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Comments: The State of Utah (State), through the Public Lands Policy Coordinating Office (PLPCO), pursuant to 36 CFR 219 Subpart B, hereby files objections to several provisions of the Flaming Gorge National Recreation Area Management Plan (the Plan). The State appreciates its working relationship with the Ashley National Forest and agrees with most of the plan contents. However, the specific sections of the Plan that lead to these objections are the following:

Page 18, Figure 5, Range Allotments

Objection: Table 7 on page 19 the Plan refers to an Upper Lucerne General Resource Area. However, Figure 5 does not depict the location of this area on the map. The State pointed this out in its July 3, 2024, comments letter (page 28), but this error was not corrected. The State objects to the plan not identifying the location of all General Resource Areas.

Page 26, Dispersed Recreation: "Motorized dispersed camping is allowed only within 150 feet of designated roads and trails in Utah and 300 feet in Wyoming and is limited to designated sections that are shown on the Motorized Vehicle Use Map where significant impact to other resources is not likely to occur."

Objection: Neither the environmental assessment (EA) nor the Plan indicates why there is a difference in dispersed camping allowances between the states of Wyoming and Utah. The Plan should provide a consistent maximum setback distance in both states (preferably 300 feet). Alternatively, the EA or the Plan should explain why the setback differs.

Page 39, Table 18. Information for Special Status Plant Species within the FGNRA

Objection: In the State's July 3, 2024, comment letter (Page 29), it was noted that:

"Page 39 of the draft plan, the USFS lists special status plant species in the FGNRA. The first one listed is the Ute ladies' tresses. The State has been informed that this species is scheduled to be delisted this FY 2024. Perhaps the final plan could have an alternative management strategy if this species is delisted so that cumbersome management protocols do not have to be adhered to in the event of a delisting. The wording in Table 18 should be amended as follows: "They have been observed below the National Forest boundary along the Green, Yellowstone, Uinta, Lake Fork, and Rock Creek Rivers (which are outside of the FGNRA plan area)."

In a recent Federal Register Notice (Federal Register/Vol. 90, No. 4/Tuesday, January 7, 2025/Proposed Rules), the US Fish and Wildlife Service proposed to remove Ute ladies'-tresses (*Spiranthes diluvialis*) from the Federal List of Endangered and Threatened Plants. The deadline to comment on this delisting is March 10, 2025. The State objects to the Plan if it does not address this updated information and the fact that the species has not been observed within the boundaries of the FGNRA.

Page 48, Fire and Fuels Desired Condition 01: Fire and Fuels Desired Condition 01: "Wildfire affected areas and other disturbed areas are managed to control the spread of cheatgrass, Halogeton, and other invasive species throughout the FGNRA."

Objection: In the State's comments Dated July 3, 2024, (page 24) the State noted that:

"Although there is mention of general invasive species control and needed effort to control halogeton and

cheatgrass, there is no specific mention of invasive tamarisk or Russian olive. The Division of Wildlife Resources ("DWR") suggests evaluating the inclusion of a Desired Condition or Goal that will address these two species. They are becoming dense on some shores of the FGNRA and are increasing in numbers along the Green River. Controlling these species can help to increase soil quality and overall rangeland health. Downstream of the FGNRA, multiple projects have been implemented to reduce the populations of these species. By reducing these species in the FGNRA, the downstream populations of these invasive species will likely be reduced."

This desired condition should be amended to also prioritize the control of Tamarisk and Russian Olive, so the risk of these species spreading onto non-forest service lands is lessened.

Page 49, Minerals Standard 01: "Commercial sale of non-leasable common variety minerals (such as gravel, rock, or sand) within the FGNRA shall be prohibited because such developments are not compatible with and could impair the recreation, scenic, and historic values of the FGNRA."

Objection: In the State's scoping comments dated January 10, 2023, (page 4), the State noted that:

"There is one standard for Minerals in the Plan associated with a prohibition on new gravel, rock and sand mining in the FGNRA. It may not be wise to totally prohibit extraction of gravel, rock and sand inside the FGNRA. The Ashley National Forest has located and maintained non-leasable material borrow pits within the boundaries of the forest and such can be placed in locations that will have no negative impacts on recreation, scenic and historic values. Failure to provide for borrow pits near potential construction projects within the FGNRA may result in higher material transportation costs and higher facility construction costs if adequate material sources are not available on other lands close to the FGNRA."

