

Public Lands Implementation Plan

Management of Natural Resources on Public Land

Natural resources on public lands must be available for development while at the same time providing reasonable protection and use of other resource values. Management strategies for renewable resources, such as wildlife, must not have absolute veto power over resource development. Uintah County's economy is based upon extractive mineral industries and agriculture and will continue to be in the foreseeable future. The County supports multiple use but because of its importance the minerals and agricultural industry should be given the highest priority possible. By utilizing proper management practices it has been demonstrated that minerals development is compatible with the use and development of other resources and that renewable resources can thrive at the same time. However, unwarranted overprotection of renewable resources at the expense of the agriculture and minerals industry is contrary to the best interest of its residents, Uintah County, and the nation.

Range and Wildlife Habitat Improvement Initiative and Mitigation Bank

The need exists and there are tremendous opportunities to improve range and wildlife habitats on public lands in Uintah County. Improvement of these important resources benefits all public land users and is crucial when a multiple use management concept is applied to these lands. Creating healthy ecosystems reduces conflict between public land users, restrictions on development, the need for expensive recovery and protection programs, and thus are economically feasible. Accomplishing the needed improvements will require public land management agencies, local governments, and users to work as partners to accomplish the goals.

To achieve the above and to provide a system to provide for range and wildlife habitat improvement, as well as coordinate programs to provide for mitigation for impacts to these resources, the following programs will be implemented by Uintah County.

Range and Wildlife Habitat Improvement Steering Committee

A public Lands Steering Committee will be established by Uintah County and as an advisory committee to the County Commission will. As directed by the County Commission, the Committee will develop and manage Uintah County's Range and Wildlife Habitat Improvement Initiative, the Wildlife Habitat Mitigation and Development Bank, and the Wildlife Habitat Project List. In addition to members appointed by the County Commission, the Committee will include representatives from the Bureau of Land Management (BLM), Utah Division Wildlife Resources (DWR), U.S. Fish and Wildlife Service (USFWS), Bureau of Reclamation (BOR). Additionally, the County Commission will solicit participation from other resource related stake holders and interest groups.

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Adopted 8/26/03

The primary purpose of this Committee is to provide, through the above programs, for projects that will support the County's position, that well managed resources allows for use and development while providing for reclamation and enhancement of wildlife and wildlife habitat. Emphasis will be placed on improving habitat that benefit crucial wildlife ranges, threatened, endangered or sensitive species, species that may be candidates for listing, and that will reduce future conflicts between users.

Range and Wildlife Habitat Improvement Initiative

This program will provide for the development and selection of projects that will improve the conditions of range, watersheds, and wildlife habitat on public lands. With input from public land management agencies the steering committee will select projects which exceed the public lands agency's ability to fund and, when appropriate, the County will seek funding for these projects through grants or special appropriation. Donations made available for such projects will be administered under this program.

Wildlife Habitat Improvement and Mitigation Bank

The committee will create a Wildlife Habitat Mitigation Bank that functions essentially the same as any other bank. The currency of the Wildlife Habitat Mitigation Bank, however, will be "wildlife habitat credits" or money. Any person who has earned credits can deposit them in the bank until they are needed to pay off a wildlife habitat debt (mitigation). No loans will be available from the wildlife habitat bank; credits must already exist before they can be withdrawn. Withdrawals are available only to credit holders and are limited to the actual amount and type of credit recorded. However, habitat credits are negotiable at the discretion of the owner and may be sold or traded. It is not the purpose of this bank to "tie up" credits so as to make them unavailable to industry for mitigation purposes; therefore, organizations that will not use credits for mitigation purposes will have the credits applied immediately to reduce existing disturbance. The Committee will maintain all bank records and produce annual reports concerning wildlife habitat gains and losses and credit and debit transactions for each account.

The objectives of the Wildlife Habitat Mitigation Bank are to:

Provide a means for habitat mitigation that is sensitive to the resource needs, the economy of Uintah County, and the individual rights of mineral lessees and other persons.

Encourage industry groups to undertake wildlife habitat improvement projects that have high priority with Public Land Management Agencies and various wildlife agencies.

