



State of Utah

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Office of the Governor

Public Lands Policy Coordinating Office

REDGE B. JOHNSON
Executive Director

July 28, 2021

Sent via electronic mail: <https://cara.ecosystem-management.org/Public/CommentInput?Project=50121> and mlnplanrevision@usda.gov

Matt Meccarlello
Forest Plan Revision Team Lead
Manti-La Sal National Forest
599 West Price River Drive
Price, UT 84501

Subject: Draft Manti-La Sal National Forest Plan—Pre-Scoping Comments

Dear Mr. Meccarlello:

The state of Utah (State) has reviewed the Draft Manti-La Sal National Forest Plan and provided pre-scoping comments March 10, 2021 and incorporates those comments by reference. In collaboration with the Department of Agriculture and Food (UDAF), the State offers additional attached pre-scoping general and technical comments.

The State appreciates the Forest Service for taking active management measures to improve the public lands grazing infrastructure, and subsequently, improve domestic livestock grazing practices within Utah. Livestock and Grazing endures as significant for the benefits it provides industry and local government and communities. The Forest Service must coordinate the proposed forest plan with the State of Utah Resource Management Plan, as well as the relevant portions of Carbon, Emery, Grand, San Juan, Sanpete, and Sevier counties' Resource Management Plans in accordance with the National Forest Management Act of 1976.

The State commends the Forest Service for demonstrating great collaboration and communication throughout this forest plan revision process. The State appreciates the opportunity

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to provide comments and looks forward to continually working with the Forest Service to further improve public lands in Utah. Please direct any written correspondence to the Public Lands Policy Coordinating Office at the address below or call to discuss any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Redge B. Johnson', with a long horizontal line extending to the right.

Redge B. Johnson
Executive Director

General Comments

Water Storage

In July of 2017 at the request of Governor Gary R. Herbert, a Water Strategy Advisory Team proposed a recommended State Water Strategy. The Water Strategy states “*Utah faces a daunting challenge. We have the distinction of being both on of the driest states in the nation and one of the fastest growing. At the convergence of those two realities is the challenge of providing water for a population that is projected to nearly double by 2060 while maintaining strong farms and industries and healthy rivers, lakes, wetlands and aquifers. This challenge is magnified by climate projections from the State Climatologist that show a significant decrease in Utah’s snowpack, which presently provides more annual water storage capacity than all of Utah’s human-made reservoirs combined.*” A healthy economy is dependent on an available supply of water to meet future demand. Further, the Forest Service Organic Administration Act of 1897 obligates the Forest Service to protect and provide water for the use and necessities of the citizens of the United States.¹

The State recognizes the emphasis this plan has on watershed protections and water quality. However, the plan generally fails to address the issues of water storage. With climate projections suggesting that the State will continue to lose its most voluminous water storage asset, i.e. the snowpack, it will become more and more critical to effectively store water in other ways, such as lakes and reservoirs. This “daunting challenge” has not been addressed in this plan. The forest service should set goals, desired conditions, objectives, guidelines, and management approaches to effectively store water in an environmentally safe way on the forest. Additionally, the management approach should be to work with the Utah Division of Water Rights in this process. This would be consistent with the State’s policy to consider additional water storage facilities to assure present and future growth and protection of Utah Water Rights.²

Conveyance

While it is important to keep National Forest System lands on the Manti La-Sal National Forests in public ownership, in 2018 Congress made changes the Small Tracts Act (STA) expanding the categories and values of land that can be conveyed out of Forest Service

¹ 16 USCA §475

² Utah State Resource Management Plan (Utah SRMP), pp. 202, available at: https://rmp.utah.gov/wp-content/uploads/SRMP_Web.pdf (2018).

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control. It is the law and policy of the State to ensure that adjacent land uses, and land use restriction do not deny private property owners the right of fair use, access to, and enjoyment of their property.³ Resolving colored title issues, and land management problems on Forest Service Lands within Utah's border, will more effectively allow private property owners full use, access, and enjoyment of their property. Moreover, the goal of the STA is to resolve land disputes and management problems on small parcels of land.⁴ Again, the Forest Service should have a stated goal, objective, or standard to resolve colored title and management problems on small parcels of forest lands using the STA.