In the State's July 3, 2024, comments on the draft Plan (page 30), the State noted that:

"Page 49 under the "Minerals" section of the plan, the USFS sets a "Standard" stating: "Commercial sale of non-leasable common variety minerals (such as gravel, rock, or sand) within the FGNRA shall be prohibited because such developments are not compatible with and could impair the recreation, scenic, and historic values of the FGNRA." The State and Daggett County understand and agree that the commercial sale of these minerals may impair the values of the FGNRA. However, we request that the possibility of having a gravel pit/crusher be left open to the State and Daggett County. Daggett County is over 90% federally owned and it is difficult to attain these resources because of restrictive management practices in so much of its jurisdiction (roadless area, wilderness, etc.). Maintaining roads and infrastructure is an essential government function and this is necessary for localities to perform their most basic duties. In addition, the USFS may find a need for non-leasable minerals for administrative use in the FGNRA to maintain and expand transportation and parking infrastructure. The plan should not preclude the USFS from doing so in appropriate locations that would not impact scenic integrity."

To provide locally sourced gravel and rock for infrastructure projects both inside and outside of the FGNRA, the Forest Service should not prohibit such mining by a commercial entity, but allow it via a special use permit. Such a process ensures that the location would not interfere with the purposes of the FGNRA. Failure to do so will likely raise the cost of transporting such materials to job sites and restrict the ability of the Forest Service and local governments to finance and construct needed roads, parking lots, and other infrastructure improvements. As indicated in the State's July 24, 2024, comments (page 41), this prohibition could also shift the impacts of mining and hauling mined materials from FGNRA roads to roads outside of the FGNRA as non-leasable minerals will continue to be needed for road and parking lot improvement projects, both inside the FGNRA and in the surrounding area.

Page 51, Recreation and Facilities Objective 03: "Over the life of the plan, develop a mountain bike complex (for example, on Dowd Mountain, Greendale Junction, Buckboard recreation complex or Firehole Canyon), in collaboration with stakeholders."

Objection: During one of the FGNRA planning area field tours in 2022, during a stop at Little Hole, it was mentioned (and included in the State's scoping comments of January 10, 2023 [Page 7] and the State's July 3, 2024, comments (pages 36 and 40) that some mountain biking trails have been established and are being used on the hill just north of the Little Hole boat ramp. The Plan should mention this location as another potential mountain biking area due to its existing use.

Page 52, Special Land Uses, Standard 01: "Land use permit renewals shall only be authorized if they are compatible with and do not significantly impair the recreation, scenic, scientific, and historic values of the FGNRA. Operation and maintenance plans of existing permits must be compatible with and do not significantly impair the recreation, scenic, scientific, and historic values of the FGNRA."

Objection: In the State's July 3, 2024, comments (page 32), the State requested that the following sentence be added to Standard 01:

"Mitigation measures may be used to determine whether land use is compatible with or significantly impairs the values of the FGNRA."

The State asserts that mitigation should be a viable option for maintaining certain uses of the land rather than prohibiting future uses that may be necessary to enhance the health, safety, and welfare of the people of Utah. The State objects to this mitigation consideration being omitted from the Plan.

Page 52, Special Land Uses Guideline 02: "New utility transmission infrastructure in the FGNRA are suitable only within the designated corridors. Buried transmission, utilities, and telecommunications lines are suitable along existing or new Forest Service System roads."

Objection: In the State's January 10, 2023, scoping comments (page 8), the State recommended that:

"The plan should address the possibility of additional utility corridors within the FGNRA, in areas where scenic values would not be compromised, to serve local customers or the region, as solar, hydro, wind, geothermal and other energy facilities are developed to serve the growing population in the West. For example, the BLM is considering a trona mine proposal from Pacific and Atlantic Soda Company. A portion of the proposal involves construction of a water line across the northern end of the Flaming Gorge National Recreation Area. The FGNRA plan should provide flexibility to address such opportunities in the future."

In the State's July 3, 2024, comments (page 24), the State noted that:

"The FGNRA planning area is a critical planning area in Utah. This is largely because it is the only area in the Uinta Mountain region where utilities can be sited for hundreds of miles. For this reason, in 2005 Congress designated portions of the FGNRA as a Section 368 Corridor as part of the Energy Policy Act of 2005. This is critical for the State of Utah and our citizenry because it provides energy pipeline and electricity transmission capabilities that make Utah's energy secure. Any provision in the draft plan that may be contrary to the purpose of the Section 368 Corridor should be amended or removed prior to the finalization of the plan."

If utility transmission infrastructure will be suitable along existing or new forest service system roads, such infrastructure should also be allowed along existing or newly designated utility corridors. If wind, solar, and geothermal development continues to expand, more transmission corridors may be needed in the future due to pinch points in other corridors. While new corridors in the FGNRA should be avoided, the USFS shouldn't exclude them, in the interest of future flexibility to accommodate new energy sources and transmission needs at locations that do not impair scenic views. Many areas of the Uinta Mountains, west of the FGNRA, are unable to host transmission corridors due to wilderness designation.