Provide flexibility and foresight into the mitigation planning process on public lands.

Provide incentives for wildlife habitat improvement.

Create a system of wildlife habitat management that can benefit wildlife industry, private individuals and organizations, and government agencies in pursuit of their goals.

There will be two distinct types of credits—enhancement credits and creation/restoration credits. Enhancement credits are earned for improving conditions on existing wildlife habitat without increasing its size (such as vegetation manipulation to increase forage availability or creation of a water source that increases utilization of the surrounding habitat). Creation/restoration credits are earned for increasing habitat acreage (such as creation of a wetland where none existed previously) and supporting wildlife population. All wildlife habitat credits will be expressed in acre-equivalents. These units will have modifiers relating to function, value, and classification. An example of a wildlife habitat credit in the bank might be: “10 acres of elk/deer crucial winter habitat”. Credits may be earned anywhere within a species’ habitat and redeemed anywhere within a species’ habitat. Credits will be awarded and available for use immediately after completion of a project as designed.

The primary source of information regarding lands available for wildlife habitat improvement will be the Wildlife Habitat Improvement Project List, but unlisted proposals will also be considered. Wildlife Habitat Mitigation Bank credits will only be used to reduce the percentage of disturbed and unreclaimed land in crucial habitats as specified in various stipulations, at the discretion of the credit holder.

Credits from the Wildlife Habitat Mitigation Bank will be available for use in mitigating disturbance in crucial winter habitats and thereby reducing the percentage of disturbed and unreclaimed lands at any given time. Credits will have a “shelf life” based on the length of time they will be effective, and this shelf life will be determined at the time a project is placed on the Wildlife Habitat Improvement Project List. Full credit value will be assigned for the shelf life of the project, and a discounted value will be given beyond the shelf life. The Committee will keep a running account of disturbed and unreclaimed lands within crucial habitats so that industry will know on a day-to-day basis the status of such habitats regarding limits to disturbance. Records and supporting documents relating to disturbed and unreclaimed lands will be kept in a manner suitable for review by interested parties.

The Committee may determine a suitable cost for a credit and an operator may choose to purchase his credits, in which case the Committee will select a project to complete from the list with those funds. The operator would be considered to have performed his required mitigation upon deposit of the necessary funds. The County may decide to assess a fee to operators to offset the cost of staffing the Committee.

Develop a Range and Wildlife Habitat Improvement Project List

The Committee will immediately compile the initial List, which will contain those range and

wildlife habitat improvement projects that the Committee determines will best protect and preserve range and wildlife habitat and populations. These projects may include, but are not limited to, controlled burns, chaining, chemical treatment of vegetation, seedings or plantings, reclamation of disturbed areas, water development, stream improvement, and enhancement of nesting habitat (e.g., artificial nesting structures). The List will be as extensive as possible so as to provide a diverse listing of range and wildlife habitat improvements relative to scope and size of the projects. Projects will be prioritized to designate their relative importance and will include the number of credits they will be worth in the Wildlife Habitat Mitigation Bank upon completion of the project as designed, as well as the “shelf life” of the credits.

The objectives of the Wildlife Habitat Improvement Project List are to:

Create a priority list of wildlife habitat improvement projects

Provide an opportunity for public participation in wildlife habitat improvement.

Provide an opportunity to pre-planning of the projects including the development necessary environmental and other required clearance.

The List will include those projects that Public Land Management Agencies plan to complete with their funds, as well as other projects for which funding is unlikely. All projects will be available to organizations, individuals, agencies, and industry to undertake using their own resources with appropriate guidance from the managing agency, and the opportunity to undertake these projects will not be unreasonably withheld.

Public Land Resource Management plans must provide for the participation of the planning agency in Uintah County’s Range and Wildlife Habitat Improvement Initiative and Mitigation Bank.

Special Designations

Wild and Scenic Rivers (WSR)

WSR classifications must be appropriate and reflect the existing conditions and uses of bordering lands and the definitions contained in Sec.2(b)(1)(2)(3) of the Act.

