.1.21 (Special Status Species) of the PRMP/FEIS proposes several goals and objectives common to all for special status species. They are as follows:	

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			<p>Endangered Species Act trumps valid existing rights granted via leases, so failing to apply necessary stipulations for non-listed special status species effectively makes protection under the Act the only viable option to conserve these species. The BLM has a duty not to contribute to the need to list species under the Act, and by neglecting to provide adequate management for non-listed species in the form of lease stipulations, the agency fails to meet this duty.</p>	<ul style="list-style-type: none"> • Conserve and protect special status species and enhance their habitats. • Implement recovery measures for special status species, including listed species and the ecosystems on which they depend. • Mitigate or reduce long-term habitat fragmentation through avoidance and site-specific reclamation to return areas to productive levels. • Manage all listed T&E plant species and the habitats upon which they depend in such a manner as to conserve and recover these species to the point where the requirements of the Endangered Species Act are no longer necessary. • Manage non-listed sensitive species and the habitats upon which they depend in such a manner as to preclude the need to list them as either threatened or endangered under the Endangered Species Act. The guidance for this management is put forth in the BLM 6840 Manual. • Implement the specific goals and objectives of recovery plans, conservation agreements and strategies, and approved activity level plans. BLM would continue to work with USFWS and others to ensure that plans and agreements are updated as necessary to reflect the latest scientific data. • Implement the direction contained in the 	

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				<p>Northwest National Fire Plan Project Design and Consultation Process and the Counterpart Regulations including Alternative Consultation Agreements.</p> <ul style="list-style-type: none"> Implement the management necessary to increase populations of special status species, including federally listed animal species, and restore them to their historic ranges by enhancing, protecting, and restoring known and potential habitat. 		
The Wilderness Society	174	17	SSS	<p>In September, the FWS proposed that Pariette cactus and Uinta Basin hookless cactus both should be listed independently as Threatened under the Endangered Species Act. Because they are newly proposed species, the BLM must conference with the FWS on this Supplement and the rest of the DRMP/EIS's potential effects. In addition, the Service found that uplisting to Endangered was warranted for Pariette cactus because: "The species cannot tolerate the cumulative effects from existing and proposed energy projects, especially due to the extent of roads within <i>S. brevispinus</i> habitat" (72 Fed. Reg. 53217 (Sept 18, 2007)). Again this Supplement fails to propose any actions to improve Pariette cactus management, in Alternative E or in general. Pariette cactus habitat overlaps the Coyote Basin and Pariette Wetlands ACECs, but even the Pariette Wetlands ACEC description only mentions "high-value wetland and wildlife habitat resources" – there is no mention of the cactus. The BLM is missing a major opportunity with this RMP revision to help prevent the extinction of this species.</p>	<p>See comment 174-O16.</p> <p>The BLM is required to consult with the FWS through the Biological Assessment Section 7 consultation process for the Vernal RMP/EIS. This cumulative effects and concerns for the species identified by the commenter are analyzed through this process. It would be premature to impose additional protection measures or to conclude that these species will be "uplisted" until a final determination is made on these species.</p> <p>Additional mitigations measures for any special status species, including the Uinta Basin hookless cactus and Pariette cactus, are included as part of the Conditions of Approval as appropriate when individual wells APDs are processed.</p>	
The Wilderness	174	18	SOC	<p>As discussed above, NEPA requires the BLM to conduct a thorough, scientifically accurate analysis of the benefits</p>	<p>The Proposed RMP/Final EIS has an expanded discussion of the socioeconomic benefits which may</p>	

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Society			from protecting lands with wilderness characteristics, including the socioeconomic impacts. The analysis in the Supplement is inadequate and does not fully assess the potential benefits of such protection to both the region and to the owners of these lands – the American people.	result from managing lands to preserve, protect and maintain wilderness characteristics.		
The Wilderness Society	174	19	SOC	The DEIS and the Supplement do not adequately address the potential negative socioeconomic impacts of increased oil and gas drilling. This concept should be more fully explored by the BLM analysts and supported with the considerable body of peer-reviewed academic literature on the social structure and economic performance of resource dependent communities.	An expanded discussion of the potential negative social impacts on communities from large-scale oil and gas development has been added to Chapter 4 of the Proposed RMP/Final EIS. That expanded discussion provides evidence that the Vernal planning area, at least to date, has not experienced the rapid population growth or increases in crime that often accompany such booms.	
The Wilderness Society	174	20	MOG	The Supplement frequently states that implementing Alternative E would have adverse impacts on the oil and gas industry. This is simply not the case. Since Alternative E makes more land available to the oil and gas industry than the No Action Alternative it represents a net gain to the industry and should be assessed as such.	The commenter fails to provide the information supporting their claim that Alt. E makes more acreage available for leasing than the No Action alternative. From the DEIS, page 4-100, the No Action alternative would allow oil and gas leasing upon 1, 672,960 acres within the planning area (under standard, timing and controlled surface use, or NSO stipulation). The No Action alternative does not include approximately 188,500 acres of Federal mineral estate within the Hill Creek Extension. From the Supplement, page 4-66, Alternative E would allow oil and gas leasing upon 1,547,090 acres within the planning area (under standard, timing and controlled surface use, or NSO stipulation). This is 125,870 acres less than the No Action alternative, plus the acreage available for leasing in Alt. E includes the 188,500 acres of Federal mineral estate within the Hill Creek Extension as well.	
The Wilderness Society	174	21	MOG	The Supplement states that "...mineral development would be substantially limited under Alternative E." Supplement, p. 4-69. This statement is inaccurate and	The statement is not inaccurate or misleading as it is referring to impacts to natural resource development associated with Alternative E.	

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				misleading. Over 81% of the Vernal Planning Area is open to additional oil and gas leasing under Alternative E, and 45% of the non-WSA lands with wilderness characteristics are already leased.		
The Wilderness Society	174	22	MOG	The analysis of the impacts to the oil and gas industry, often excludes the acres under no surface occupancy stipulations from the total area available to industry. This has the effect of inflating the perceived opportunity cost of protecting lands with wilderness characteristics. These lands can be accessed through directional drilling and should be considered part of the total being made available to industry.	Comment noted.	
The Wilderness Society	174	23	MOG	Protection of the multiple use values of surface resources can be achieved simultaneously with oil and gas extraction in some cases, by imposing no surface occupancy stipulations on certain areas. The oil and gas resources can be accessed from off-site using directional drilling. Former scientist, Ken Kreckel has noted that directional drilling technology has evolved to the point that it is certainly economically viable in the current market and should be required by the BLM to protect surface resources as a part of responsible multiple use management. See the attached report, Directional Drilling: The Key to the Smart Growth of Oil and Gas Development in the Rocky Mountain Region, for details on his analysis and conclusions.	It is inappropriate at the RMP level to determine what oil and gas wells could be directionally drilled since the RMP is not addressing site specific locations for proposed oil and gas well development. However, in subsequently prepared development NEPA documents that are more site specific, directional drilling is an alternative considered that accounts for site specific circumstances, which includes both the subsurface and surface resources.	
The Wilderness Society	174	24	WC	The Supplement presents a table showing current Utah lands being managed to protect wilderness characteristics as a percentage of the total land area of the state. Areas that would be protected in the Vernal Planning Area under Alternative E along with the lands that would be protected in other Utah BLM RMPs are also included as a percentage of the state. This number has been included in other Utah BLM RMPs as well. There is no corresponding calculation of the current	Comment Noted.	

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				percentage of Utah lands being developed for oil and gas, for off-road motorized recreation, for housing and cities, and other development. On wonders what the intention of presenting this particular statistic is.		
The Wilderness Society	174	25	SOC	The numbers of oil and gas jobs estimated in the DRMP/EIS and the Supplement seem far too large given current employment patterns. The entire mining sector (of which oil and gas extraction is a portion) in the VPA accounts for 13% of total employment. This is highest in Uintah County, but here only about 17%. Alternatives A-D all predict total annual employment in the VPA that would amount between 38 and 42 percent of the current total. It seems unlikely that the proportion of total employment in this sector would more than double, and if this is in fact the case the ramifications for local communities will be much more significant than the DRMP and Supplement predict.	The Proposed RMP/Final EIS incorporates more recent and realistic employment creation data, based on a November, 2007, study by the University of Utah (and commissioned by the Governor's office). The revised analysis in Chapter 4 finds that employment impacts, although large, should be considerably less than originally reported.	
The Wilderness Society	174	26	SOC	The DEIS and Supplement do not account for the non-market values associated with undeveloped wildlands. This analysis is especially important when considering the protection of lands with wilderness characteristics since these lands produce benefits and values that are seldom captured in the existing market structure. The literature on the benefits of wilderness is well established and should be used by the BLM to estimate the potential value of non-WSA lands with wilderness characteristics in the VPA. Peer reviewed methods for quantifying both non-market and market costs of changing environmental quality have been developed by economists and are readily applicable to the present case. For a catalog of these methods see Freeman (2003).	<p>The non-market values to which the commenter refers are not available to the BLM. The studies of which the BLM is aware are based on designated wilderness, the results of which may or may not be generalized to other "wild lands". Even if the studies are generalizable to Wilderness Study Areas (WSAs), the impacts are irrelevant, since WSA management is outside the scope of the current planning effort. The BLM is unaware of any evidence that such studies are generalizable to non-WSA lands with wilderness characteristics.</p> <p>FLPMA Section 202, (c) (4)states: "In the development and revision of land use plans, the Secretary shall...rely, to the extent it is available (emphasis added), on the inventory of the public lands, their resources, and other values."</p>	

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				The BLM does recognize the potential importance of non-market values relative to managing for wilderness characteristics. These values are discussed qualitatively in Chapter 4 of the Proposed RMP/Final EIS.	
The Wilderness Society	174	27	SOC	The DRMP/EIS and the Supplement fail to fully address the impacts that the alternatives will have on the local economy. It does not fully capture the economic impact that wilderness and wilderness quality lands have on local economies. Many businesses are free to locate wherever they choose. As the US economy moves from primary manufacturing and extraction to a service based economy the “raw materials” upon which these businesses rely are people. And study after study has shown that natural amenities attract a high-quality, educated, talented workforce – the lifeblood of these businesses. To narrow the range of potential impacts of protected lands as the Supplement does greatly underestimates the potential benefits of such a protection.	The Proposed RMP/Final EIS has an expanded discussion of the socioeconomic benefits which may result from managing lands to preserve, protect and maintain wilderness characteristics.
The Wilderness Society	174	28	SOC	The DRMP/EIS and Supplement fail to fully address the impacts that the alternatives will have on the local economy. More and more evidence has accrued indicating that the West is not a resource-dependent region. The public lands, including those managed by the BLM in the VPA are increasingly important for their non-commodity resources – scenery, wildlife habitat, wilderness, recreation opportunities, clean water and air. A vast and growing body of research indicates that the economic prosperity of rural Western communities depends more and more on these amenities and less and less on the extraction of natural resources commodities. *See letter for list of examples.	The Proposed RMP/Final EIS has an expanded discussion of the socioeconomic benefits which may result from managing lands to preserve, protect and maintain wilderness characteristics.
The Wilderness	174	29	SOL	The Draft RMP and the Supplement fail to address or even acknowledge the well documented and significant	Socioeconomics are discussed in Section 4.12.3.3 in the Vernal Draft RMP and Motorized impacts are

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Society			<p>costs associated with off-road motorized recreation.</p> <p>Increased soil compaction and erosion and disrupted hydrologic function – A study of the impacts of recreation use of a trail in southern Indiana (Mortensen 1989) found that OHV use produced the most serious impact, and was “too widespread and pervasive to be assigned individual impact areas.” Results indicated that off-road motorized recreation was associated with tread widening, loss of ground vegetation, increased soil exposure, and entrenchment erosion.</p>	<p>addressed.</p> <p>Potential impacts from recreation management decisions, including OHV use on soil and water resources, are discussed in Section 4.13.2.6.</p> <p>Potential impacts for soil compaction and erosion are discussed in Section 4.11 and 4.13.</p>		
The Wilderness Society	174	30	SOL	<p>The Draft RMP and the Supplement fail to address or even acknowledge the well documented and significant costs associated with off-road motorized recreation.</p> <p>Increased soil compaction and erosion and disrupted hydrologic function – Less obvious but equally damaging is the soil compaction caused by OHVs. Studies have shown that soils are far more compacted in disturbed areas than in undisturbed regions. Raghavan et al. (1976). Soil erosion is another result of off-road motorized recreation. Kalisz (1996) studied the impacts of off-road motorized recreation in the mountains of Kentucky and found that such use resulted in increased erosion which undermines the biological capability of the soil, results in the loss of valuable topsoil, and leads to increased steambed siltation.</p>	<p>Socioeconomics are covered under section 4.12.3.3 in the Vernal Draft RMP and Motorized impacts are addressed.</p>	
The Wilderness Society	174	31	RIP	<p>The Draft RMP and the Supplement fail to address or even acknowledge the well documented and significant costs associated with off-road motorized recreation.</p> <p>Riparian areas are also impacted by off-road motorized recreation. Chin et al. (2004) assessed the effects of all-terrain vehicles (ATV) trails on stream characteristics in the Ouchita National Forest in Arkansas. They found that</p>	<p>The commentor refers to , “well documented and significant costs associated with off-road motorized recreation”, but only provides one scenario (Law enforcement costs) which to review.</p> <p>The Effects of Recreation and OHV on Socioeconomics are discussed in section 4.12.3.3 on page 4-68 of the Supplement, and in section 4.12 in</p>	

