



State of Utah

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Lieutenant Governor

Department of Natural Resources

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Public Lands Policy Coordinating Office

REDGE B. JOHNSON
Director

May 18, 2023

Submitted via electronically:

<https://cara.fs2c.usda.gov/Public//CommentInput?Project=62368>

Emily Kreachbaum
Project Manager
Ashley National Forest
Vernal Ranger District
355 North Vernal Avenue
Vernal, UT 84078

Subject: **Marsh Peak Allotment Boundary Adjustment Project**
RDCC Project No. 85354

Dear Ms. Kreachbaum:

The State of Utah (State), through the Utah Public Lands Policy Coordinating Office (PLPCO), has reviewed the proposed Marsh Peak Allotment Boundary Adjustment Project Environmental Assessment and Finding of No Significant Impact (EA). The State favors Alternative 1, which allows for the most acres available for grazing, as well as requiring the least amount of fencing (only 0.19 miles)¹. Alternative 2, the Proposed Action, would result in 8,924 acres of the 16,267-acre Marsh Peak Allotment being opened to cattle grazing; leaving 7,343 acres closed (and requiring 1.10 miles of fencing). Alternative 1, opens more of the Marsh Peak Allotment, 13,593 acres, leaving only 2,674 acres in the rocky terrain areas closed. Alternative 1 also provides for additional grazing associated with the Lakeshore Basin Allotment. The State provided scoping comments June 30, 2022 and incorporates those comments by reference.

¹Marsh Peak Allotment Boundary Adjustment EA, at 6.

Livestock Grazing

The proposed allotment boundary adjustments will allow for greater livestock distribution and improved management of livestock grazing. Livestock and grazing in Utah is important for the natural, cultural, social, and economic benefits it provides. Since the mid-nineteenth century, a variety of livestock including cattle, sheep, and horses, have been and will continue to be a mainstay of Utah's agricultural economy. Many "century farms" have been designated throughout Utah. The State considers agriculture a large part of its history, customs, and culture.

Grazing is one of the earliest and most important uses of public lands in Utah. This form of land use continues to be important on those same lands today. Livestock Grazing in Utah: History and Status, a 2008 study of grazing by the State of Utah, showed that livestock and livestock products accounted for 75 percent of the total agricultural cash receipts in the state. This study gave clear evidence of the importance of public land grazing to individual livestock producers and the industry as whole, by showing (1) the number of animals raised by permit holders was much higher than those without permits; (2) ranching operations with permits were more dependent on livestock production than those without; (3) permittee operations commonly involved more than one family, while non-permittee operations were single-family businesses; (4) most livestock operations were multi-generational family businesses, especially permittee-based operations; (5) livestock producers buy and sell locally, which impact local economies more directly than other business; (6) grazing public lands reduced producers' dependency on hay as a source of feed; (7) livestock grazing has a positive influence on fire suppression; and (8) the cattle industry has become the dominant sector in Utah agriculture.

Wildlife

The project area provides crucial summer habitat for mule deer and elk and year-long habitat for Rocky Mountain bighorn sheep. The three alternatives presented in the project propose installing various lengths of fence to facilitate improved grazing management for the involved allotments. The State supports alternatives that require fewer miles of fencing and promote riparian habitat protection through use of fence boundaries. For this project, Alternative 1 would require the least amount of fencing (0.19 miles).² The Utah Division of Wildlife Resources recommends wildlife friendly fencing designs, such as those included in the WAFWA guidelines.³

² *Supra*, note 1.

³ Mule Deer Working Group. Mule Deer and Fencing Fact Sheet #13, Western Association of Fish and Wildlife, <https://wafwa.org/wpdm-package/fact-sheet-13-understanding-mule-deer-and-fencing/>. Accessed 11 May 2023.

Uintah County Resource Management Plan

Alternative 1 is the most consistent alternative with the 2017 Uintah County Resource Management Plan,⁴ including Chapter 15 of the County Resource Management Plan, “Livestock and Grazing.” Chapter 15 contains the following applicable objectives and policies associated with livestock grazing:

15.4.1 Maintain cattle and sheep grazing on BLM and U.S. Forest Service lands at historic levels and historic seasons of use.

15.4.3 Manage lands to maintain or increase forage allocation for livestock grazing. Require annual checking and verification that lands are still up to standard.

15.4.8 Support good monitoring and allotment management plans. Encourage third-party data collection for allotment management plans. The Utah Department of Agriculture and Food should be involved in areas of dispute regarding range conditions.

15.4.15 Land management plans, programs, and initiatives should provide the amount of domestic livestock forage, expressed in AUMs, for permitted, active use as well as the wildlife forage included in that amount, be no less than the maximum number of AUMs sustainable by range conditions in grazing allotments and districts, based on an on-the-ground and scientific analysis.