The County must be provided an opportunity to participate in the preservation and/or administration of any river proposed or designated in the WSR system (Sec. 5(c) of the Act). Such designations must be provided for protections of water rights and access to water contained in that right. No WSA may be designated that have the effect of reducing water rights or access to those rights.

Boundaries or buffers for designated water courses shall not exceed 320 acres/mile measured from the ordinary high water mark [Sec. 3(b)] and 1/4 mile from the ordinary high water mark on each side of the river [Sec. 4(d), Sec. 8(b), Sec. 9(a)(iii)].

In addition to the boundary limitation provided in the Wild and Scenic Rivers Act, Congress and the Department of Interior have found these limitations to be adequate on sections of the lower Green River where protection of scenic value was requested by them [Cooperative Government to Government Agreement Concerning Transfer of Naval Oil Shale Reserve Number 2, Public Law 106-398 Sec. 3405 (2)(c)].

Any protection applied to streams or rivers must provide that such protections will in no manner affect, impair, or limit the ability of holders of water rights to utilize their water rights. This is consistent with Department of Interior and congressional actions where similar protections were requested by them. [Cooperative Government to Government Agreement Concerning Transfer of Naval Oil Shale Reserve Number 2, Public Law 106-398 Sec. 3405 (2)(c)].

ACEC

Buffers established along any water course for the purpose of protecting scenic values must not exceed the maximum limits established in the Wild and Scenic Rivers section of this plan.

ACEC must not be used for layering to achieve protections not provided for in the subject matter legislation or regulation. Example: extending protections for scenic values along a wild or scenic river that exceeds the limitations provided for in the WSA Act.

Wildlife

Wildlife, such as sage grouse or prairie dog, populations determined to be in need of special protection must be protected from sport shooting prior to determining the need for implementation of restrictions on livestock grazing or development.

Because of their impact on local economies, all guidelines for protection of prairie dogs and sage grouse must be developed with full public and County participation. Such guidelines must be based on substantiated data relevant to local ecology and species populations.

Uintah County is opposed to introduction or reintroduction of any predator species in the County and any adjacent areas from which movement into the County is possible.

Any plan for the management of a predator that will or has naturally repopulated Uintah County must provide for its control by any means once it travels off its designated range or that is a threat to livestock property or other wildlife species.

Any plan that provides for the introduction, reintroduction, natural repopulation of a predator, or the management of such must provide for timely compensation to owners for direct or indirect

cost associated with the loss or damage to livestock. Compensation must be equal to the actual value of the property lost or damaged.

Indirect cost, included but not limited to, cost associated with the time required for locating and obtaining verification of kills, losses of investments in selected breeding lines, loss of future offspring, increased time and labor to recover predator-dispersed flocks or herds, underutilization of some potential forage sites and excessive degradation of others, stress related changes in animal body condition, and decreases in conception and pregnancy percentages and weaning weights.

There must be no protection provided for any species of animal that is a hybrid.

Habitat must not be designated crucial habitat unless it is a determining factor in a populations ability to maintain and reproduce itself at a certain level over the long term.

When it has been demonstrated that use patterns have changed, subject species are not using land in sufficient numbers to warrant a crucial or critical designation, or that the data establishing the crucial or critical habitat was faulty, such designation must be adjusted accordingly.

Management plans must provide for an aggressive program for predator control that maintains predators at a level that insures permitted and other users full enjoyment of their use of public lands and prevents predator from negatively impacting other wildlife populations.

Any plan that provides for an increase in wildlife population, proposes an introduction, or reintroduction of a wildlife species must analyze the source and availability of forage to support the population. Such plans must analyze the ability of the agency to control population numbers and the method and by who the populations will be controlled. Such proposals must not be approved unless the analysis supported by verifiable scientific data shows that both the quality and quantity of required habitat exist to insure success of the proposed action.

No introduction or reintroduction may be made that negatively impacts another species and does not provide equal or greater sporting and recreational opportunities.

Sage Grouse

Sage Grouse management in Northeastern Utah must follow the Strategic Management Plan for Sage Grouse 2002 Publication 02-20 State of Utah Department of Natural Resources Division of Wildlife Resources, June 11, 2002. This is to insure that management guidelines for the grouse are compatible with local sage grouse population and habitat.