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			<p>the watersheds with ATV trails had pools with higher percentages of sands and fines (siltation), lower depths, and lower volumes.</p>	<p>the Draft RMP. The text uses the terms increasing recreation opportunities, and Improving the recreation experience and discusses impacts on local economies as a result of adjusting these opportunities/experiences. Within section 4.1.1 under Analytical Assumptions on page 4-2 of the Draft RMP states,</p> <ul style="list-style-type: none"> • State highways and county roads through the VPA will remain open for access. <p>Many of the county roads within the VPA allow OHV use within the wide range of alternatives. This could help to alleviate some concerns with regards to off Highway travel.</p> <p>The commentor states, “This implies that off-road motorized recreation participants are generally lawless.” The BLM has made no such assumption.</p> <p>The comment states: “In Fact law enforcement needs for this particular user group are a large source of costs associated with off-road motorized recreation.” Indeed, if additional law enforcement is required to manage any specific resource within the VPA it is correct that it could create an additional cost to the tax payer, however, the additional needs could create a new position(s) , which could assist the local economy as well.</p> <p>Therefore, the costs that the commentor addresses could be seen as benefits and are subjective in nature. If by costs, the commentor is referring to Impacts, impacts from OHV use are identified by specific resource in chapter 4 of the Draft RMP and have adequately been analyzed adequately through</p>	

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					the NEPA process.	
The Wilderness Society	174	32	AQ	<p>The Draft RMP and the Supplement fail to address or even acknowledge the well documented and significant costs associated with off-road motorized recreation.</p> <p>Air Pollution – An often overlooked effect of off-road motorized recreation is the air pollution and fossil fuel demand created by such types of recreation. The EPA (Fritsch 1994) estimates that small engines account for 5% of total air pollution, with a significant portion of this being contributed by OHVs. Air pollutants from OHVs include reactive organic gases (ROG) and oxides of nitrogen (NOx), the precursors of ozone; oxides of sulfur (SOx); and carbon monoxide (CO).</p>	<p>Socioeconomics are discussed in Section 4.12.3.3 in the Vernal Draft RMP and Motorized impacts are addressed.</p> <p>Impacts to air quality are analyzed in Section 4.2 and summarized at 4.2.5. Impacts from travel-management decisions were found to be negligible when compared with impacts from other sources.</p>	
The Wilderness Society	174	33	VEG	<p>The Draft RMP and the Supplement fail to address or even acknowledge the well documented and significant costs associated with off-road motorized recreation.</p> <p>Another impact of the use of OHVs is the spread of invasive species. A single ATV can disperse over 2,000 knapweeds seeds in a ten-mile radius. The economic impact to agriculture and wildlands from these weeds is substantial. Invading non-indigenous species in the United States cause major environmental damages and losses adding up to more than \$138 billion per year. Vegetation suffers directly and indirectly from the passage of OHVs. The effects can last decades or even centuries. Compaction and erosion impair the ability of plants to absorb nutrients and carbon dioxide and experience proper root growth. Disturbance of soils by OHVs has long term effects that favor the establishment of weedy species. Blackburn et al. (1994).</p>	<p>The BLM has never implied that OHV use is without costs or impacts most of which result from unrestricted cross-country travel. The Proposed RMP/Final EIS reduces by over 99 % the acreage designated as open to cross-country OHV travel. The BLM's planning process and impact analysis assumes that visitors will not engage in illegal activities of the type described by the commenter</p> <p>Socioeconomics are discussed in Section 4.12.3.3 in the Vernal Draft RMP and Motorized impacts are addressed.</p>	
The Wilderness Society	174	34	SSS	<p>The Draft RMP and the Supplement fail to address or even acknowledge the well documented and significant costs associated with off-road motorized recreation.</p>	<p>The impacts to Special Status Species from OHV use are acknowledged in Chapter 4.15 of the Draft RMP.</p>	

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				<p>Losos et al. (1995) classified threats to species endangerment and found that 69% of federally-listed species were known to be threatened at least in part by resource extraction and recreation activities. They found recreation threats to 23-26% of species. The most destructive recreational practices were OHV use (motorcycles, four-wheel drive vehicles, snowmobiles, dune buggies, ATVs, and other vehicles with high ground clearance) and general recreation (all unspecified recreation threats).</p>		
The Wilderness Society	174	35	SD	<p>The Draft RMP and the Supplement fail to address or even acknowledge the well documented and significant costs associated with off-road motorized recreation.</p> <p>Forgone passive use benefits – Jerrel (1995) estimated the benefits of protecting 6.9 million acres of desert land in California. The value to California residents of designating seventy-six new wilderness areas and creating three new national parks was found to be between \$177 and \$448 million per year. The 1993 version of the California Desert Protection Bill restricted vehicle access in the parks and prohibited motorized and mechanized recreation in the wilderness areas.</p>	<p>Socioeconomics are covered under section 4.12.3.3 in the Vernal Draft RMP and Motorized impacts are addressed.</p> <p>This section provides an overview of both positive and negative effects from Recreation and OHV use on Socioeconomics in broad terms.</p> <p>This section does not specify between motorized and non-motorized use within the opening bullets, but appropriately uses the terms “recreation opportunities”.</p> <p>If off road motorized recreation areas are developed and other areas are protected, both will have the potential to generate social and economic benefits. The FLPMA requires that the BLM manage for Multiple use, and through the land use planning process, the BLM has effectively evaluated a wide range of recreational opportunities associated with both off-road motorized recreation, and primitive recreation opportunities.</p> <p>Additionally, the BLM does recognize positive</p>	

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				<p>benefits from the existence of wilderness characteristics within an area on page 4-68 of the Supplement. Specifically, the text states:</p> <p>“Recent research has shown that the very existence of wilderness characteristics within an area can provide economic benefits to the local economy...Local businesses that benefit from the preservation of non-WSA lands, such as wilderness therapy groups or river running outfitters, would benefit the most from Alternative E. “</p> <p>The section also cites The Net Economic Value of Wilderness (Bowker 2005), which summarizes the relevant research on the topic.</p>		
The Wilderness Society	174	36	REC	<p>The Draft RMP and the Supplement fail to address or even acknowledge the well documented and significant costs associated with off-road motorized recreation.</p> <p>Swanson and Loomis (1996) used a benefit-cost analytical method that translates recreation use into economic benefits. Authors measures the effects of four alternative management scenarios to estimate their ability to meet demand. Economic benefits were maximized under a redistribution that shifted acres from “semi-private motorized” to “semi-private non-motorized.” This scenario resulted in additional \$916 million in public benefits. Authors found that existing public land allocations in the region provided excess supply for roaded recreation.</p>	<p>Socioeconomics are covered under section 4.12.3.3 in the Vernal Draft RMP and Motorized impacts are addressed.</p> <p>This section provides an overview of both positive and negative effects from Recreation and OHV use on Socioeconomics in broad terms.</p> <p>This section does not specify between motorized and non-motorized use within the opening bullets, but appropriately uses the terms “recreation opportunities”. Section 4.12.3 seems to support both the commenter and the BLM by stating: “There would be no unavoidable adverse impacts to socioeconomics.” It is the BLM’s perspective that through providing a wide range of recreation opportunities, and by Improving the recreation experience, positive social and economic benefits could be realized.</p>	
The	174	37	HAZ	The Draft RMP and the Supplement fail to address or	Socioeconomics are discussed in Section 4.12.3.3 in	

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Wilderness Society			<p>even acknowledge the well documented and significant costs associated with off-road motorized recreation.</p> <p>Personal Safety and injury – According to the Consumer Product Safety Commission (2005), there have been 7,188 ATV-related deaths since 1982. Over 1.8 million ATV-related injuries were treated in hospitals and doctors' offices in the same time period. These deaths and injuries impose costs on society, according to Helmkamp (2002), the average annual comprehensive economic loss resulting from ATV deaths in West Virginia through the 1990's was estimated to be between \$10 million and \$34.2 million. Similar costs can be expected with off-road motorized recreation in the VPA and these costs must be estimated and included in the economic impact analysis for the RMP.</p>	<p>the Vernal Draft RMP and Motorized impacts are addressed.</p> <p>It is a well-recognized fact that most forms of outdoor recreation carry an element of risk.</p> <p>As stated in Section 4.12, "If impacts to some aspect of the socioeconomic situation are not mentioned in the analysis, then a negligible effect should be assumed."</p>		
The Wilderness Society	174	38	TRR	<p>The Draft RMP and the Supplement fail to address or even acknowledge the well documented and significant costs associated with off-road motorized recreation.</p> <p>Law enforcement – The Supplement states (p. 4-54 – 4-55) that the "...lack of additional trails could produce an increase in cross-country travel, thereby increasing the adverse impacts...without further OHV opportunities, overland riding, user conflicts, elevated user densities, and the decline in visitor safety would continue within the VPA." This implies that off-road motorized recreation participants are generally lawless. If this is the case, increasing rather than decreasing access constraints would be indicated. In fact law enforcement needs for this particular user group are a large source of costs associated with off-road motorized recreation.</p>	<p>The commenter refers to, "well documented and significant costs associated with off-road motorized recreation", but only provides one scenario (Law enforcement costs) which to review.</p> <p>The Effects of Recreation and OHV on Socioeconomics are discussed in section 4.12.3.3 on page 4-68 of the Supplement, and in section 4.12 in the Draft RMP. The text uses the terms increasing recreation opportunities, and Improving the recreation experience and discusses impacts on local economies as a result of adjusting these opportunities/experiences.</p> <p>Within section 4.1.1 under Analytical Assumptions on page 4-2 of the Draft RMP states,</p> <ul style="list-style-type: none"> • State highways and county roads through the VPA will remain open for access. <p>Many of the county roads within the VPA allow OHV</p>	

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				<p>use within the wide range of alternatives. This could help to alleviate some concerns with regards to off Highway travel.</p> <p>The commenter states, “This implies that off-road motorized recreation participants are generally lawless.” The BLM has made no such assumption.</p> <p>The commenter states: “In Fact law enforcement needs for this particular user group are a large source of costs associated with off-road motorized recreation.”</p> <p>Indeed, if additional law enforcement is required to manage any specific resource within the VPA it is correct that it could create an additional cost to the tax payer; however, the additional needs could create a new position(s), which could assist the local economy as well. Therefore, the costs that the commenter addresses could be seen as benefits and are subjective in nature.</p> <p>If by costs, the commenter is referring to Impacts, impacts from OHV use are identified by specific resource in chapter 4 of the Draft RMP and have adequately been analyzed through the NEPA process.</p>	
The Wilderness Society	174	39	<p>The Draft RMP and the Supplement fail to address or even acknowledge the well documented and significant costs associated with off-road motorized recreation.</p> <p>Cost to Taxpayers – OHV activity on public lands can be costly to taxpayers who subsidize the basic construction, maintenance, and management of the required</p>	<p>The study cited by the commenter is from an advocacy group, and not a peer-reviewed study. In an exhaustive review of literature on the socioeconomic costs and benefits of OHV use on BLM lands, the United State Geological Survey “revealed no published studies on the socioeconomic costs generated by OHV use” (USGS, Environmental</p>	

