

Data Submitted (UTC 11): 6/23/2024 11:08:40 PM

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Organization:

Title:

Comments: Dear Ashley National Forest

We submitted multiple comments during the public scoping period. Unfortunately, most of them were not addressed. We are submitting many of the comments again.

Comment #1 (Livestock on Highways within the Flaming Gorge National Recreation Area)

We are unclear why issues with public safety, that we brought up during the scoping period, were not addressed in the management plan. We are submitting many of the comments again.

Every year numerous visitors are involved in vehicle accidents or near misses with livestock on paved highways within Flaming Gorge National Recreation Area. Livestock should be prohibited from highways within the Flaming Gorge NRA because visitor safety is in line with the primary purposes of the NRA.

As you show in your management plan, the legislation creating the Flaming Gorge NRA (Public Law 90-540) requires the Forest Service to administer the NRA in a way that will "best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment." Cattle grazing is not one of the purposes, therefore cattle grazing is a secondary use that cannot impair or impact any of the primary uses of the NRA.

For the Forest Service to "best provide for public outdoor recreation benefits," as specified in Public Law 90-540, the Forest Service should do everything possible to ensure public safety. Public safety is clearly a "value contributing to public enjoyment" of the NRA. The Forest Service should ensure that any activities or authorized uses (such as livestock grazing) within the Flaming Gorge NRA do not create a safety hazard for the recreating public.

The direction in public Law 90-540 is not discretionary for the Forest Service. It applies to all of the Flaming Gorge NRA. The locations and availability of livestock grazing on Forest Service lands is discretionary. Because livestock permits are discretionary, their location and authorization must be fully in-line with the purposes for which the Flaming Gorge NRA was created.

When the Forest Service issues a livestock grazing permit that authorizes cattle to be on paved highways in the NRA, that action creates a potential safety hazard to the public which is directly in opposition with the purposes of the NRA.

I recommend adding the following language to the Flaming Gorge Management Plan in Chapter 2, under the Public Safety Section.

"Livestock grazing shall be prohibited within 100 feet of any paved highway within the Flaming Gorge NRA. Allotment boundaries will be modified to comply with this directive within 1 year of the approval of this management plan."

We noticed that the Forest Service also received comments calling for the preservation of grazing rights and for the codification of grazing within the NRA. Scoping comments are not an opinion poll or popularity contest where the most comments win. Scoping comments are intended to bring up issues that tie to the legal obligations of the Forest Service. None of the comments in favor of livestock grazing referenced any requirement to allow any type

of livestock grazing on the NRA. Whereas, our comments are specifically tailored to show how the existing livestock grazing patterns on the highways are a direct public safety issue and are therefore in opposition to the mandate to "best provide for public outdoor recreation benefits." When the Forest Service is faced with one public opinion that contradicts the other, then the Forest Service should evaluate which opinion is more in line with regulatory requirements and then make decisions that are in alignment with that regulatory direction.

Comment #2 (Livestock Grazing in Recreation Areas)

We are unclear why the apparent conflicts between livestock grazing and recreation activities within the NRA that we brought up during the scoping period have not been addressed. We are submitting the comments again.

All uses within the Flaming Gorge NRA, including livestock grazing permits, must align with the purposes of the Flaming Gorge NRA legislation. Livestock Grazing should not interfere or impact recreation activities or public safety on the Flaming Gorge Recreation Area. Because the Forest Service must take actions that "best provide for public outdoor recreation benefits" within the recreation area, other activities that conflict with that direction should have a lower priority. Cattle or other livestock should not be allowed on highways, on roads, on hiking trails, in campgrounds, in dispersed camping areas, in recreation sites, on beaches, or on boat ramps because livestock grazing impedes the public enjoyment and public safety of these areas.

The priority for the Flaming Gorge Recreation Area should be the purposes for which the NRA was created, which are: public outdoor recreation benefits and the conservation of scenic, scientific, historic, and other values contributing to public enjoyment. Livestock grazing does not meet any of these purposes, so it should not be allowed to impact or impair any of the purposes for which the Recreation Area was created.

The Forest Service should take a hard look at how livestock grazing conflicts with public outdoor recreation activities and public recreational uses within the Flaming Gorge NRA. The Forest can change allotment boundaries or livestock practices to eliminate public safety issues and eliminate conflicts with public recreation activities.

In the draft proposed land management plan for the Ashley National Forest, the Forest Service has proposed recreation management areas such as "destination", "backcountry", and "general". I recommend that cattle grazing be prohibited within "destination recreation areas" within the Flaming Gorge NRA. "Destination" areas have high recreation use and cattle grazing would not be compatible with that use. Within the Flaming Gorge Recreation area, the purposes are for outdoor public recreation benefits and for the conservation of scenic, scientific, and historic values. Cattle grazing does not enhance or conserve any of these purposes, so it should be restricted wherever those primary purposes have focused importance. Destination recreation areas have a high level of recreation use, therefore cattle grazing should not conflict, impede, impact, or affect those recreation uses in any way.