Guidelines to manage sage grouse populations and their habitat, John W. Connelly, Michael A. Schrorder, Alan R. Sands, and Clait E. Braun represents definitive work on sage grouse and their habitat. This publication should be the basis for creation of any state or local sage grouse management plan.

Any restrictions on activities within sage grouse habitats must be based on substantiated science and knowledge of local populations and habitats. Management agencies should provide for and conduct local studies on sage grouse population and habitats. The County requests involvement in such studies and findings.

Fire plans, both wildfire and prescription, must address the need for protection or manipulation of sage grouse habitats. Where needed, plans should prioritize protection of grouse habitat.

Management plans for wildlife and other species that prey on sage grouse or compete for habitat must analyze the impact on sage grouse. This analysis should include opportunities to expand grouse populations and their occurrence and the ability to control the impacts of wildlife species and wild horses.

The following buffers must be implemented to insure required protection is provided to sage grouse during the critical stages of breeding, nesting, and rearing young. These buffers or requirements may be adjusted where natural barriers exist, impacts can be mitigated, or grouse are determined not to be present during the proposed disturbance.

Avoid significant human disturbances within 0.6 miles (1 km) of a LEK during the breeding season (March 1-May 31) from one hour before sunrise to three hours after sunrise.

Avoid developing roads, fences, poles, and utility lines within 1300 feet (400 meters) of a LEK. Any such developments within the 1300 feet must be designed to minimize to the extent possible bird structure collision and to prevent raptor perching.

Any development within 2 miles of a LEK must be designed to minimize to the extent possible raptor perching.

Raptors

Public Land Management agencies must consider all less restrictive management options before invoking closures or other actions that restrict access to public lands, inhibit their development, or restrict livestock grazing or other use.

Because of their impact on local economies, all guidelines for raptor protection must be developed with full public and County participation. Such guidelines must be based on substantiated data relevant to local ecology and species populations.

Protection of raptors, their prey species, and habitat provided for in management plans or guidelines, shall not exceed the protection provided for by law or regulations.

Resource management plans for raptors must fully analyze the impact of the proposed protections and management on other game animals, threatened, endangered or sensitive species, their habitats and prey species. Adaptability of a species to disturbances must be specifically analyzed. If a conflict exists, preference must be given to the species that is the most difficult to provide recovery for, species that have the most potential to be listed as threatened, endangered or sensitive, and the species most suited to the habitat in question.

All guidelines and resource plans must provide for flexibility with respect to protective restriction and mitigation. Modification must be allowed when terrain features, type of disturbance, acceptance of artificial perching and nesting structures, seasonal restriction during courtship and nesting, and the availability of alternative nest sites reduce or eliminate the impacts on the species.

The following procedures provide protection to species listed in the Threatened and Endangered Species Act, the Migratory Bird and Treaty Act, as well as those listed by the State of Utah as sensitive.

Threatened and Endangered Raptor Species

Protect them from death, physical harm, and harassment.

Protect raptor habitat that has been designated critical by the USFWS.

Nests and alternative nest sites are considered to be active if they have been occupied within the past three years.

Perform raptor surveys within 0.5 miles of any proposed action to identify an active nest prior to performing any action which may have the potential to significantly harm or harass raptors.

Provide a temporary buffer zone and do not permit actions that may potentially harm or harass raptors within 0.5 miles of an identified nest between February 15 and August 1. This buffer is to protect the raptor during courtship, incubation of eggs, and rearing of young. Activities which are routine in nature and have taken place prior to the survey must not be restricted.

Once raptors have established an active nest site, the temporary buffer requirement may be waved upon request on an unoccupied alternate nest site after verification by a qualified biologist or other authorized person.

Provide a buffer zone and do not authorize new or additional surface occupancy within 0.25 miles of active nests.

Historical or casual use, such as routine monitoring and maintenance and the removal and transport of product, must be provided for.

All Other Raptors

Protect them from death, physical harm, and harassment.

Perform raptor surveys within 0.5 miles of any proposed action to identify active nest prior to performing any action which may have the potential to significantly harm or harass raptors.