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			<p>infrastructure and the restoration and repair of damaged lands and who pay the price for ecotourism opportunities lost because of degraded habitat. Defenders of Wildlife (2002). For example, Defenders of Wildlife found that OHV damage from the Chattahoochee/Oconee National Forest is estimated at \$990,000 (\$1,800 per acre) to repair 500 miles of illegal trails.</p>	<p>Effects of Off-Highway Vehicles on Bureau of Land Management Lands: A Literature Synthesis, Annotated Bibliographies, Extensive Bibliographies, and Internet Resources, 2007). The same study cited numerous studies documenting the economic benefits generated by such users. The USGS study does not state that OHV use does not pose such costs, but rather that they have not been documented.</p> <p>The BLM has never implied that OHV use is without costs or impacts most of which result from unrestricted cross-country travel. The Proposed RMP/Final EIS reduces by over 99 % the acreage designated as open to cross-country OHV travel. The BLM's planning process and impact analysis assumes that visitors will not engage in illegal activities of the type described by the commenter.</p>	
The Wilderness Society	174	40	<p>SOC</p> <p>The Draft RMP and the Supplement fail to address or even acknowledge the well documented and significant costs associated with off-road motorized recreation.</p> <p>Stynes and White (2005) have shown that motorized and non-motorized visitors spend the same amount per day on tourism-related services. Given the preponderance of evidence that most visitors are engaging in non-motorized recreation, it is likely that most of the benefit to the local communities from hotel and restaurant spending, as well as other spending by visitors is due to the non-motorized recreation opportunities in the area. It is also likely that as the landscape becomes degraded and overrun by OHVs the "cash cow" tourists seeking non-motorized opportunities are likely to choose other destinations. The impact on the local economy of this shift must be assessed as part of the Final RMP EIS</p>	<p>The commenter seems to assume that recreationists to the Vernal planning area (VPA) are cleanly divided into motorized versus non-motorized users, with members of one group never participating in activities associated with the other group. The commenter also seems to assume that the BLM has data indicating what each group (assuming that they are discrete entities) contributes to the local economy.</p> <p>The BLM has no data to separate out motorized versus non-motorized recreation spending, even assuming that the two groups are completely distinguishable. The commenter provides no evidence that the existence of such data would change any of the BLM's conclusions in Chapter 4.</p> <p>The commenter provides no evidence to support th</p>	

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				analysis.	<p>contention that most visitors to the VPA are non-motorized recreationists, nor that most visitor spending is by non-motorized recreationists. Nor does the commenter provide evidence that non-motorized recreationists are being displaced to other areas by motorized recreationists (again, assuming that the two groups are completely discrete).</p> <p>The Stynes and White (2005) report (not a peer-reviewed study) cited by the commenter refers to a review of data from the National Visitation Use Monitoring (NVUM) program conducted on National Forest lands, in which approximately 48% of the respondents were local day-trippers. The study's results may not be generalizable to non-local tourists on BLM lands. Additionally, the study breaks down visitor activities into categories which do not neatly break down into "motorized" versus "non-motorized".</p> <p>See also response to comment 174-39.</p>	
The Wilderness Society	174	41	SCO	The Supplement claims that "In the development of this RMP, wilderness characteristics are considered in a manner commensurate with other resource values and uses." Supplement, p. 1-2. However, the BLM's approach to this Supplement indicates that wilderness values are not actually being given equal treatment with other resource values.	In the Supplement to the DRMP/DEIS (Alternative E), all lands identified by BLM as having wilderness characteristics would be managed to protect the naturalness of the areas and the opportunities for solitude and primitive recreation. Protecting the wilderness characteristics would include, among other restrictive management prescriptions, making them unavailable for oil and gas leasing and closing the area to OHV use. The management and level of protection of the wilderness characteristics on Non-WSA lands is discretionary and not bound by requirements of the Wilderness Act of 1964 or the WSA Interim Management Policy (IMP, H-8550-1; BLM 1995). However, the BLM may manage the lands to protect and/or preserve some or all of those	

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					characteristics through the land use planning process. In addition, under the land use planning process, the BLM must consider a range of alternatives for the lands identified 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.	
The Wilderness Society	174	42	SCO	We remain concerned that neither BLM's preferred alternative nor any of the other management alternatives provide sufficient protection for the ecosystem from the impacts of intrusive activities, especially ORVs and oil and gas development.	See comment response 174-O-41. Protections from oil and gas development applicable to all alternatives are described in Appendix K. A range of ORV restrictions (open, closed, limited) are described throughout several resources in chapter 2.	
The Wilderness Society	174	43	SCO	The Supplement does not indicate that the agency is seriously considering protection of lands with wilderness characteristics or adoption of other special designations, and does not give sufficient weight to the benefits to wildlife and cultural resources from protecting lands with wilderness characteristics and other natural lands.	The BLM is objectively evaluating all alternatives, including both positive and negative impacts. See Chapter 4 for a comparison of impacts analysis for all resources.	
The Wilderness Society	174	44	WC	The Supplement does not indicate that the agency has given sufficient weight to the damage from oil and gas drilling and ORV use, or to the benefits to the other resource values and uses from protection of lands with wilderness characteristics, including to plant and wildlife habitat. The deficiencies in the analysis of the impacts from potentially destructive activities 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.	The BLM has taken a hard look at impacts, both adverse and beneficial, to non-WSA lands with wilderness characteristics.	
The Wilderness Society	174	45	WC	In identifying lands with wilderness characteristics outside of existing Wilderness Study Areas (WSAs), the Supplement has failed to identify several areas that should be considered for protection and, as a result, has	The commenter has not provided a description of any areas that should have been considered.	

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			failed to consider the impacts of other activities on those lands.			
The Wilderness Society	174	46	WC	The criteria used in the Supplement are overly restrictive. BLM's guidance does not require the simultaneous presence of all these wilderness characteristics or specify any minimum acreage in order to justify management to protect them. Instruction Memoranda (IMs) Nos. 2003-274 and 2003-275, which formalize BLM's policies concerning wilderness study and consideration of wilderness characteristics, contemplate that BLM can continue to inventory for and protect land "with wilderness characteristics," and define wilderness characteristics as naturalness, providing opportunities for solitude or providing opportunities for primitive or unconfined recreation. The IMs further provide for management that emphasize "the protection of some or all of the wilderness characteristics as a priority," even if this means prioritizing wilderness over other multiple uses. See, IM 2003-275 – Change 1.	Please see Response to ID No. G-174-Comment 3.	
The Wilderness Society	174	47	WC	The criteria used in the Supplement are overly restrictive. The guidance issued by BLM's Arizona State Office serves to elaborate upon this guidance by providing for some identification of lands with wilderness characteristics and development of management prescriptions to protect and enhance these values. See IM No. AZ 2005-007. The Proposed RMP for the Arizona Strip, which applies the Arizona guidance, includes land use allocations for lands with wilderness characteristics in every alternative and sets out protective management prescriptions, Table 2.10, p. 2-131. This process is consistent with BLM's obligation under FLPMA to inventory for the many values of the public lands and consider ways to protect them (i.e., not all uses are appropriate in all places in a RMP).	Please see Response to ID No. G-174-Comment 3.	
The	174	48	WC	The criteria used in the Supplement are overly	Please see Response to ID No. G-174-Comment 3.	

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Wilderness Society			restrictive. The criteria for evaluating whether lands with wilderness characteristics are suitable for management to maintain those values should be revised to clarify that: 1) they can be managed to maintain one, two or all three of the wilderness characteristics identified in BLM's guidance and 2) it is not necessary for the total area to be at least 5,000 acres because the standard for managing to maintain some or all wilderness characteristics does not require such a limitation. The evaluation conducted by BLM should also be reviewed and revised to increase the acreage that will be managed to maintain wilderness characteristics based on these corrected standards.			
The Wilderness Society	174	49	WC	In the Supplement, the BLM identifies 277,596 acres of non-WSA lands with wilderness characteristics. See e.g., Supplement p. 3-2. However, this underestimates the actual acreage of lands with wilderness characteristics in the Vernal Field Office. The inventory submitted by the Utah Wilderness Coalition and SUWA identifies more than 438,000 acres of wilderness-quality lands outside existing WSAs, which are included in America's Red Rock Wilderness Act (introduced in the 110th Congress as H.R. 1919, S. 1170). These lands were inventoried in accordance with the more stringent standards of the Wilderness Act and the Wilderness Inventory Handbook. All of the lands identified by the UWC and SUWA met these standards and, as a result, certainly meet the criteria that should be applied in the Vernal RMP.	Please see Response to ID No. G-174-Comment 3.	
The Wilderness Society	174	50	WC	The BLM's conclusion in the Supplement that many of the areas inventoried were not in natural condition, do not have outstanding opportunities for solitude, and did not have outstanding opportunities for primitive or unconfined recreation cannot be supported and indicated fundamental flaws in the review and assessment of the UWC and SUWA wilderness character submissions.	Please see Response to ID No. G-174-Comment 3.	

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			Within the Supplement many wilderness quality lands have yet to be appropriately identified as possessing wilderness characteristics. The Vernal Field Office has failed to identify the full extent of lands with a natural appearance and not significantly impacted by man's activity.			
The Wilderness Society	174	51	WC	The recent WCR arbitrarily excludes or fails to identify many natural and wilderness character-quality lands within the Ashley National Forest and Wyoming BLM lands adjacent to the BLM lands. Vernal BLM bases this arbitrary exclusion on "established BLM practice with wilderness inventories." This practice requires that lands within the Forest Service or other BLM field offices must be currently endorsed for wilderness designation in order for the adjacent Vernal BLM lands to meet the wilderness character and size requirement. Wilderness Inventory and Study Procedures (H-6310-1), from which this "established" practice is derived was rescinded by the April 2003 settlement agreement. Therefore, this BLM wilderness inventory policy is no longer valid. The BLM's guidance for such situations must rely exclusively on the Wilderness Act and FLMPA, neither of which contain any requirements that adjacent agency lands must be "administratively endorsed for wilderness" in order to permit cumulative review.	Please see Response to ID No. G-174-Comment 3.	
The Wilderness Society	174	52	WC	As for the identification of a wilderness resource for the Vernal BLM planning purposes, the agency continues to overlook much of the Bitter Creek drainage as retaining its overwhelming wilderness character. Despite BLM's own field inventory records and individual unit maps indicating that wilderness character may exist south of the current arbitrary ridge line boundary with a more extensive review of the area, Utah's BLM revision team failed to perform any supplemental field assessments or inventory to justify its explanation on the continued	Please see Response to ID No. G-174-Comment 3.	

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				exclusion the sizable wilderness character landscape.		
The Wilderness Society	174	53	WC	BLM fails to exclude the noted impacts on Lower McCook Ridge such as the chainings and vehicle routes. As the accompanying map indicates and displays, these impacts, mostly along the McCook ridge road and not within the Bitter Creek Canyon, can easily be excluded, while at the same time truly identifying the wilderness characteristics that exist within this area. Regarding the land ownership in the canyon bottom, none of these affect or detract from the impression that the area within the canyon, namely the southwest expanse of the area. All view from this impressive canyon system and bottom remain overwhelming natural in appearance and BLM's current boundary does not account for these natural lands to the northwest. BLM needs to discontinue the use of the arbitrary boundary and include the full extent of wilderness character lands as shown on the accompanying map.	Please see Response to ID No. G-174-Comment 3.	
The Wilderness Society	174	54	WC	BLM does not include this small, but natural and continuous area within the Bitter Creek wilderness character unit. Perhaps a slight omission in error, the impacted lands, or the chained area to the north does not connect or touch the state section, T14S R25E, Section 2. As a result, this small area is not disconnected from the larger unit and will need to be included as retaining natural and wilderness characteristics. See accompanying map.	Please see Response to ID No. G-174-Comment 3.	
The Wilderness Society	174	55	WC	BLM's recent WCR did not identify the entire landscape of the Bourdette Draw wilderness character within this portion of the "unit 1." (T6S R24E, Sections 1 and 12; T6S R25E, Sections 5-7, T5S R25E, Section 31). BLM's WCR relies on that the area is substantially less than 5,000, which in fact is not the case. BLM should note that T5S R24E, Section 36 and T6S R24E, Section 2 don't physically touch or separated this portion of Unit 1	Please see Response to ID No. G-174-Comment 3.	

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			from the remaining portions of Unit 1 that have been recently and correctly identified as retain a wilderness character and resource. This area is noted on the accompanying map as B. Somehow BLM implies that his lower portion is not contiguous with the larger roadless area, but this is either an oversight or a correction. Now taken the area in context with the larger portion of Unit 1, the 5,000 acre size criteria BLM has imposed on itself has been adequately met.			
The Wilderness Society	174	56	WC	BLM's assessment of naturalness of this portion of Unit 1 of Bourdette Draw overly states the amount of impacts the area actually contains. It's known by repeated visits by SUWA that the area at subject here contains a diverse amount of terrain fluctuation and vegetation that are part of the visual impression leading towards the impressive cliff face of Cliff Ridge. The impression, while viewing the area either from the boundary route along the south, or from one of the vantage points along Cliff Ridge is that there are remains natural in appearance and free of a cumulative amount of significant impacts. BLM may conclude that one or another of these individual routes may be worth of exclusion, but then make these adjustments, not just arbitrarily exclude the entire area from being identified.	Please see Response to ID No. G-174-Comment 3.	
The Wilderness Society	174	57	WC	Cold Spring Mountain Wilderness Character Unit – BLM relies on the arbitrary point to point boundary, one that fails to utilize a significant impact at all, for the unit's northern boundary. The exclusions, either through boundaries and one cherry-stem excludes the impacts that remain significant, while include the natural lands. In addition, the land status of the adjacent state parcels has no discernable impact or character to diminish the average visitor's impression of the natural hillside. As a result, BLM continually fails to identify the full extent of the BLM lands here that are contiguous with the Cold	Please see Response to ID No. G-174-Comment 3.	