Technical Comments

Page 6, 1.2.2 Based on Resource Management Themes

- Forest Vegetation Management
 - Insert an additional bullet point with the following language, **“There is a need to ensure that vegetation treatments are occurring to help contribute to the resiliency and health of the Forest.”**

Page 6, 1.2.2 Based on Resource Management Themes

- Rangeland Health
 - Edit the first bullet point to read, *“There is a need for plan components to allow flexibility in rangeland management to react to changing conditions, such as drought and fire, and social and economic needs. **Adaptive management is encouraged and promoted.**”*
 - Edit the second bullet point to read, *“There is a need for plan components that emphasize the restoration and conservation of **desirable** native grass and forb species in ecological types consistent with the respective desired conditions.”*
 - Insert an additional bullet point with the following language, **“There is a need to maintain all existing range improvements and implement new range improvements to contribute to the health, multiple use, and sustained yield of the rangeland.”**

³ *Id.*, at 133; *See also* Utah State Code 63j-8-104(j) (recognizing private inholdings within the Forest Service Lands and their right to full use and enjoyment of their property)

⁴ 36 CFR §254.30

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Page 18, 2.1.2 Riparian Management Zones

- FW-RMZ-OB
 - Insert an additional objective that states, **“Complete a minimum of (xx) acres of vegetation treatment to restore and improve the long-term health of riparian management zones and watershed health.”**
 - The specific number of acres treated should be decided by the Forest Service.

Page 19, 2.1.2 Riparian Management Zones

- Management Approaches
 - Edit the second bullet point to read, *“Consider the following techniques to restore riparian management zone aquatic habitats: invasive species treatment, noxious weed treatment, **vegetation treatment**, increasing pool quantity, providing stream cover, and improving fish passage.”*

Page 28, 2.6 Vegetation Communities and Resources

- FW-VEGETATION-GL-01
 - Edit the guideline to read, *“Support and accommodate research by Federal, State, and private entities that improve **desirable** native plant seed genetics as well as increase native and locally sourced plant material selection, production, and distribution for ecological restoration.”*

Page 29, 2.6 Vegetation Communities and Resources

- Management Approaches
 - Edit the first bullet point to read, *“Focus on creation and maintenance of conditions that promote **desirable** native plants and animals, forage production, wood products, scenic quality, and ecosystem functionality.”*
 - Add an additional bullet point that states, **“Utilize various types of vegetation treatments to contribute to the long-term health and sustainability of the land.”**

Page 31, 2.6.2 Deciduous Forest

- Description and Values
 - Edit the third sentence to read, *“Stable aspen clones, ranging in age from 60 to 150 years are valued for their beauty, habitat diversity, importance to wildlife, hydrologic benefits, **and forage for domestic livestock.**”*

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Page 35, 2.6.3 Woodlands

- FW-WOODLAND-OB-01
 - Treating only 50 acres of pinyon-juniper woodlands every 10 years is not an aggressive enough objective. A much higher number of acres should be treated every 10 years. Treating pinyon-juniper woodlands is a priority to the Forest and this section should reflect a much higher number of acres to be treated. Perhaps 500 acres treated every 10 years could be the minimum, but there should be much more treatment occurring regularly.

Page 36, 2.6.3 Woodlands

- FW-WOODLAND-GD-02
 - This guideline should be removed. Using prescribed fire is an effective management tool that can produce great benefit to the land. In addition, the State of Utah Resource Management Plan states, “*The State promotes fuel breaks, thinning, chaining, prescribed fire and the selection of fire-resistant vegetation in green-stripping and burned areas.*”⁵

Page 36, 2.6.3 Woodlands

- FW-WOODLAND-GD-04
 - Edit this guideline to read, “*Post-disturbance seeding should occur in areas where perennials are depleted, and soil moisture temperature regimes are favorable for invasive species. **When appropriate, desirable non-native species will be used alongside native species during the reseeding process in order to improve forage resiliency, prevent erosion, and combat invasive species establishment.***”

Page 50, 2.8 Cultural and Heritage Resources

- Description and Values
 - This section is very important as it shows the important history of the Forest. However, this section does not recognize livestock grazing, ranching, farming, or agricultural production as a cultural and heritage resource. Ranching and farming are essential elements of Utah’s history and culture. Many agricultural operations around the Manti-La Sal National Forest have been passed from generation to generation and remain with the same family ties. Livestock grazing has occurred in the area by various land users for centuries. Livestock grazing is an iconic symbol of the west and yields proper stewardship of the land. UDAF requests that the Forest Service include livestock grazing as an important cultural and heritage resource. The inclusion of rural historic communities is appreciated.