Provide temporary buffer zone and do not permit actions that may potentially harm or harass raptors within 0.25 miles of an active nest between February 15 to August 1.

Seasonal reproductive period restrictions will be maintained during the cycle when raptors are selecting nests, courting, and egg laying. These protections will be relaxed once young are in the nest, depending on the proximity and type of disturbance.

If no nesting activity is initiated during the normal nesting season for that species the buffer requirement may be waved upon request and after verification by a qualified biologist or other authorized person.

Because of its sensitivity to disturbances the Ferruginous Hawk is to be protected by the same standards as raptors in the T & E section.

Spotted Owl

Until it has been determined that spotted owls are present in owl habitat within two miles of a proposed disturbance no restrictions shall be placed on any activities in that area.

When it has been determined that delineation of that critical habitat for spotted owls are incorrect all restrictions placed on lands which were so delineated will be removed.

The United States Fish and Wildlife Services spotted owl protocol must not be implemented until there is a reasonable expectation that they are present.

Mineral Development in Crucial Habitat

Protection will be provided for crucial habitat by controlling development activities during crucial periods. These periods will be established based on that species needs.

In order to protect crucial habitat from permitted surface disturbance no more than 10% of such habitat will be subject to surface disturbance and remain unreclaimed at any given time. Surface

disturbance is the actual amount of land disturbed by the foot print of a project.

Disturbances which are to be used to determine the 10% threshold are:

- A) New or expanded portions of existing roads.
- B) New or existing unreclaimed wells.
- C) New or unreclaimed disturbances associated with pipelines, utility lines, and other comparable developments.

The extent of disturbed or unreclaimed habitat on which the 10% threshold is based will be assumed to be zero at the time the RMP is implemented. Reclaimed acreage will not be included in the total area for disturbed/unreclaimed habitat.

Where there is an overlap in crucial habitats the 10% will be applied to individual habitats and not collectively. Example: Habitat (A) covers 100 acres, (B) covers 200 acres and habitat (B) overlaps habitat (A). A 2 acre disturbance in the overlapping area would be 2% of (A) and 1% of (B).

The above thresholds are to be analyzed and recommended in management plans. Activity that exceeds the thresholds above will be approved by analysis in separate NEPA documents when environmental protection can be accomplished by avoidance or mitigation.

As disturbed areas are reclaimed, the reclaimed land will no longer be a factor in determining the 10% allowable surface disturbance. This provides an incentive to minimize surface disturbance and expedite the overall mitigation. For the purpose of calculating the amount of surface disturbance the reclamation will assume to be completed when it has been accomplished according to design.

No stipulations related to crucial habitat or requirements for mitigation will be applied to surface disturbance activities until the 10% threshold has been met.

Crucial habitat, when impacted by an approved surface disturbance, will be mitigated at a ratio of 1:1. Mitigation will be measured by the actual acres of habitat lost.

Once the 10% threshold has been exceeded, protection will be provided for crucial deer and elk habitat by not conducting development activities during crucial periods and by limiting the amount of new habitat disturbance and unreclaimed disturbances.

Reclamation will be mutually discussed between the Authorized Officer and the lessee, operator, or permittee to consider a variety of options. Annual monitoring of the actual reclamation results will be an important component of this stipulation to insure compliance.

To reduce impacts to crucial habitat, placement of well pads, roads, pipelines/utility lines, and

other developments will be determined on site between the Authorized Officer and the lessee/operator. Emphasis will be on placing surface disturbances in Pinion-Juniper or previously disturbed sites as opposed to browse sites, consolidate roads, pipelines and utilities, or other developments into corridors and maximize open spaces between disturbed sites. When feasible prompt rehabilitation of disturbed sites is preferred.

Protections will be provided by the following:

Development activities will not be allowed in deer and elk crucial fawning or calving habitat between May 15 and June 30.

In order to protect deer and elk on their respective crucial winter habitat, disturbance activities will not be allowed from December 15 to March 15 that will displace deer from more than 10% of their total winter habitat at any given time. The distance for determining the amount of displacement will be: 0.5 mile radius from each well pad, 0.25 miles on each side of newly constructed roads associated with such well pad.