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			Spring Mountain wilderness character unit. This continued omission requires the BLM to update this unit's wilderness character as indicated on the accompanying map. The continued use of the point to point boundary fails the objective of identifying wilderness characteristics.			
The Wilderness Society	174	58	WC	SUWA has already extensively commented on this portion of the Desolation Canyon wilderness character unit's arbitrary exclusion. This submission was provided in conjunction with comments submitted by SUWA on August 31, 2007 for the Dominion Kings Canyon North Well Drilling Project. None of this new wilderness character information or warranted adjustments were incorporated within the Supplement. BLM will need to account for this new information and continued wilderness character areas east and adjacent with the Green River. In addition, this supplied new wilderness character information that was provided previously to the BLM is again provided to the BLM as an attachment to these comments.	Please see Response to ID No. G-174-Comment 3.	
The Wilderness Society	174	59	WC	BLM has continued to not identify any of the lands contained within this Dragon Canyon Wilderness Character Unit as retaining wilderness characteristics. Today's Vernal BLM notes that there are several significant route sand a few gas wells within the area and overall, there is nowhere within this remote region that retains a natural appearance. This is puzzling and SUWA over the years has visited the area repeatedly, and continues to note that while BLM may treat the routes on Rector Ridge and within Davis Canyon as perhaps significant impacts, by utilizing these features as unit boundary leaves a landscape well over the 5,000 acre threshold. BLM needs to evaluate the area on its merits and with the use of the boundaries indicated on the accompanying map, significant new information has	Please see Response to ID No. G-174-Comment 3.	

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			been supplied and overly demonstrates that BLM continues to not include or identify the full range and extent of wilderness characteristics present here.			
The Wilderness Society	174	60	WC	BLM fails to identify any of the BLM lands that compromise the Goslin Mountain wilderness character unit. BLM relies strictly on the Forest Service to be managing their portion of this roadless and wilderness character unit as Wilderness or as endorsed wilderness. As a result, BLM does not account for the full range of lands retaining wilderness character. We've requested documentation of BLM's policy that guides BLM's decisions in these situations, but Utah State Office personnel stated that there is no specific BLM policy. Therefore, the exclusion of this natural area, adjoining and contiguous with the larger Forest Service Rare II area is not justified.	Please see Response to ID No. G-174-Comment 3.	
The Wilderness Society	174	61	WC	Lower Flaming Gorge Wilderness Character Unit – BLM currently utilizes the natural feature of the Green River as the unit's northern wilderness character boundary. By doing so, BLM arbitrarily excludes the natural slopes of Red Canyon and does not include the full extent of lands retaining a natural and wilderness character appearance. BLM overly implied that the area has far too many vehicle tracks and off-road vehicle use in this area, and therefore, the area is not natural. As seen on the ground, this impacted impression is not what is noted, and BLM's arbitrary exclusion with the use of the river fails to account for the full extent of wilderness character lands of the Lower Flaming Gorge unit.	Please see Response to ID No. G-174-Comment 3.	
The Wilderness Society	174	62	WC	Lower Flaming Gorge Wilderness Character Unit – Several BLM areas are contiguous to the lands BLM has already identified as possessing wilderness characteristics. In each of these three cases, there is no physical separation from the larger wilderness character unit, but rather an arbitrary section line boundary. Mostly	Please see Response to ID No. G-174-Comment 3.	

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			consisting of extensively forested hillsides and natural features, these areas appear natural, regardless of land ownership patterns and therefore should be included within the larger unit. As the accompanying map displays, these areas need to be identified for all ongoing planning purposes as retaining a wilderness resource.			
The Wilderness Society	174	63	WC	The BLM arbitrarily excluded natural lands by using a section line as a boundary. As a result of the arbitrary boundary, wilderness values end along the natural terrain, opposed to using the edge of a natural disturbance that exists to the west. The BLM fails to use the edge of significant impact as a boundary of wilderness characteristics in the Mexico Point unit.	Please see Response to ID No. G-174-Comment 3.	
The Wilderness Society	174	64	WC	Unaccountably, the southern boundary of the Mountain Home wilderness character unit does not include the BLM lands to the east of this chained area, or west of the Jesse Ewing Canyon, all free of any significant impact, including not being chained in the 60's. As being natural in appearance, free of any significant impacts, the lands depicted on the accompanying map should be identified and included as retaining wilderness character.	Please see Response to ID No. G-174-Comment 3.	
The Wilderness Society	174	65	WC	BLM fails to identify any of the BLM lands that compromise the Red Creek Badlands wilderness character unit. BLM acknowledges that the land north of Scott Canyon are rugged and display a natural appearance, but then relies strictly on the Wyoming BLM to be managing their portion of this roadless and wilderness character unit as wilderness or endorsed wilderness. As a result, BLM does not account for the full range of lands retaining wilderness character. We've requested documentation of BLM's policy that guides BLM's decisions in these situations, but Utah State Office personnel stated that there is no specific BLM policy. Therefore, the exclusion of this natural area, adjoining and contiguous with the larger Wyoming BLM	Please see Response to ID No. G-174-Comment 3.	

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				area is not justified.		
The Wilderness Society	174	66	WC	Split Mountain Benches – BLM states that the entire area is significantly impacted by OHVs use, therefore the entire area is devoid of wilderness characteristics. This is not the case when visiting or assessing the area on the ground. Part of the large roadless area of Dinosaur National Monument, wilderness values do not arbitrarily end at this management boundary, but do in fact continue west onto these BLM lands. The lands to the east and within the Monument do not need to be administratively endorsed for wilderness. Nowhere does each of these current guiding policies (BLM, FLPMA, Wilderness Act) state that a political boundary separates federal agency lands or that one agency must have made a formal recommendation for wilderness designation.	Please see Response to ID No. G-174-Comment 3.	
The Wilderness Society	174	67	WC	Stone Bridge Draw – BLM does not identify any part of this parcel, adjacent to Dinosaur National Monument and lands within the area administratively endorsed for wilderness. The BLM overly exaggerated the amount of vehicle use within this parcel, while its known that the areas to the west are experiencing an increase in vehicle use and abusive play areas, this area is nearly free or absent of this activity. Perhaps only less than 1% of lands at issue have a human impact, the remaining lands remain natural and are all affected by the natural process and not the human activities to the north and west. It's without justification for the Vernal BLM to not include this area or identify this area as retaining wilderness characteristics.	Please see Response to ID No. G-174-Comment 3.	
The Wilderness Society	174	68	WC	White River - BLM continues to not include the full extent of the landscape that retains a natural and wilderness character appearance. BLM insists that the areas south of these arbitrary ½ section lines are cumulative impacted by the oil and gas activity well to the south. We	Please see Response to ID No. G-174-Comment 3.	

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			ask then, if this rugged area to the south is “cumulatively impacted” by this activity, then how does the BLM argue that the potential impacts from the recently released Enduring Resources’ Saddletree Draw Leasing and Rock House Development Proposal Environmental Assessment only impact the physical features and not the “cumulative” area? Seems that the BLM will not identify wilderness character areas that have oil and gas potential, but when the BLM analyzes the impacts of activity in the White River WIA, somehow there is not a “cumulative impact,” associated with this expansive project, a double standard by the Vernal BLM.			
The Wilderness Society	174	69	WC	White River – There is no rationale here why the wilderness character boundary arbitrarily falls along the ½ sections of 1 and 6. This remote and rugged area has very few human impacts whatsoever, and the one feature to the south serves as the unit boundary. This current arbitrary exclusion must be corrected.	Please see Response to ID No. G-174-Comment 3.	
The Wilderness Society	174	70	WC	White River – BLM notes within the WCR that new oil and gas activity has occurred within this area, if that is the case, then an exclusion of only the impacts is justified and not the newer large exclusion that utilizes the section and ¼ sections. This type of exclusion is part of the “zone of influence” perhaps? Nowhere here does the wilderness values and natural appearance end at this arbitrary boundary, and therefore, BLM has excluded more land than warranted. This situation must be corrected.	Please see Response to ID No. G-174-Comment 3.	
The Wilderness Society	174	71	WC	In the general guidance on land acquisition in the DRMP/EIS, the BLM does not include wilderness characteristics in the characteristics of “non-federal lands to be acquired.” pp. 2-16 – 2-17. In addition, the methods of acquisition are limited to exchange. p. 2-16. In addressing land tenure adjustments, the types of “important manageable resources” that would justify a	Comment Noted.	

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				change set out in the DRMP/EIS also does not include wilderness characteristics, but does contemplate acquiring lands through exchange, purchase, or donation p. 2-15.		
The Wilderness Society	174	72	MOG	In accordance with IM 2007-176, the Vernal RMP should provide for any and all new routes associated with oil and gas development to be classified as temporary routes, such that written authorization is required for new route construction and such authorization requires construction not to exceed minimum standards necessary, reclamation, and measures to prevent public access.	Comment noted. All new construction is required to have an authorization prior to commencement of surface disturbing activities. In the case of oil and gas development, when a well is plugged and abandoned, the BLM will work with the operator to reclaim the disturbed lands.	
The Wilderness Society	174	73	WC	In assessing Alternative E in the Supplement, the BLM does not fully consider the benefits of protecting these lands for their wilderness characteristics, as required by NEPA. Unfortunately, when discussing the effects of alternative E in more detail, the Supplement focuses more on supposed costs, which appear to be given excessive weight, and not enough on the benefits.	Comment Noted.	
The Wilderness Society	174	74	WL	There is a detailed assessment of habitat fragmentation and loss of functional habitat from Alternative E due to projected oil and gas development pp. 4-128 – 4-131. However, there is not a similar assessment for ORV use.	Impacts of OHVs are thoroughly discussed in the SEIS in Section 4.10.2.8.	
The Wilderness Society	174	75	WL	There is not a thorough discussion of the significant improvements of wildlife from the adoption of Alternative E in comparison to Alternative A, the preferred alternative. This comparison is not made in the Supplement and the substantial benefits that could result from managing to protect the lands with wilderness characteristics are not discussed in the Supplement.	Alternative E & C are the same with regards to benefits (or less harm) to wildlife; however, additional lands posed in Alternative E with wilderness characteristics will be afforded more protection. Overall, the additional benefits to wildlife would be negligible.	
The Wilderness Society	174	76	WL	The absence of this discussion is acceptable in light of the critical impact of habitat fragmentation on wildlife habitat. Roads and ORV routes are not widely recognized in the scientific community as having a range of direct, indirect, and cumulative effects on habitats and	The BLM has clarified the impact of habitat fragmentation from routes and trails and other development. See Response to Comment to 12-2-WL.	

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			wildlife. See e.g., Trombulak and Frissell 2000. Effects range from direct removal of habitat to long-term displacement of species from preferred habitat. The indirect and cumulative effects are hardest to measure, but are increasingly studied through analysis of habitat fragmentation. Habitat fragmentation from roads and other human infrastructure has been identified as one of the greatest threats to biological diversity worldwide. Wilcove 1987. The adverse effects of routes on wildlife have been well documented in several extensive literature reviews. *See letter for list* This volume of science simply cannot be ignored in a major land management planning effort such as this DRMP (or any travel management planning effort).		
The Wilderness Society	174	77	CUL In addition to recognizing the objective benefits of protecting these sites, the BLM also has an obligation to seek identification and protection of cultural resources: Section 106 of the NHPA imposes obligations on the BLM to prioritize identification and protection of cultural resources; Section 110 obligates the BLM to proactively identify and evaluate sites that may be eligible for listing in the National Register 16 USC § 470f, 470h. These factors should lend additional weight to the discussion of improvements in management for cultural resources in the Supplement. The Supplement's concerns with the loss of new data from limiting development projects are not supportable and should be discounted based on the fact that NHPA requires the BLM to proactively identify cultural resource sites (i.e. it is not told to inventory for sites only when development may threaten them.	See Response to Comment 162-7-CUL.	
The Wilderness Society	174	78	CUL The Supplement severely underestimates the important protections to cultural resources that arise from protecting lands with wilderness characteristics and, as a result, also fails to fulfill the BLM's obligation under the NHPA, as well as NEPA.	Inventory of a statistically valid sample of the 1.7 million acres of BLM lands within for the purpose of preparing the RMP is not feasible. For this reason, the BLM has used the best available data at the time this document was prepared to identify general	