Please add the following language to the Flaming Gorge Recreation Area management plan:

"Cattle grazing shall be prohibited within destination recreation management areas."

"Cattle grazing shall be prohibited on public roads in the Flaming Gorge Recreation Area."

"Cattle grazing shall be prohibited within ½ mile of all recreation sites on the Flaming Gorge Recreation Area."

"Grazing permits with allotments within the Flaming Gorge Recreation Area will be modified to reflect these conditions."

"The Forest Service will gather visitor information on any impacts that grazing has on public recreation activities and any impact on the visitor experience in the Flaming Gorge NRA. Any noted impacts will trigger a review of the livestock grazing permit. Conditions will be added to the permit to eliminate the impact to recreation uses within the NRA."

Comment # 3 (Rangeland Management)

Page 40, Line 28 and 29.

The Rangeland Management section of the EA fails to understand or even address rangeland management. The text equates rangeland management and livestock grazing as the same thing. They are not. The 1960 Multiple-Use Sustained Yield Act and the 1974 Forest and Rangeland Renewable Resources Planning Act direct the Forest Service to manage rangelands as unique vegetation resources across the range landscape that serve a multitude of resource needs. Rangeland management should address the habitat for a variety of plant and animal species, clean water, and wildlife browsing. Livestock grazing should be addressed as a sustainable managed use within rangelands, but rangelands are not synonymous with livestock grazing and should not be treated as much within the EA.

The laws indicate that rangelands are to be "utilized in the combination that will best meet the needs of the American people; making the most judicious use of the land . . . and harmonious and coordinated management of the various resources . . . without impairment of the productivity of the land, with consideration being given to the relative values of the various resources, and not necessarily the combination of uses that will give the greatest dollar return or the greatest unit output." (Multiple Use Sustained Yield Act, PL 86-517, Sec 4(a))

Rangeland uses within the Flaming Gorge NRA must also meet the intent of the NRA legislated purposes. Please add the following language to the "Rangeland Management" of the management plan.

"If livestock grazing permits cause any conflicts, inconvenience, or safety hazard to public outdoor recreation or to the conservation of scenic, scientific, historic, or other values contributing to public enjoyment, the permit will be modified or rescinded to resolve the issue."

"All livestock permits within the Flaming Gorge NRA will be carefully reviewed for compliance with Flaming Gorge NRA legislation and this management plan before renewal is authorized. If permit activities have caused or could cause any conflicts, inconvenience, or safety hazard to the public, the permit will not be renewed unless conditions are added to resolve the issues."

Comment #4 (Congressional Purpose of the Flaming Gorge NRA)

As I have read the Flaming Gorge NRA legislation, it is clear that the National Recreation Area was set aside as a special place with specific purposes. The four "named" purposes of the Flaming Gorge recreation area are: 1) public outdoor recreation; 2) conservation of scenic values; 3) conservation of scientific values; and 4) conservation of historic values.

The legislation also allowed for other uses as long as they were compatible with the primary purposes and did not conflict with or impair the purposes of the NRA.

Public Outdoor Recreation

The management plan provides broad guidance on public recreation within the NRA. We strongly suggest that the Flaming Gorge NRA Management plan should state multiple times that "public outdoor recreation is the first priority for all activities, programs, projects, and permits within the NRA". I think that everything that the Forest Service does within the Flaming Gorge NRA should have a public recreation connection. Past management of the NRA has not recognized this emphasize that is clearly specified in the congressional language.

Scenic values.

Scenic values are a crucial part of the Flaming Gorge NRA, yet the draft plan minimally addresses them. The views of Red Canyon are especially significant and there should be some language that ensures the scenery, natural geography, and natural vegetation are not changed or impacted.

It would be useful to provide guidance about what scenery is important and add language that specifically addresses how that scenic value will be protected.

Two current areas of scenic concern are Bear Top Mountain and the Mustang Fire scar. The natural scenery in these areas has been drastically impacted by past actions, but the Forest Service is doing nothing to repair or improve the scenic values in these areas. Prescribed fire and/or wildlife projects on Bear Top Mountain have created unappealing scars that are neither natural nor aesthetically pleasing. Future projects should always put conservation of scenic values as a priority for all projects in the NRA.

We recommend you add the following language to the Flaming Gorge NRA plan under the Fire and Fuels Section of Chapter 2.

"In order to restore scenic values after wildfires, the Forest Service will complete revegetation treatments in areas where catastrophic wildfires have destroyed natural tree seed sources. Areas will be replanted with the same species of trees that were present before the wildfire."

"Timber, vegetation, and fire projects and activities will be planned so that the retention of scenic values are given the highest priority. Proposed projects or activities cannot impair the scenic integrity of any part of the Flaming Gorge NRA."

"No project, activity, program, or permit will be authorized within 1 miles of the Red Canyon without providing the public an opportunity to comment on how the project may impact the scenery or recreation values of the area. The public should be clearly informed of the location, nature, and extent of potential changes to the vegetation, landscape, or scenery."