In order to protect deer and elk crucial habitats, no more than 10% of such habitat will be subject to surface disturbance and remain unreclaimed at any given time.

The extent of disturbed and unreclaimed habitat, on which the 10% is based, will be assumed to be zero at the time the RMP is implemented. Reclaimed acreage will not be included in the total area for disturbed/unreclaimed habitat.

Waiver of the above protective measures for disturbance may be granted:

If subject species is not present in the area.

If topography or other attributes screen the activity sufficiently so that proposed activity will not displace the subject species.

Disturbance resulting from the proposed activity can be mitigated.

These protections for crucial habitat will be applied to other areas that may be identified as crucial habitat for other species. The dates may be altered as may be appropriate for that species.

No mitigation or restrictions on use for habitat fragmentation will be required unless it is demonstrated that such fragmentation can be expected to exist after required reclamation is completed.

No mitigation or restrictions on use for species disturbance will be required when the subject species has demonstrated adaptability to the proposed activity.

Forage Allocation/Livestock Grazing

All Resource Management Plans must analyze and define the methods and list the amounts of forage allocated to the respective uses of that forage.

To prevent damage to forage and habitat resources allocation of forage must be based on the type of forage consumed by the species in question and the quantity the species consumes.

No reduction of forage allocation to livestock or changes in forage allocations shall be made unless specifically provided for by law and analyzed in, or by modifications of, a resource management plan.

BLM

The retirement or relinquishment of grazing allocations is clearly discussed in a memorandum by the Department of Interior solicitor William Myers III on October 4, 2002. Based on this document the County requires that:

There can be no permanent retirement or relinquishment of grazing permits absent congressional action.

When such proposed actions cover land within a grazing district the BLM must analyze whether the lands are still “chiefly valuable for grazing and raising of other forage crops”. 43 U.S.C. 315. If the BLM concludes the lands still remain chiefly valuable for these purposes, the lands must remain in the grazing district. As such, they would remain subject to application from other permittees.

If the BLM determines that the lands are no longer chiefly valuable for grazing, BLM must express this determination and support it by proper findings in the record of decision that concludes the land use planning process.

The land use process must consider whether discontinuing livestock grazing would implicate congressional reporting requirements. Sec. 43 U.S.C. 1712(e)(2).

Unless provided for by congressional action, any relinquishments or retirements of grazing permits provided for in a land use plan must be identified as temporary unless provided for by congressional action. The plan and the record of decision must state that the action is subject to reconsideration, modification, and reversal.

When such actions are proposed in a resource plan or in a management decision it must analyze the fact that once the secretary has established a grazing district under the Taylor Grazing Act the primary use of that land should be grazing.

All Public Land Management Agencies

Any reductions in forage allocation or changes in season of use must be supported by proper findings and documentation of the need for the reduction or change. These findings must be specific to the permit in question.

The permittee must be the first point of contact when increases, reductions, or change in season of use are proposed. The County must be notified of such proposed changes.

Land Management agencies must protect livestock allocations from encroachment from other consumption of that forage and act promptly when such encroachment exists.

Horses

Plans that provide for the management or reintroduction of wild horses must fully analyze the agency's ability to prevent the movement of horses out of the assigned area, to control diseases and populations, and to prevent co-mingling with domestic horses.

Wild horse characteristics should be maintained and not altered by breeding programs intended to make them more adoptable.

Horses on public land must be of a color and conformation characteristics consistent with that of their Spanish Barb ancestors or the areas original wild horses.

Public Land Management agencies must promptly remove feral and stray horses, as well as wild horses that are outside of their HMA boundaries, from public lands to prevent the spread of disease, inbreeding with managed wild horses and to protect forage allocated to wild horses, wildlife and livestock.

Wild horses must be gathered every four years to provide for disease and population control. More frequent gathers must be provided for when the Utah State Veterinarian advises a gather is needed to control disease or when drought condition exist and a reduction in stocking rate is needed to protect forage resource or to prevent horses from exceeding their forage allocation.