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				<p>management measures related to cultural resources. The BLM has included stipulations for the identification of cultural resource sites and the avoidance, minimization, or mitigation of impacts to those resources for land use activities permitted under the RMP.</p> <p>Federal law concerning cultural preservation mandates that in all applicable situations, e.g. ground disturbing actions, their effects are processed under existing laws, regulations and standards. The inventory is updated weekly and this information is provided to the manager for decision-making.</p>	
The Wilderness Society	174	79	<p>The designation of routes in the Supplement and the DRMP/EIS fails to comply with applicable BLM guidance. IM No. 2007-030, which was issued and become effective on December 15, 2006, addresses "Cultural Resource Considerations for Off-Highway Vehicle (OHV) Designation and Travel Management." The IM notes that: "Selection of specific road and trail networks and imposition of other use limitation should avoid impacts on historic properties wherever possible" and requires that "existing cultural information must be considered." Nonetheless, the DRMP and the Supplement decline to make decisions to protect these areas. As mandated in IM 2007-030: "Evaluation of routes or areas to be designated as closed to protect cultural resources may be based on existing inventory information and should be postponed until additional information is acquired." IM 2007-030 confirms that a Class III inventory of cultural resources is required prior to route designation in travel planning. All of the alternatives are likely to lead to increased, concentrated access in areas with cultural resources and cause adverse impacts, so a Class III inventory of these routes should be conducted prior to analysis. Compliance with IM 2007-030 could have been</p>	<p>The BLM will comply with its Section 106 responsibilities as directed by the NHPA regulations and BLM IM-2007-030 (Clarification of Cultural Resource Considerations for Off-Highway Vehicle Designation and Travel Management). As described in BLM IM-2007-030, cultural resource inventory requirements, priorities and strategies will vary depending on the effect and nature of the proposed OHV activity and the expected density and nature of historic properties based on existing inventory information.</p> <p>A. Class III inventory is not required prior to designations that (1) allow continued use of an existing route; (2) impose new limitations on an existing route; (3) close an open area or travel route; (4) keep a closed area closed; or (5) keep an open area open.</p> <p>B. Where there is a reasonable expectation that a proposed designation will shift, concentrate or expand travel into areas where historic properties are likely to be adversely affected, Class III inventory and</p>	

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			incorporated into this Supplement previous and the agency should do so now.	<p>compliance with Section 106, focused on areas where adverse effects are likely to occur, is required prior to designation.</p> <p>C. Proposed designations of new routes or new areas as open to OHV use will require Class III inventory of the Area of Potential Effect and compliance with Section 106 prior to designation. Class III inventory of the APE and compliance with Section 106 will also be required prior to identifying new locations proposed as staging areas or similar areas of concentrated OHV use.</p> <p>D. Class II inventory, or development and field testing of a cultural resources probability model, followed by Class III inventory in high potential areas and for specific projects, may be appropriate for larger planning areas for which limited information is currently available.</p>	
The Wilderness Society	174	80	WC	<p>The BLM fails to discuss the risks of destroying wilderness characteristics in assessment of alternative E. BLM has identified “wilderness characteristics” to include naturalness or providing opportunities for solitude or primitive recreation. See IM 2003-274, 2003-275. These values should also be identified and protected in the Vernal RMP. The wide range of values associated with lands with wilderness character include: Scenic Values, Recreation, Wildlife Habitat and Riparian Areas, Cultural Resources, Economic Benefits, Quality of Life, and Balanced Use.</p>	Please see Response to ID No. G-174-Comment 3
The Wilderness Society	174	81	WC	<p>In the DRMP, the BLM has acknowledged the risk to wilderness characteristics from oil and gas development and ORVs. In the Supplement, the agency must acknowledge the benefits not only to wilderness characteristics but also to other resources and uses of the public lands from managing lands to protect their</p>	Please see Response to ID No. G-174-Comment 3

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				wilderness characteristics.		
The Wilderness Society	174	82	WC	The Supplement discusses the cumulative loss of uses for ORVs and energy development in Alternative E. Supplement, pp. 4-220, 4-221. However, the Supplement does not acknowledge the relatively minor nature of these losses. While the supplement acknowledges the continued development of non-WSA lands with wilderness characteristics, it does not discuss the relatively low impacts on oil and gas development and ORV use that would occur from protecting all the relatively low impacts on oil and gas development and ORV use that would occur from protecting all of the identified non-WSA lands with wilderness characteristics. Taken in conjunction with the failure to acknowledge the major benefits to wildlife habitat from protecting wilderness characteristics, the omission of a thorough discussion of the minimal costs to development and ORV use compromise the analysis of Alternative E in the Supplement and the comparative analysis of the other management alternatives set out in the DRMP/EIS.	Please see Response to ID No. G-174-Comment 3	
The Wilderness Society	174	83	WC	The Supplement does not sufficiently disclose the BLM's analysis of lands with wilderness characteristics. NEPA requires that the information provided to the public be accurate and sufficient to permit analysis of the data provided and the methods used to analyze it. The Supplement does not meet basic standards for disclosure and accuracy, and is impermissibly preventing meaningful public comment.	Please see Response to ID No. G-174-Comment 3	
The Wilderness Society	174	84	WC	Methodology for assessing wilderness characteristics is not disclosed. There is no explanation of the findings, such as how they were made or why these 133,723 acres were not suitable. Although there is a reference to supporting documentation being available for review at the Vernal Field Office, this does not fulfill the agency's obligation to provide this data – especially without any	Please see Response to ID No. G-174-Comment 3	

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			further discussion or posting this information on the RMP website.		
The Wilderness Society	174	85	WC	Courts have confirmed the BLM's obligations to consider the value of wilderness characteristics and the potential impacts of decisions on this resource when making land use planning decisions. BLM must show that it fully considered the information submitted regarding wilderness characteristics, which necessarily includes disclosure of its methodology and analysis of each unit.	Please see Response to ID No. G-174-Comment 3
The Wilderness Society	174	86	WC	In a recent decision, a federal court found that BLM's failure to re-inventory lands for wilderness values and to consider the potential impact of decision regarding management of a grazing allotment violated its obligations under NEPA and FLPMA, then enjoined any implementation of the decision until the agency re-inventoried the lands at issue and prepared an environmental document taking into account the impacts of its decisions on wilderness values. In this Supplement, the BLM is similarly required to assess the wilderness values of the areas identified. Currently, the actual details of the review conducted for each proposal and the results of the evaluation are not presented. Accordingly, BLM has not demonstrated compliance with this burden.	Please see Response to ID No. G-174-Comment 3
The Wilderness Society	174	87	SCO	The Supplement provides changes to each affected section of the Draft RMP/EIS for Alternative E. However, there are no thorough discussions or comparisons of the effects of Alternative E with the preferred alternative, Alternative A. For instance, a side-by-side comparison of the mileage of ORV routes, projected oil and gas wells, and functional habitat in Alternative E and the other management alternative is critical information for informed public scrutiny of this document.	A discussion of Alternative E in comparison with the three other action alternative as well as the No Action alternative are described in Chapter 4 of the SEIS.
Howard County Bird Club	175	1	WC	On page 3-2, Table 3.22.1 (column 3) lists 133,723 acres that BLM found to lack wilderness characteristics	Please see Response to ID No. G-174-Comment 3

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				<p>in 25 units, and these are excluded from protection in Alternative E. We question that exclusion and urge BLM to manage those units the same as the other lands until Congress has reached a decision on wilderness. Some of the excluded areas are large enough to have wilderness characteristics on their own. Past decisions by Utah BLM have misused subjective criteria such as "opportunities for solitude" to disqualify millions of acres. We wonder if that is happening again.</p>		
Howard County Bird Club	175	2	WL	<p>The Supplemental could have been clearer in identifying wildlife values that would be enhanced by protecting the 25 WCAs under Alternative E. These favorable impacts would include:</p> <ul style="list-style-type: none"> Habitat and forage for Rocky Mountain bighorn sheep (page 2-20) Spatial and seasonal buffers for raptors (page 2-17) Improved protection of wetlands and riparian areas in the WCAs will benefit birds and wildlife habitat, supporting many species that depend on these habitats. We did not find this addressed in the Supplement. Protection of uplands in the WCAs will benefit Greater Sage-grouse and other native species of birds and mammals. This was not clearly stated in the Supplement. 	<p>As stated in the "Dear Reader" letter at the front of the Supplement to the Draft RMP/EIS, "Under Alternative E, the proposed decisions that apply to the lands outside of non-WSA lands with wilderness characteristics remain the same as those in Alternative C." The commenter needs to look at both the DRMP and SDEIS to have a full context of the document including a description of the alternatives, environment, and anticipated impacts.</p> <p>Table 2.3 of the Supplement summarizes management direction for resources within the Vernal Planning Area. This Table has been renumbered in the Proposed RMP/Final EIS as Table 2.1. The Table along with Chapters 3 and 4 and Appendix K provide discussion on protection of the commenter identified resources.</p> <p>See Response to Comment 1-8-WL.</p>	
Coalition to Preserve Rock Art	177	1	TRR	<p>We are concerned that development near rock art sites including campgrounds, roads, orv trails, oil and gas exploration and development which include seismic testing, pipelines and access roads, and mineral extraction pose a threat to the integrity of rock art sites. The location of roads and OHV routes must give</p>	<p>As part of the Comprehensive Travel management plan to be completed within 1-5 years of the Record of Decision for the RMP, individual routes/route proposals will be evaluated through the NEPA process.</p>	

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			consideration both to the cultural resources directly in their path and the resources they provide access to.	As part of the NEPA process, an interdisciplinary team including cultural and historic specialists will evaluate and assist with determining proper routing and recommend appropriate mitigation.	
Coalition to Preserve Rock Art	177	2	CUL Section 106 (16 U.S.C. 470f) obligates the BLM to consider the effects of management actions on cultural resources listed or eligible for listing to the National Register of Historic Places. Section 110 of the NHPA requires the BLM to manage and maintain those resources in a way that gives "special consideration" to preserving archaeological and cultural values. Section 110 also requires the BLM to ensure that all historic properties under the jurisdiction or control of the agency are identified, evaluated, and nominated to the National Register of Historic Places. Id. 470h-2(a)(2)(A). There are only eight sites nominated to the NRHP in this region. Not all of these protect pre-historic resources. There are thousands of cultural resource sites in this region. How can BLM claim to be honoring their legal responsibilities given this pitiful record of nomination to the NRHP?	Standard lease terms and special lease stipulations call for the inventory and either avoidance of or mitigation of impacts to National Register-eligible or identified sacred/traditional resources. BLM further encourages the location of multiple wells on single drilling pads and the consolidation of access roads in order to reduce surface disturbances. Additionally, permits issued by the BLM authorize surface disturbance and travel only in those areas where cultural resources assessment has taken place and appropriate avoidance, minimization, or mitigation measures have been implemented. As part of its Section 110 responsibilities and in incorporating cultural resources into the planning process, the BLM has identified and proposed a number of ACECs within which cultural resource values are a key component.	
Coalition to Preserve Rock Art	177	3	CUL We are concerned that over a million acres would be made available for oil and gas leasing without comprehensive cultural resource inventories. From the maps provided, we are concerned that Alternative E does not protect areas where we know cultural resources to exist. We will provide specific comments below. We would be happy to meet with the BLM to provide specific site locations should you require more detailed information.	Whenever the BLM State Office initiates a lease sale all parcels on the list are reviewed through a Class I survey by a BLM archaeologist. If site density is high and/or sacred sites are present the parcel is deferred. The BLM archaeologist also conducts formal consultation with the SHPO and all Tribes with potential interest in the parcels. Once the parcels are leased no ground disturbing activities are permitted without a Class III inventory.	
Coalition to Preserve Rock Art	177	4	ACE We are concerned that ACEC designation will inadvertently or intentionally publicize cultural resource locations not generally known. The smaller the ACEC borders, the higher the degree of concern. The BLM has a legal obligation under ARPA to protect site locations.	The BLM determines the appropriate acreage needed to protect and prevent irreparable damage to relevant and important values. Nominated ACECs or portions of nominated ACECs that failed to meet both relevance and importance criteria are not considered	

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				in the DRMP/DEIS. As noted in the DRMP/DEIS Appendix X: "In some cases the Interdisciplinary team review resulted in modified boundary configurations for some potential and existing ACECs based on the information provided in the nominations.	
Coalition to Preserve Rock Art	177	5	<p>CUL Little Dry Fork Mountain and Surrounding Areas.</p> <p>This canyon is dense with archeology and rock art of world-class caliber located on both public and private land. Protection of the canyon bottom, canyon walls, and associated uplands is essential. The rock art panels in this area meet the high standards necessary for a National Historic Register Nomination. McConkie Ranch is already so designated and the rock art and archeology continue beyond their site.</p>	<p>See Response to Comment 162-7-CUL.</p> <p>Protection of cultural resources on private land is beyond the scope of this document.</p>	
Coalition to Preserve Rock Art	177	6	<p>CUL Nine Mile Canyon and Surrounding Region.</p> <p>It is difficult to determine from the provided map which areas are protected from surface disturbing activities. We are very concerned by the unnecessary damage to rock art from dust and corrosive chemicals; the conversion of a world-class ancient thoroughfare to a modern industrial thoroughfare. Further, we are very concerned that energy development not be allowed on the rims above the canyons. Nine Mile Canyon and all of the tributaries are one of Utah's greatest archeological treasures. We are deeply concerned that field inventories be the guide to land use, not the economics of the energy industry.</p> <p>We are concerned about the future of cultural resources in the area of Argyle Creek. Recent news stories indicate the possibility of coal-shale development in the region. These activities will be the source of some future EIS. However, given the amount of energy development</p>	<p>See Responses to Comments 166-2-CUL, 166-3-CUL, 166-4-CUL.</p> <p>The term "coal-shale development" is not understood. No reference was given for the recent news stories.</p> <p>See Response to Comment 162-7-CUL.</p> <p>No information is provided by the commenter about their concerns with management proposals in the alternatives.</p> <p>BLM does not allow the use of magnesium chloride on BLM roads.</p>	