Page 53 Management Approach 01 for Fire and Fuels: "New and existing forest system routes may function as fuel breaks where appropriate to the location and vegetation type."

Objection: The State's January 10, 2023, comments (page 2) stated that:

"The State suggests that this section include management approaches demonstrating the Forest Service commitment to reducing tree density and other types of active management that are critical for forest health."

The Forest Service should amend the Plan to identify management approaches encouraging fuel breaks other than along new and existing forest system routes (such as fuel breaks connecting with such routes), reducing tree densities, and encouraging the removal of biomass to reduce fuel loads and the risk of uncharacteristic wildfire. Another option would be to explain in the Plan or EA whether provisions in the Ashley National Forest Plan associated with fire and fuels management will apply in the FGNRA.

Page 54, Management Approach 02 for Rangeland Management: "In areas of the FGNRA, utilize and continue to implement the Memorandums of Understanding (MOU) with the Bureau of Land Management in Utah and Wyoming to manage livestock grazing permits on the FGNRA."

Objection: In the State's January 10, 2023, comments (page 4), the State expressed the following concerns associated with Rangeland Management:

"This section focuses on rangeland fencing, gates, and continued coordination with the Bureau of Land Management, which manages livestock grazing permits on the Wyoming section of the FGNRA. Providing a map of the grazing allotments would be helpful. The plan should describe how grazing will be managed in the various landscapes from the forested areas in the southern sections of the NRA to the high desert conditions in the northern sections of the NRA. The State suggests that additional plan components be considered to address rangeland and grazing topics such as water facilities, cattleguards, livestock gathering or trailing areas, maintenance of AUMs at historic levels, and whether any grazing areas are considered open range. Conversion of the South Buckboard area to a fee campsite would impact grazing and the permittees should be involved in the conversation."

The plan does not address any of the above concerns raised by the State. In addition, the recent approval of a new Resource Management Plan for the Rock Springs Bureau of Land Management Field Office raises concerns that, if range management is administered by that BLM office, there could be a loss of AUMs, and other changes in grazing permits that could be detrimental to grazers. The Forest Service should clarify how grazing will be managed.

Page 54, Management Approach 06 for Recreation and Facilities: "Construct additional vehicle parking and sanitation facilities in areas where concentrated public use is causing adverse environmental effects or take administrative measures to control such use."

Objection: Quoting the State's July 3, 2024, comment letter:

"The state noted in scoping comments that the EA and Plan must address the impacts of solid waste generated within the FGNRA on the City of Manila landfill. The Mayor of Manila expressed concern during the July 2022 field tour that waste generated from the FGNRA has required the City to expend additional resources to expand

their landfill (three more cells) above and beyond what is needed to serve their community. It appears that the EA does not address these solid waste impacts and Manila City concerns."

To address this objection, the Forest Service should provide a management approach in the Plan to ensure that it addresses sanitation and solid waste facilities with affected entities, such as the Town of Manila.

Page 55, Management Approach 13 for Recreation and Facilities: "Prioritize existing and proposed recreation sites and facilities based on use and benefit. Allocate resources and funding to areas of greatest benefit and need and prioritize high use area improvements and maintenance."

Objection: During the 2022 field tours of the FGNRA, the lack of funding to repair and maintain facilities was identified as a major concern by stakeholders and concessionaires. Many of the tour attendees have the impression that the USFS Intermountain Region considers the FGNRA to be the proverbial "redheaded step-child" when it comes to funding priorities. In the State's July 3, 2024, comments (page 33), the State suggested that the Forest Service amend this management approach to add text such as: "Aggressively seek funding from a variety of sources and ensure the FGNRA has an appropriate funding priority for the Intermountain Region." The State objects to the Plan not containing such guidance for aggressively seeking funding from a variety of sources. Amending the Plan here or on page 25, where Recreation Use Fees are discussed, would be appropriate.

#### Conclusion

The State expects the Forest Service to strive to achieve consistency to the greatest degree possible with the Utah State Resource Management Plan and the Daggett County Resource Management Plan as the Forest Service makes future land use decisions associated with the Flaming Gorge National Recreation Area Management Plan.

The State commends the Forest Service's effort to confront the challenges of the Flaming Gorge National Recreation Area to resolve user conflicts and establish Plan components that could lead to reduced conflict, reduced impacts on water quality and quantity, and protection of fragile desert ecosystems that are vulnerable to increasing visitation and recreation. However, the Forest Service would have a better Plan if the concerns raised in the above objections were incorporated therein.