When gathered, or prior to the release of introduced horses, all horses must be marked or recorded by such method that will identify it as a wild horse when future gathers are conducted.

The number of horses released after a gather will be at a number that will insure their populations do not exceed their forage allocation and/or target populations before the next planned gather date.

Water/Watersheds

Any proposed action or resource management plan that will affect watersheds, either by direct action or non-action, must analyze the impact on the watersheds with respect to water yields and water quality. This is to insure that the proposed action does not reduce watershed yields, change or negatively impact the timing of yields, or reduce water quality.

Resource plans must provide for manipulation of plant cover, such as sage brush and timber, that will reduce such cover to levels that existed before protective action or management allowed increases beyond their natural occurrences.

Watersheds must be evaluated to determine their present function compared to their historical functionality. Treatments must then be prescribed to provide for soil stabilization or bio mass manipulation required to return them to their historical conditions with respect to vegetative type, water yield, and water quality.

Protective measures designed to protect water quality must be based on deviation from baseline levels.

When waters are determined to be in the need of protection because conditions are exceeding quality standards or are approaching maximum allowable standards, protective actions will be based on scientific and verifiable data.

Any public land management agency proposing action involving water or watersheds must seek County involvement.

All water quality related management actions must be based on the Utah State Water Quality Standards and Utah's Non-Point Source Management Plan.

Public Land Management agencies must consider all less restrictive management options before invoking closures or other actions that restrict access to public lands, inhibit their development, restrict livestock grazing, or other use.

Travel/Transportation

Prior to taking any action that will result in changing the nature of use or closing roads, trails, ways, and/or open ATV areas, agencies must fully analyze the impacts of such actions.

This analysis must include:

Determination of legal status with respect to RS 2477, easements, right of way, user

rights, and enabling statutes.

Impacts on other roads, trails or ways.

Impacts on other facilities, such as improved campgrounds, camping areas, boat launches, etc.

Impact on fish and game management, such as the ability to control fish and game populations and the increase of fishing and hunting pressure on more accessible areas and the affect on the quality of the outdoor experience in the more accessible areas.

Impacts from loss of access on management capabilities including, but not limited to, fire protection, timber harvest, weed control, watershed management, the ability to use fire wood and other forest product permits for thinning and fuels reduction and wildlife.

Any acknowledgment of existing rights, or granting of a rights of way or easements, must provide for a width adequate to allow for maintenance and to accommodate design dimension needed to provide for safe and efficient enjoyment of such grant.

The width dictated by state and/or federal design standards as necessary to accommodate proposed uses shall determine the width provided by such grants or acknowledgments.

Restriction placed on the use of Off Highway Vehicles (OHV) must provide for the following:

Accesses by OHV for permitted users to conduct operation, such as livestock and development activities.

Access by OHV for individuals who are physically impaired.

Access for retrieval of big game within 24 hours of a kill, where a kill has been verified by a record on a license and the animal remains in the field.

County Roads and Rights of Way

Uintah County does not recognize the authority of any federal or state agencies to close any roads designated on Uintah County's RS 2477 map, as well as any Class B or D roads. Uintah County reserves the sole right to open, close, grant rights of ways, and/or restrict access or the time frame of access on any roads described or depicted on the appropriate Uintah County road maps.

Soils

Due to the lack of definitive scientific data, at this time any protection provided to microbiotic

crust is premature. Until such a time that substantiated scientific data indicates the need for such protection none will be applied. Avoidance of sensitive areas is recommended when it has been demonstrated that such areas are unique with respect to crust composition and area ecology. Such avoidance must be economically feasible, must not be detrimental to the outcome of the proposed activity and agreed upon by the project proponent.

Any protections or restrictions related to microbiotic crust or which the need is based on soils must be coordinated with the Natural Resources Conservation Service and be based on their standards and guidelines.

Riparian

Standards for the management of riparian areas must be definitive and objective in nature. When standards for management provide for variances for a percentage of these areas accommodate stock crossings and watering areas, etc., these percentages will be applied to each segment of the riparian area within each grazing permit or stream segment, whichever is most appropriate.