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			<p>that has been permitted by the BLM on the Tavaputs without an EIS we want to go on record now that we oppose mineral development in this important area.</p> <p>We are extremely disappointed that the BLM has allowed the use of magnesium chloride on roads in the canyon without researching the impact of this corrosive on rock art.</p>			
Coalition to Preserve Rock Art	177	7	CUL	<p>Bitter Creek--Rock art in this region is described by Castleton (Castleton; Petroglyphs and Pictographs of Utah, Vol. 1; page 69-72). Additional sites are located new Rat Hole Canyon and should be included in the C-SMA. Spring Canyon should also be protected.</p> <p>The recent vandalism that destroyed a pristine Barrier Canyon Style panel in this area is a good example of why the BLM needs to provide management plans and protection for easily accessed archeological sites.</p>	<p>Mitigation of impacts to important cultural resources and sacred sites would be developed at the time of site-specific proposals during the NEPA analysis process.</p> <p>Vandalism is a criminal act under Federal Law. People who commit vandalism will be arrested, sent to jail and fined.</p>	
Uintah Mountain Club	178	1	WL	<p>We also consider these undeveloped lands important to wildlife. The White River, for example, has been shown to be about as significant to the future of the Colorado pikeminnow as the main Green River (Mode, personal communication). Well sites in the floodplain area, and close to the river itself, are particularly galling, after 7 years of litigation over one site that was on the canyon rim. All four of the endangered fish species will likewise be affected by water depletion, which will occur as the water tankers draw water directly from the rivers. Not to mention the network of roads, illegal and legal, that have blossomed throughout these watersheds. We ask you to demonstrate that the proposed developments have no substantial effect on these, or any other endangered species on the district.</p>	<p>The Proposed RMP/Final EIS does provide analysis through a range of alternatives to disclose impacts to resources that are present on BLM administered lands. Management direction and mitigation measures are also provided in the document.</p> <p>In 2006, a programmatic water depletion Biological Opinion (BO) for oil and gas development administered or permitted by the BLM Vernal Field Office BLM, was completed for small water depletions on the Upper Colorado River Drainage. This BO addressed concerns of water usage from the White and Green Rivers.</p>	
	180	1	SCO	<p>There is one problem with the Supplement to the Resource Management Plan that we feel is greater than</p>	<p>See comment response 20-I-8.</p>	

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			<p>any other. It is that five management options do not offer sufficient alternatives to allow an adequate listing of all management alternatives for public lands and their resources. Is there some reason that there has to be five alternatives? What if there are six viable alternatives? What if there are fifteen viable alternatives? Do you combine them or just leave some out? Confining management strategies to five different alternatives restricts management objectives, and thus the RMP is not an adequate approach to effectively manage our public lands. Public lands and resources will not be managed as effectively as they might have been because of the limitation of alternatives.</p>			
	180	2	WC	<p>The reasoning in the entire Supplement document is faulty. For example, on page 4-147 under the heading, 4.21.1.5 Recreation, is the following statement: "Under all alternatives motorized uses would degrade opportunities for solitude and primitive recreation in some of the non-WSA lands with wilderness characteristics." This is the very reason that these lands were not selected as WDA in the first place! There are roads in what has been identified in the Supplement as non-WSA lands with wilderness characteristics. Many of these roads have been in existence for over 50 years and they are still being used today. This prior and existing traffic, as stated above"...degrades opportunities for solitude and conflicts with primitive forms of recreation" so therefore these areas did not have wilderness characteristics then--they were determined unsuitable for WSA designation--neither do they have wilderness characteristics now. So, if they did not have wilderness characteristics because of the existence of the roads back then, how can they have wilderness characteristics today and be designated "non-WSA lands with wilderness characteristics"?</p>	<p>Section 4.21.1.5 Recreation "Under all alternatives, motorized uses would degrade opportunities for solitude and primitive recreation in some of the non-WSA lands with wilderness characteristics" refers to the potential loss of solitude and primitive recreation, not the criteria in which wilderness characteristics are established. Section 4.21.1.5 Recreation also states "The noise and presence of vehicles would degrade opportunities for solitude and conflict with primitive forms of recreation. Under Alternative E, motorized use of routes would only be permitted on the boundaries of non- WSA lands with wilderness characteristics. However, use of those boundary routes would degrade opportunities for solitude near the edges of non-WSA lands with wilderness characteristics. As visitors move away from the boundary of the non-WSA lands with wilderness characteristics, further into the heart of the area(s), the impacts of the noise and presence of vehicles on solitude and primitive recreation would lessen and eventually disappear."</p>	

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			These lands lacked wilderness characteristics before and they still lack wilderness characteristics today. This fact renders the whole purpose of the Supplement moot.	Existing roads that the commenter is referencing are stemmed out as the boundaries.		
	180	3	CCR	Additionally, Native Americans, particularly Utes, use these roads to access certain historic and prehistoric sites because these places retain religious and cultural significance. Preservation of access to such places is imperative for the continuing survival of traditional tribal values and culture. No roads should be closed without consultation with all Native American Tribes. The BLM's policy should comply with the American Indian Religious Freedom Act; Executive Order 13007; Indian Sacred Sites; Executive Order 13175: Consultation and Coordination with Indian Tribal Governments, and all other federal laws, regulations and executive orders that recognizes the "unique relationship" between the federal government and Indian tribes (see Advisory Council on Historic Preservation Policy Statement, dated November 17, 2000, regarding relationships with Indian Tribes).	In accordance with the National Historic Preservation Act, Executive Order 13175, other federal legislation and BLM policy, the BLM Vernal Field Office (VFO) will continue to consult with Native American Tribes regarding any undertaking of the VFO that has the potential to affect resources that are important to the Tribes. This consultation affords the Tribes the opportunity to identify for the BLM any concerns and suggest any additional identification or evaluation measured deemed appropriate to the undertaking. In addition BLM will comply with Executive Order 13007, Indian sacred sites, consultation and also comply with manuals 81-20 and H-8120-1.	
Steven Manning	180	4	TRV	In this same section, as referenced above, motorized use is discussed separately from OHV use. However, in nearly all the discussions throughout the Supplement, there is very little if any discussion of the impacts, or even the existence of something called "motorized travel", which we assume is different from OHV travel. This designation leads to many questions: How is motorized travel defined? Is it different from OHV travel? In what category are licensed passenger vehicles (automobiles and light trucks) placed? Is travel limited to existing roads or designated roads? What is the difference between existing and designated? How will each Alternative in so-called "non-WSA lands with wilderness characteristics" impact licensed passenger vehicles traveling on existing roads?	The glossary will be updated to reflect the definition of OHV and the definition of motorized travel within the Proposed EIS Additionally, clarification will be provided as part of a comprehensive travel management plan that will be completed within 1-5 years after the Record of Decision as per H-1601-1.	X
	180	5	TRV	How many miles of roads exist in these so-called "non-	As stated on Page 4-58 of the Supplement to the	

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			<p>WSA lands with wilderness characteristics"? In many places, the Supplement states "land with wilderness characteristics are roadless". On Page 4-185 (which follows 4.21.2.7, Impacts of Travel, Roads, and Trails Decisions on Non-WSA Lands with Wilderness Characteristics), second paragraph, it states, "Under this alternative [Alternative A] 1,643,475 acres would be designated "limited to OHV travel. The limitation would require vehicles to travel on designated routes (4,860 miles)". Does this mean that there are 4,860 miles of roads in the 1,643,475 acres of so-called "non-WSA lands with wilderness characteristics"? What will happen to these 4,860 miles of roads? Will they remain open as they are now, or will they be closed? What types of vehicles are referred to in the above statement? Are these vehicles OHVs , or every thing that has a motor, or everything that has a wheel? There are the issues that need more discussions, explanations and clarifications.</p>	<p>Draft EIS, There are 228 miles of routes that exist in the non-WSA lands with wilderness characteristics. Under Alternative E, these routes would be closed to motorized travel.</p> <p>Alternative A, the preferred alternative is one of the five alternatives considered by the BLM for the purpose of analyzing a range of alternatives. The CEQ regulations (40 CFR 1502.1) require BLM to consider reasonable alternatives, which would avoid or minimize adverse impacts or enhance the quality of the human environment, based on the nature of the proposal and facts in the case (CEQ 40 Most Asked Questions 1b.). While there are many possible management prescriptions or actions, the BLM used the scoping process to determine a reasonable range alternatives that best addressed the issues, concerns, and alternatives identified by the public. Public participation was essential in this process and full consideration was given to all potential alternatives identified.</p> <p>The BLM determined that a single alternative analyzing the protection of all Non-WSA lands with wilderness characteristics would best provide a reasoned choice among the alternatives. Although the other alternatives do not provide specific management prescriptions to protect Non-WSA, these alternatives analyze and disclose the impacts of the proposed resource management prescriptions, uses and actions on the Non-WSA lands with wilderness 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</p>	

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				<p>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> <p>A definition of OHV is provided in the Proposed RMP/Final EIS Glossary. With a few exceptions, it is any motorized vehicle capable of traveling on or immediately over land.</p>		
	180	6	CUL	<p>We are greatly concerned about the management proposals in all Alternatives for Cub Creek drainage south of Dinosaur National Monument. This area includes the Cub Creek, the South Fork of Cub Creek, Bourdette Draw, and Cliff Creek. It encompasses the area from Cliff Ridge and the Blue Mountain slopes on the east to the Green River on the west. This area contains exceptionally high cultural values. There are significantly important rock art and archeological sites of both regional and National value. The sites in this area contain numerous images that date from Fremont period through the occupancy of the UTE people, which is about AD 500 to the late 1800's.</p>	See Response to Comment 162-7-CUL.	
	180	7	CUL	<p>This canyon is dense with archeological resources and rock art of local and national significance located on both public and private land. We are not aware of the current level of protection afforded the public lands in this region.</p>	See Response to Comment 162-7-CUL.	
	180	8	CUL	<p>It is difficult to determine from the provided map</p>	See Responses to Comments 166-2-CUL, 166-3-	

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				precisely the boundaries of the areas protected from surface disturbing activities in Nine Mile Canyon.	CUL, 166-4-CUL.	
Howard County Bird Club	182	1	SCO	However, nothing in the supplement indicates that BLM favors any part of Alternative E. We see nothing that gives BLM's endorsement to any protective measures for the 25 WCAs. That omission should be corrected in the final plan.	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.	
Howard County Bird Club	182	2	WL	<p>Wildlife Values</p> <p>The Supplement could have been clearer in identifying wildlife values that would be enhanced by protecting the 25 WCAs under Alternative E. These favorable impacts would include:</p> <ul style="list-style-type: none"> -Habitat and foarge for Rocky Mountain bighorn sheep (page 2-20) -Spatial and seasonal buffers for raptors (page 2-17) -Improved protection of wetlands and riparian areas in the WCAs will benefit birds and wildlife habitat, supporting many species of birds that migrate through the Vernal planning area, as well as native species that depend on these habitats. We did not find this addressed in the Supplement. -Protection of uplands in the WCAs will benefit Greater Sage-grouse and other native species of birds and mammals. This was not clearly stated in the Supplement. 	The BLM will work with UDWR, USFWS, and others to ensure that plans and agreements are updated as necessary to reflect the latest scientific data.	
Howard County Bird Club	182	3	CUL	We support Alternative E as the most preservation-oriented alternative with certain provisions. We are concerned that over a million acres would be made available for oil and gas leasing without comprehensive cultural resource inventories.	See Responses to Comments 162-7-CUL, 174-79-CUL.	
Uinta Mountain Club	184	1	SSS	The White River, for example, has been shown to be about as significant to the future of the Colorado pikeminnow as the main Green River (Modde, personal communication). Well sites in the floodplain area, and	The USFWS has identified four federally listed fish species (pikeminnow, humpback chub, bonytail, and razorback sucker) that could be affected by water depletion of the Green River. Whether a water	