⁵ State of Utah Resource Management Plan and County Resource Management Plans <https://rmp.utah.gov/>

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Page 58, 2.10 Recreation and Access

- FW-REC-GD-04
 - Edit this guideline to read, “*Developed recreation sites should be fenced where **feasible and** possible to exclude livestock grazing.*”
 - Fencing should be implemented as a last resort after other management strategies have been tried or deemed inadequate.

Page 79, 2.16 Livestock Grazing and Range Management

- Description and Values
 - Edit the first sentence to read, “*Livestock grazing has been an important part of the local culture and economy of communities surrounding the Forest for over a century, **and continues to play an important cultural, economic, and ecological role in the surrounding areas today.***”

Page 80, 2.16 Livestock Grazing and Range Management

- FW-RANGE-GD-01 and FW-RANGE-GD-02
 - UDAF requests that specific utilization rates and stubble heights not be listed in the forest plan. It is inappropriate to implement specific utilization rates and stubble heights at the forest-wide level and UDAF’s preference is that they be removed entirely. Specific utilization rates and stubble heights should be used as a management tool and not a management objective. Using these criteria at the site-specific level, such as in Allotment Management Plans and Annual Operating Instructions, can be a valuable tool used to help plan the time, timing, and intensity of grazing, but these criteria should not be used as a management objective or enforcement mechanism.
 - If the Forest Service insists on keeping this language in the plan, UDAF requests Guideline 01 and Guideline 02 to be moved to the Management Approaches section of Livestock Grazing and Range Management. UDAF also requests that the utilization rate be changed to 40%-60% and that the Forest Service defines what is meant by the term “long-term monitoring”.
 - On page 4 of this Forest Plan, under section 1.1.3 What the Forest Plan Does Not Cover, it states, “*The Forest Plan sets broad direction and direction for management of Forest resources but does not generally include site-specific direction*”.
 - This statement seems to be contradicted by establishing specific grazing utilization rates and stubbles at the forest-wide level.

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There is a concern that as Forest Service personnel change over time, the specific stubble heights and utilization rates established in Guideline 01 and 02 will eventually be enforced as a standard. This is not beneficial to the livestock grazing permittees, the Forest, nor the rangeland, and opens possibilities of potential litigation. Once again, stubble heights and utilization rates should be used as a management tool and not a management objective or enforcement mechanism.

Page 80, 2.16 Livestock Grazing and Range Management

- “*Long-term monitoring*” is mentioned several times in the Livestock Grazing and Range Management section. However, no clear definition is given for what this means. UDAF requests that “*long-term monitoring*” is defined and guidance is given for what this will be classified as.

Page 81, 2.16 Livestock Grazing and Range Management

- Management Approaches
 - Add an additional management approach that states, “**Implement adaptive management strategies and allow flexibility as resource conditions allow.**”
 - Add an additional management approach that states, “**Adaptive management will be used in Annual Operating Instructions to provide flexibility when determining the on/off dates for livestock grazing.**”

Page 87, 3.1.1 Wilderness Areas

- This section lacks action related to the management of livestock grazing in wilderness areas. UDAF requests that the Forest Service include language that recognizes the authorization of allowing livestock grazing to occur in wilderness areas. The Forest Service should also include language that allows for access to the livestock grazing allotments within the wilderness areas and allows for maintenance of range improvements to ensure that they are in proper functioning condition. Livestock grazing contributes to the cultural heritage of the land and occurred in the area long before it was designated as a Wilderness Area. In addition, livestock grazing can be a great management tool for treating noxious weeds. The Forest Service should recognize livestock grazing as an authorized use rather than just citing the Wilderness Grazing Checklist.

Page 90, 3.1.3 Research Natural Areas

- Like the Wilderness Areas section of the Forest Plan, the Research Natural Areas section should include management directives for livestock grazing. This helps show that grazing is permitted and authorized in these areas and allows for management actions to be taken that benefit the rangeland. This includes

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maintaining range improvements and allowing proper access to the grazing allotments.

Page 96, 3.1.6 Mont E. Lewis Botanical Area

- DA-LEWIS-ST-02
 - Is livestock grazing currently authorized in the Botanical Area? If not, when was livestock grazing excluded from this area and why?

Page 116, 3.4.4 Moab Geographic Area

- GA-MOAB-GL-01
 - UDAF applauds the Forest Service for the inclusion of this guideline. This guideline is essential to meeting the multiple-use sustained-yield mandate of the land.