15.4.25 Reasonable access shall be allowed for grazing operations within the John Wesley Powell National Conservation Area and the Ashley Karst National Recreation and Geologic Area.

15.4.26 Many parts of the Ashley Karst National Recreation and Geologic Area (AKNRGA) have historically been used-- and are currently used--for grazing. The US Forest Service shall maintain at least current levels of grazing use. Water resources, such as watering holes and water diversion activities, shall not be adversely affected by the AKNRGA. This area's unique geography provides a historical land resource for those participating in such uses, and the AKNRGA should not decrease or impair such uses in any way. In no way shall the Act impair or diminish current or future grazing uses. The act specifically states that grazing activities which were established before the date of the act shall be allowed to continue. Grazing is an important resource to Uintah County, and the county encourages the USFS to follow guidelines set forth in H.R. 5487 of the 96th congress when writing the Management Plan.

⁴ <https://utah-resource-management-planning-plpco.hub.arcgis.com/pages/county-management-plans>.

15.4.28 Grazing is a historical use in Uintah County.

15.4.29 Grazing is an important cultural resource in Uintah County.

State of Utah Resource Management Plan

Alternative 1 is also most consistent alternative with the State of Utah Resource Management Plan⁵. The state RMP chapter addressing livestock grazing begins with this goal:

Balance the grazing and livestock needs on public lands in an equitable manner that benefits livestock producers, wildlife populations, and the natural environment.

Applicable objectives in the state RMP include:

- *Ensure that AUMs/HMs within Utah remain at or above current levels.*
- *Oppose the relinquishment or retirement of AUMs in favor of conservation, wildlife, and other uses, and the transfer of AUMs to wildlife for supposed reasons of rangeland health.*
- *Uphold the preference for domestic grazing over alternate forage uses in established grazing districts while upholding practices that optimize and expand forage for grazing and wildlife.*
- *Grazing within the state of Utah should be performed according to best grazing practices and sound scientific management of local environments. Livestock operators should be given maximum flexibility concerning seasons of use, stocking rates, and rangeland improvement decisions.*
- *Improve vegetative health on public and private lands through rangeland improvements, prescribed fire, vegetation treatments, and active management of invasive plants and noxious weeds.*

Applicable policies in the state RMP include:

- *Because approximately 60 percent of Utah is made up of federal lands, the state's livelihood is substantially affected by the policies of land management agencies. As such, it is the state of Utah's policy that federal land management agencies work closely and cooperatively with the state to ensure access to public lands.*
- *Support the concept of multiple-use and sustained yields on public lands. Livestock grazing is an integral part of the multiple-use concept.*

⁵ <https://storymaps.arcgis.com/collections/81d4406668e34acca4d98275ee41cd07?item=18>.

Marsh Peak Allotment Boundary Adjustment Project #62368

May 15, 2023

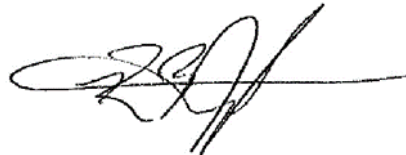
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- *Support and value the ranching industry as an integral part of Utah's history, culture, and heritage. Ranching and agriculture are recognized as cultural resources within the state of Utah.*
- *Adopt a stance of not only "no-net-loss" regarding grazing AUMs/HMs on federal lands, but also a stance that supports the expeditious return of all permitted AUMs/HMs to active status at the earliest opportunity.*
 - *Active AUMs/HMs within the state must remain at or above current levels unless a scientific need for temporary reduction is demonstrated to the satisfaction of state officials.*
 - *Employ strategic and targeted annual rangeland health evaluations as a tool for returning all permitted AUMs to active status as range conditions improve.*
 - *In the case that AUMs/HMs are temporarily reduced, these reductions are reinstated at the earliest possible moment once vegetative health has been restored to its previous levels.*
- *Support the use of the best-available science to establish grazing AUM/HM levels.*
 - *In the case of increased forage availability and upward stable vegetative trends, the state supports a subsequent increase in domestic livestock AUMs/HMs.*
 - *Effective monitoring must occur to achieve healthy rangelands and a vibrant diversified economy in Utah.*
- *The State does not support the permanent retirement of any grazing allotment.*

Based on the provisions of the Uintah County and Utah State Resource Management Plans, and to optimize the benefits for livestock grazing and wildlife, the State requests that the Forest Service select Alternative 1 and that any fences constructed be constructed using wildlife friendly specifications.

The State appreciates the opportunity to provide comments and looks forward to continually working with the Forest Service to improve rangeland health and ensure sustainable multiple uses on public land. 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
Director