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			close to the river itself, are particularly galling, after 7 years of litigation over one site that was on the canyon rim. All four of the endangered fish species will likewise be affected by water depletion, which will occur as the water tankers draw water directly from the rivers.	<p>withdrawal qualifies as a depletion or not is explained on page 6 in the Programmatic Water Depletion Biological Opinion for Oil and Gas Development Administered or Permitted by the Bureau of Land Management. Formal consultation with the US Fish and Wildlife Service for this Biological Opinion for water depletion was completed on July 28, 2006.</p> <p>In addition, the BLM has no jurisdiction from water withdrawn from private sources. Also, the BLM has no control over where water is obtained as long as the permit is current and legal.</p> <p>Wells placed close to floodplains or to the river and which are located on BLM administered lands are strictly regulated. The BLM has no jurisdiction for wells placed on similar locations on private land.</p>		
Uinta Mountain Club	184	2	WL	<p>The wild ungulates (elk, deer, and pronghorn) likewise have only these "islands" to escape from motorized recreation. The road densities on the land have become quite high, and it seems reckless to assume that these big game species will adjust to this level of activity. The same could be said of raptors.</p>	<p>The document does analyze and provide mitigation through the range of alternatives concerning habitat fragmentation. For example, the proposed plan has reduced the number of acres open to OHV travel to less than 1% of the acres open under current management. Additionally, the a common management to all action alternatives is "Reduce habitat fragmentation by requiring oil and gas field development plans and encouraging such activities as well clustering, multiple drilling from a single pad, utilization of existing routes and pipelines, and other measures to minimize surface impacts." A field development plan included access roads would analyze a range of alternatives that would include the aforementioned activities.</p>	
BCS Project	185	1	CUL	<p>The BLM has overall failed to provide an alternative, which fulfills the BLM's duty to protect cultural resources in the Vernal Management Area as outlined by the</p>	<p>See Response to Comment 162-7-CUL.</p>	

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			National Historic Preservation Act.	<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, 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>	
BCS Project	185	2	CUL	<p>BLM draft management plans have neglected to address this serious issue in its past plans and it has neglected to do enough to prevent the degradation now occurring in places like Nine Mile Canyon. This head in the sand approach, in the past and, again, now, woefully falls short of your obligations under Section 106 (16 U.S.C. 470f) and Section 110 to plan and manage cultural resources with special consideration to preserving archaeological and cultural values.</p>	See Response to Comment 162-7-CUL.
Utah Rock Art Research Association	186	1	CUL	<p>This problematic approach does not acknowledge that people and their archaeological footprint are entirely predictable. Nor does it consider the significance of sites, only probability of a site presence. Consequently sites of major significance are valued in the same manner as</p>	<p>Under Alternative E, oil and gas leasing would be open under standard lease terms or with timing and controlled surface-use conditions on approximately 528,405 acres within the high site probability areas and approximately 971,056 acres within the low site</p>

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			<p>lesser sites. What proportion of the area under consideration has been inventoried? How many of the known rock art sites are given special protection? How many of the high archaeological density areas determined by the BLM are afforded special archaeological protection? This information is necessary to assess this supplement and has not been provided. As a result, it is difficult for us to assess the quality of this supplemental.</p>	<p>probability areas. Based on projections of the numbers of wells and the size of each well, approximately 18,000 acres would be subject to surface and subsurface disturbance over the short term. The majority of this disturbance (approximately 13,000 acres) would be within the Monument Butte–Red Wash RFD area, with approximately 4,000 acres in the East and West Tavaputs and Altamont-Bluebell areas and the remainder of disturbances within the Tabiona– Ashley Valley and Manila–Clay Basin areas.</p> <p>Alternative E reflects an approximately 11.7 % overall increase in oil, gas, and coal bed methane surface disturbance in the high cultural resource site probability zones relative to the Alternative D – No Action and an approximately 3.8 % increase in disturbance in low cultural resource site probability zones. Relative to the Alternative D – No Action, disturbance in high cultural resource site probability zones would increase by 2.7% in the Altamont-Bluebell and by 2.3% in the Monument Butte–Red Wash RFD areas. Descriptions of what constitutes low and high probability zones for cultural resources are provided in Sections 3.4.5 and 4.3 of the DEIS/DRMP. Alternative E is likely to result in encountering approximately 43 sites within high site probability zones and 19 sites in low site probability zones for approximately 62 sites total. Based on the numbers of acres potentially open to development for oil, gas, mineral materials, phosphate, and Gilsonite, Alternative E would result in a reduction in minerals development of approximately 1% in high cultural resource site probability zones relative to Alternative</p>	

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				D – No Action Projected development in mineral materials and phosphate decreases between 5% and 48%, the biggest decrease is in the area of phosphate development. In general, any decrease in minerals development, especially within high cultural resource site probability zones, also decreases the potential for direct and indirect impacts on cultural resources because less ground disturbance—the biggest threat of damage to cultural resources—would occur. That is, under Alternative E, fewer cultural resource sites within the VPA would be available for potential direct and indirect impact because fewer acres of areas believed to contain large numbers of sites would be open to ground-disturbing activities associated with minerals development.	
Utah Rock Art Research Association	186	2	CUL	There are only eight sites nominated to the NRHP in this region. Not all of these protect prehistoric resources. There are thousands of cultural resource sites in this region. How can the BLM claim to be honoring their legal responsibilities given this pitiful record of nomination to the NRHP?	See comment response 161-O-1.
Utah Rock Art Research Association	186	3	CUL	We are concerned that over a million acres would be made available for oil and gas leasing without comprehensive cultural resource inventories.	See Response to Comment 162-7-CUL.
Utah Rock Art Research Association	186	4	PRP	We are concerned about the absence of a clearly stated intent to initiate NHPA Section 106 compliance prior to the designation of OHV routes and other development activities.	Section 4.3.1 of the Draft EIS as well as Section 4.3.1 of the PRMP/EIS clearly state that : “All undertakings under all alternatives are subject to compliance with Section 106 of the NHPA, which mandates the consideration of avoidance or mitigation of adverse impacts on cultural resources or traditional cultural places that are either listed on or have been determined eligible for the National Register of Historic Places (NRHP).” Such compliance would

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				also be required prior to the designation of OHV routes.		
Utah Rock Art Research Association	186	5	CUL	We are concerned that dust and dust suppression chemicals (magnesium chloride) may damage the surface of rock art sites. "Dust is a well known problem. The dust sticks to the surface of rock art and becomes incorporated in the surface of the rock and cannot be removed." (Bob Mark, Rupestrian CyberServices) Save Outdoor Sculpture did a national assessment of statuary. The local project, coordinated through The Utah Museum of Fine Art, found that those monuments located in areas of high vehicular traffic were experiencing degradation from the corrosive effects of vehicular emissions.	See Response to Comment 166-4-CUL.	
Utah Rock Art Research Association	186	6	CUL	South Fork Cub Creek and the Plateau Above We propose that this area be designated as a C-SMA with additional paleontological protection and closure of all spur roads from the Bourdette Draw region.	See Responses to Comments 162-7-CUL, 174-79-CUL.	
Utah Rock Art Research Association	186	7	CUL	We are particularly concerned about two sites. First, a magnificent set of panels which occur in a narrow rock passageway leading from the plateau and on the adjacent cliffs above Cub Creek. There are large images in the passageway and large panels on the nearby cliff. This area which some call a "birthing or creation" site displays unique Fremont figures with gender characteristics. The female figure facing Cub Creek is one of the best in the state. The entire site is significantly different from Fremont figures in Dinosaur Monument, Nine Mile Canyon, Range Creek, and Dry Canyon. Recently ATV drivers created a spur very close to this important site.	See Responses to Comments 162-7-CUL, 174-79-CUL.	
Utah Rock Art Research Association	186	8	PAL	Second, a set of dinosaur footprints are located on the underside of a cliff in a draw on the same plateau. The location of these tracks should not be publicly available and vehicle access routes should be closed.	Dinosaur footprints are considered scientifically significant resource and fall under Class 5a with the PFYC system and are to be protected. The BLM does not release to the public significant fossil	

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					localities.	
Utah Rock Art Research Association	186	9	CUL	<p>The Chew Ranch area south of the Green River contains unique rock art. It is mentioned in Castleton as "The Canyon." (Caselton; Petroglyphs and Pictographs of Utah, Vol. 1; page 54-55). This 100 foot long densely pecked panel, has rare pecked Barrier Canyon figures and Fremont figures in classic Dry Fork style and can be tied into glyphs at Swelter Shelter which has been excavated and dated. This panel is significant because of the information that it can contribute to the understanding of how cultural influences are disseminated. This area has a long history of visitation and vandalism, which has continued into the present. These panels deserve special consideration because of their well known location and fragile nature at ground level. The unnamed canyon to the west has three life size Barrier Canyon Style figures.</p> <p>The road leading to these sites from the highway should be closed and shooting prohibited.</p>	See Response to Comment 162-6-CUL.	
Utah Rock Art Research Association	186	10	CUL	<p>Cliff Creek</p> <p>We propose that this area be designated as a C-SMA.</p>	<p>The area has been analyzed as part of a potential ACEC. Refer to Appendix G for more information.</p> <p>Activity Plans are defined under the BLM Land Use Planning Handbook H-1601-1 as:</p> <p>"A type of implementation plan; an activity plan usually describes multiple projects and applies best management practices to meet land use plan objectives. Examples of activity plans include interdisciplinary management plans, habitat management plans, recreation area management plans, and allotment management plans."</p>	

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					<p>This would include ACECs, SRMAs sensitive species habitat, etc.</p> <p>Furthermore, H-1601-1 further states:</p> <p>“Upon approval of the land use plan, subsequent implementation decisions are put into effect by developing implementation (activity-level or project-specific) plans. An activity-level plan typically describes multiple projects in detail that will lead to on-the-ground action. These plans traditionally focused on single resource programs (habitat management plans, allotment management plans, recreation management plans, etc.). However, activity-level plans are increasingly interdisciplinary and are focused on multiple resource program areas to reflect the shift to a more watershed-based or landscape-based approach to management. These types of plans are sometimes referred to as “integrated or interdisciplinary plans,” “coordinated resource management plans,” “landscape management plans,” or “ecosystem management plans.” A project-specific plan is typically prepared for an individual project or several related projects.”</p>	
Utah Rock Art Research Association	186	11	MLE	We are concerned that oil and gas development on the plateaus above the cliffs or in the valley adjacent to the deep wash would both damage and increase accessibility to these important sites.	The BLM integrates the protection of resource values such as cultural resources with its responsibilities for land use planning and resource management under FLPMA to ensure that the affects of any activity or undertaking is taken into account. In addition, National Programmatic Agreement, which regulates BLM’s compliance with National Historic Preservation Act, serves as the procedural basis for BLM	

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				managers to meet their responsibilities under Section 106, and 110.	
Utah Rock Art Research Association	186	12	CUL Our experience in the area between Bulls Canyon and the Green River demonstrates that it has wilderness characteristics. The area is wild, rugged, and has no roads. We believe that our proposed C-SMA designation in this area should be enhanced with a wilderness designation.	“Layering” is planning tool. Under FLPMA’s multiple-use mandate, the BLM manages many different resource values and uses on public lands. Through land use planning BLM sets goals and objectives for each of those values and uses, and prescribes actions to accomplish those objectives. Under the multiple-use concept, the BLM does not necessarily manage every value and use on every acre, but routinely manages many different values and uses on the same areas of public lands. The process of applying many individual program goals, objectives, and actions to the same area of public lands may be perceived as “layering”. The BLM strives to ensure that the goals and objectives of each program (representing resource values and uses) are consistent and compatible for a particular land area. Inconsistent goals and objectives can lead to resource conflicts, failure to achieve the desired outcomes of a land use plan, and litigation. Whether or not a particular form of management is restrictive depends upon a personal interest or desire to see that public lands are managed in a particular manner. Not all uses 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.	

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

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				evaluated and ranked based on the presence or absence of the stated relevant and important values. None of these values includes wilderness characteristics. Additionally, the management prescriptions for the ACECs is limited in scope to protect the relevant and important values, and the BLM maintains that the size of the ACEC areas is appropriate for protection of the relevant and important values identified.	
Utah Rock Art Research Association	186	13	CUL	There are many panels, some very ancient archaic panels along Minnie Maude Creek in the BLM areas between the last private ranch and the Green River. We have documented the presence of pit houses on the plateaus above the river in this area. This entire area needs careful inventory work. It is relatively undisturbed and should be protected for scientific research into the Fremont culture.	See Response to Comment 162-7-CUL.
Utah Rock Art Research Association	186	14	CUL	These strange, abstract patterns may have had an important ceremonial purpose. We recommend C-SMA protection for Jack and Rock Canyons. These Nine Mile tributaries contain important rock art and archaeological sites. We have noted recently excavations at pictograph sites in Jack Canyon.	See Response to Comment 162-6-CUL.
Utah Rock Art Research Association	186	15	CUL	We are extremely dissapointed that the BLM has allowed the use of magnesium chloride on roads in the canyon without researching the impact of this corrosive on rock art.	The BLM does not allow use of magnesium chloride on BLM roads.
Utah Rock Art Research Association	186	17	CUL	This problematic approach does not acknowledge that people and their archaeological footprint are entirely predictable. Nor does it consider the significance of sites, only probability of a site presence. Consequently sites of major significance are valued in the same manner as lesser sites. What proportion of the area under consideration has been inventoried? How many of the known rock art sites are given special protection? How	See Response to Comment 186-1-CUL.

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			many of the high archeological density areas determined by the BLM are afforded special archeological protection? This information is necessary to assess this supplement and has not been provided. As a result, it is difficult for us to assess the quality of this supplemental.			
Utah Rock Art Research Association	186	20	PRP	Further, we are concerned about the absence of a clearly state intent to initiate NHPA Section 106 compliance prior to the designation of OHV routes and other development activities.	See comment response 170-O-04	
Utah Rock Art Research Association	186	21	CUL	This area has a long history of visitation and vandalism, which has continued intot he present. Thesepanels deserve special consideration because of their well know location and gragile nature at ground level. The unnamed canyon to the est has three life size Barrier canyon Style figures.	See Response to Comment 162-7-CUL.	
Utah Rock Art Research Association	186	22	REC	The road leading to these sites from the highway should be closed and shooting prohibited.	The commenter does not provide any data or information as to which roads are the subject of the comment, or which areas should be closed and where shooting should be prohibited. The BLM cannot provide an analytical response to this comment.	
Utah Rock Art Research Association	186	23	CUL	Cliff Creek We propose that this area be designated as a C-SMA.	The area has been analyzed as part of a potential ACEC. Refer to Appendix G for more information. Activity Plans are defined under the BLM Land Use Planning Handbook H-1601-1 as: “A type of implementation plan; an activity plan usually describes multiple projects and applies best management practices to meet land use plan objectives. Examples of activity plans include interdisciplinary management plans, habitat management plans, recreation area management plans, and allotment management plans.”	

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					<p>This would include ACECs, SRMAs sensitive species habitat, etc.</p> <p>Furthermore, H-1601-1 further states:</p> <p>“Upon approval of the land use plan, subsequent implementation decisions are put into effect by developing implementation (activity-level or project-specific) plans. An activity-level plan typically describes multiple projects in detail that will lead to on-the-ground action. These plans traditionally focused on single resource programs (habitat management plans, allotment management plans, recreation management plans, etc.). However, activity-level plans are increasingly interdisciplinary and are focused on multiple resource program areas to reflect the shift to a more watershed-based or landscape-based approach to management. These types of plans are sometimes referred to as “integrated or interdisciplinary plans,” “coordinated resource management plans,” “landscape management plans,” or “ecosystem management plans.” A project-specific plan is typically prepared for an individual project or several related projects.”</p>	
Utah Archeological Research Institute, Inc.	191	1	SCO	There is one problem with the Supplement to the RMP that we feel is greater than any other. It is that five management options do not offer sufficient alternatives to allow an adequate listing of all management alternatives for public lands and their resources. Is there some reason that there has to be five alternatives? What if there are six viable alternatives? Confining management strategies to give different alternatives restricts management objectives and thus the RMP is not an adequate approach to effectively manage our	See comment response 20-I-8.	

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			public lands. Public lands and resources will not be managed as effectively as they might have been because of the limitation of alternatives.			
Utah Archeological Research Institute, Inc.	191	2	WC	<p>The reasoning in the entire Supplement document is faulty. For example, on page 4-147 under the heading, 4.21.1.5 Recreation, is the following statement: "Under all alternatives motorized uses would degrade opportunities for solitude and primitive recreation in some of the non-WSA lands with wilderness characteristics." There are roads in what has been identified in the Supplement as non-WSA lands with wilderness characteristics. Many of these roads have been in existence for over 50 years and they are still being used today. These areas did not have wilderness characteristics then – they were determined unsuitable for WSA designation – neither do they have wilderness characteristics now. So if they did not have wilderness characteristics because of the existence of the roads back then, how can they have wilderness characteristics today and be designated "non-WSA lands with wilderness characteristics?" This fact renders the whole purpose of the Supplement moot.</p>	<p>Section 4.21.1.5 Recreation "Under all alternatives, motorized uses would degrade opportunities for solitude and primitive recreation in some of the non-WSA lands with wilderness characteristics" refers to the potential loss of solitude and primitive recreation, not the criteria in which wilderness characteristics are established.</p> <p>Section 4.21.1.5 Recreation also states "The noise and presence of vehicles would degrade opportunities for solitude and conflict with primitive forms of recreation. Under Alternative E, motorized use of routes would only be permitted on the boundaries of non- WSA lands with wilderness characteristics. However, use of those boundary routes would degrade opportunities for solitude near the edges of non-WSA lands with wilderness characteristics. As visitors move away from the boundary of the non-WSA lands with wilderness characteristics, further into the heart of the area(s), the impacts of the noise and presence of vehicles on solitude and primitive recreation would lessen and eventually disappear."</p> <p>Existing roads that the commenter is referencing are stemmed out as the boundaries.</p>	
Utah Archeological Research Institute, Inc.	191	3	CCR	<p>Native Americans, particularly Utes, use these roads to access certain historic and prehistoric sites because these places retain religious and cultural significance. Preservation of access to such places is imperative for the continuing survival of traditional tribal values and culture. No roads should be closed without consultation</p>	See comment response 191-O-3.	

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			with all Native American Tribes. The BLM's policy should comply with the American Indian Religious Freedom Act; Executive Order 13007: Indian Sacred Sites; Executive Order 13175: Consultation and Coordination with Indian Tribal Governments, and all other federal laws, regulations and executive orders that recognizes the "unique relationship" between the federal government and Indian tribes (see also Advisory Council on Historic Preservation Policy Statement, dated November 17, 2000, regarding relationships with Indian Tribes.			
Utah Archeological Research Institute, Inc.	191	4	TRV	<p>Motorized use is discussed separately from OHV use. However, in nearly all of the discussions throughout the Supplement, there is very little if any discussion of the impacts, or even the existence of something called "motorized travel," which we assume is different from OHV travel. This designation leads to many questions: How is motorized travel defined? Is it different from OHV travel? In what category are licensed passenger vehicles (automobiles and light trucks) placed? Is travel limited to existing roads or designated roads? What is the difference between existing and designated? How will each alternative in so called "non-WSA lands with wilderness characteristics" impact licensed passenger vehicles traveling on existing roads?</p>	<p>A definition of OHV is provided in the Proposed RMP/Final EIS Glossary. With a few exceptions, it is any motorized vehicle capable of traveling on or immediately over land.</p> <p>Motorized use is not defined in the Glossary and is different from OHV travel. Motorized use refers to travel by any motorized vehicle on designated roads identified in the Travel Management Plan. An automobile or light truck could be in either category depending on the vehicles' capabilities.</p> <p>All public lands are required to have OHV area designations. Section 2.5.1, Travel Management, of the PRMP/FEIS provides information concerning the four categories and a breakdown of the categories by alternatives. One of the categories is designated routes.</p>	
Utah Archeological Research Institute, Inc.	191	5	TRV	<p>How many miles of roads exist in these so called non-WSA lands with wilderness characteristics?" In many places, the Supplement states "lands with wilderness characteristics are roadless." On page 4-185 (which follows 4.21.2.7, Impacts of Travel, Roads, and Trails Decisions on Non-WSA Lands with Wilderness Characteristics), second paragraph, it states, "Under this</p>	<p>There are 228 miles of routes within non-WSA lands with wilderness characteristics. These routes are closed to motorized vehicles. There would be 4,654 miles of routes designated outside of the non-WSA lands with wilderness characteristics.</p> <p>Chapter 4 has been revised to clarify the route</p>	

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				<p>alternative [Alternative A] 1,643,475 acres would be designated "limited to OHV travel. The limitation would require vehicles to travel on designated routes (4,860 miles)." Does this mean that there are 4,860 miles of roads in the 1,643,475 acres of so called "non WSA lands with wilderness characteristics?" What will happen to these 4,860 miles of roads? Will they remain open as they are now, or will they be closed? What types of vehicles are referred to in the above statement? Are the vehicles OHVs, or everything that has a motor, or everything that has a wheel? These are issues that need more discussions, explanations, and clarifications.</p>	<p>designations.</p>	
Utah Archeological Research Institute, Inc.	191	6	SCO	<p>We do not believe that the DRMP develops a satisfactory procedure that adequately protects cultural resources and meets our access needs. Since there are no alternatives in this plan that adequately protect cultural resources and yet provides access for scientific studies, we ask that you consider either another alternative be included or a present alternative be modified.</p>	<p>See comment response 20-I-8.</p> <p>Administrative access may be granted for certain uses by a BLM permit on a case-by case basis. These restrictions only apply to motorized access; there is a variety of other forms of non-motorized access that can be used to reach these sites.</p> <p>The BLM integrates the protection of resource values such as cultural resources with its responsibilities for land use planning and resource management under FLPMA to ensure that the affects of any activity or undertaking is taken into account. In addition, National Programmatic Agreement, which regulates BLM's compliance with National Historic Preservation Act, serves as the procedural basis for BLM managers to meet their responsibilities under Section 106, and 110.</p> <p>Until 1980, Section 106 of the NHPA required agencies to consider the effects of their undertakings only on properties listed on the National Register of Historic Places. However in 1980, Section 106 was</p>	

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					<p>amended to require agencies to consider an undertaking's effects on properties included in or eligible for inclusion in the National Register. Since that time the BLM, through its land use planning process, outlines specific management prescriptions and mitigation measures to protect sites both listed and eligible for the National Register. Any potential surface disturbing activities based on future proposals will require compliance with Section 106 and site-specific NEPA documentation. 0</p>	
Utah Archeological Research Institute, Inc.	191	7	REC	<p>One issue apparently not discussed in the Supplement is target shooting. Many people are shooting guns at targets on BLM lands. The problem is that shooting at target soon escalades into shooting at everything else. This has resulted in terrible damage to rock art sites. Target shooting has also let to the littering of public lands, sometimes with hazardous materials, since people have taken everything that could be shot onto public lands. Then after filling it full of holes, they leave it there. Some materials, like lead-acid automobile batteries, create hazardous wastes for the BLM to clean up. Then there is the issue of contaminating the environment with lead, which is not discussed in the DRMP/EIS. We ask that the BLM please include a section with alternatives on target shooting.</p>	<p>Comment noted. Section 2.4.11.2 addresses shooting within all developed recreation sites as "closed".</p> <p>The BLM strongly encourages responsible Firearm use on public lands.</p> <p>When target shooting elements are left on public lands, they are treated as litter and are subject to all applicable laws and are therefore not discussed as a specific management strategy within the Draft RMP or the Supplement.</p> <p>The BLM encourages public stewardship for public lands resource degradation or abuse. Please report all incidents on public land to 911 in the case of an emergency, or to the appropriate law enforcement agency.</p> <p>The BLM addresses Human Health and Safety under section 2.3.2.1. within the Draft RMP and states the following:</p> <p>"...BLM would strive to ensure that human health and safety concerns on public lands remain a major</p>	

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					<p>priority. 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. Cabins would be assessed relative to public hazard. If determined to be hazardous, appropriated action would be taken to correct the deficiencies.</p> <p>The BLM respectfully declines to add the requested section on Target shooting.</p>	
Utah Archeological Research Institute, Inc.	191	8	CUL	We are greatly concerned about the management proposals in all Alternatives for Cub Creek drainage south of Dinosaur National Monument. This area contains exceptionally high cultural values. There are significantly important rock art and archeological sites of both regional and national value. The rock art and the archaeology have the potential to provide important information on prehistoric movement of cultures and ideologies in western North America. These images also have the potential to provide important information about cultural changes over time. Many sites in this area have not been recorded.	See Response to Comment 162-7-CUL.	
Utah Archeological Research Institute, Inc.	191	9	CUL	Dry Fork Canyon and surrounding area. This canyon is dense with archeological resources and rock art of local and national significance located on both public and private land. We are not aware of the current level of protection afforded the public lands in this region.	See Response to Comment 162-7-CUL.	
Utah Archeological Research Institute, Inc.	191	10	CUL	Nine Mile Canyon – It is difficult to determine from the provided map precisely the boundaries of the areas protected from surface disturbing activities. We have closely monitored the situation in Nine Mile over the past five years and we are very disturbed by the unnecessary damage to rock art dust. A world-class ancient thoroughfare has become a modern industrial thoroughfare on a dirt road.	See Response to Comment 177-6-CUL.	