

**APPENDIX D: LETTERS OF COMMENT
ON THE DRAFT
ENVIRONMENTAL
ASSESSMENT AND BUREAU
OF RECLAMATION
RESPONSES**

APPENDIX D: LETTERS OF COMMENT ON THE DRAFT ENVIRONMENTAL ASSESSMENT AND BUREAU OF RECLAMATION RESPONSES

This appendix contains the comment letters received from Federal and State agencies and the general public for the Red Fleet Reservoir Resource Management Plan Draft Environmental Assessment released in March 2013. Each comment letter is presented first, with graphical indications to show the location of the specific remarks. On the following pages, those remarks are quoted and the responses provided.

COMMENT LETTER 1

UINTAH COUNTY



STATE OF UTAH
Our past is the nation's future

COMMISSIONERS:
Darlene R. Burns
Michael J. McKee
Mark D. Raymond
ASSESSOR - Rolene Rasmussen
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SURVEYOR - John Slaugh

April 30, 2013

Bureau of Reclamation
Water & Environmental Resources Division
Attn: Kerry Schwartz
302 East 1860 South
Provo, UT 84606-7317
email: kschwartz@usbr.gov

RE: Red Fleet Reservoir & Steinaker Reservoir Draft Resource Management Plan
Environmental Assessments (EA's)

Dear Mr. Schwartz,

Thank you for the opportunity to comment on the proposed Drafts for the Red Fleet Reservoir and Steinaker Reservoir Resource Management Plan Environmental Assessments (EA's).

Regarding the Draft Red Fleet Reservoir Management Plan EA.

Wildlife

Comment 1A | The greater sage-grouse should be managed according to the *Conservation Plan for Greater Sage-grouse in Utah*, as implemented by the State of Utah. This plan has also been adopted by Uintah County.

Transportation and Access

Comment 1B | The Draft EA appears to define unimproved roads as "roads that are not designated as county roads or that are not used for administrative access purposes." This term should be used consistently within the Draft EA. As you are aware, Uintah County is responsible to maintain public access on public rights-of-way. As such all roads designated on the Uintah County Transportation Map must remain open. Particularly, Uintah County continues to assert its claims on the following roads:

Comment 1C | "Red Fleet Access Road" is a primary access road to the State Park and is a county paved Class "B" maintained road.

Comment 1D | The Class D Road that provides access to the South Beach area should remain open having a parking area for fishing access only at the bottom. Before the reservoir was built this road connected to the North Beach road on the northern side of the reservoir.

COMMENT LETTER 1

Comment 1D (cont.) The county Class D road providing access to the Cottonwood Wash area should remain open allowing closer access to the lake.

Regarding the Draft Steinaker Reservoir Management Plan:

Wildlife

The greater sage-grouse should be managed according to the Conservation Plan for Greater Sage-grouse in Utah, as implemented by the State of Utah. This plan has also been adopted by Uintah County.

Transportation and Access

The Draft EA appears to define unimproved roads as "roads that are not designated as county roads or that are not used for administrative access purposes." This term should be used consistently within the Draft EA. As you are aware, Uintah County is responsible to maintain public access on public rights-of-way. As such all roads designated on the Uintah County Transportation Map must remain open. In addition to public rights-of-way, Uintah County is opposed to any limitation to the public's use of the Honda Hills area. This area has been used by the public for decades as a popular OHV area. Uintah County believes that this area should remain open for OHV use. Having a defined area for the public to be able to enjoy this type of recreation is wise land management.

Uintah County supports the Recreational Development Emphasis Alternative C for the Red Fleet and Steinaker Resource Management Plans Environmental Assessments.

We have no further comments to make at this time but reserve the right to comment at a later date, if warranted.

Sincerely,

UINTAH COUNTY COMMISSION

Handwritten signature of Mark D. Raymond, Chairman

Handwritten signature of Michael J. McKee

Handwritten signature of Darlene R. Burns

RESPONSES TO COMMENT LETTER 1

Comment IA: “The greater sage-grouse should be managed according to the Conservation Plan for Greater Sage-grouse in Utah, as implemented by the State of Utah. This plan has also been adopted by Uintah County.”

Response to Comment IA: Thank you for your comment. The sage-grouse conservation plan has been referenced in the Final Environmental Assessment and the Resource Management Plan documents, and Uintah County has been included in the list of appropriate entities to involve in developing a Habitat Management Plan for Red Fleet Reservoir.

Comment IB: “The Draft EA appears to define unimproved roads as ‘roads that are not designated as county roads or that are not used for administrative access purposes.’ This term should be used consistently within the Draft EA. As you are aware, Uintah County is responsible to maintain public access on public rights-of-way. As such all roads designated on the Uintah County Transportation Map must remain open.”

Response to Comment IB: Thank you for your comment. For clarification, the Final Environmental Assessment defines an unimproved road as a road that does not have a paved or gravel surface and is irregularly maintained or not maintained. With Alternative B or C, Reclamation proposes to decommission unimproved roads only if they are not county roads and are not needed for administrative access purposes.

Comment IC: “‘Red Fleet Access Road’ is a primary access road to the State Park and is a county paved Class ‘B’ maintained road.”

Response to Comment IC: “The RMP (Appendix B of the Draft EA) includes management direction for Reclamation to ‘coordinate with the State of Utah and Uintah County to assure safe ingress and egress from the state highway and county roads’ (p. B-31) and to ‘encourage appropriate maintenance of access roads to Red Fleet Reservoir’ (p. B-2). Under this management direction, Reclamation will continue to coordinate with Uintah County regarding access and road maintenance responsibilities at Red Fleet Reservoir.

Comment ID: “The Class D Road that provides access to the South Beach area should remain open having a parking area for fishing access only at the bottom. Before the reservoir was built this road connected to the North Beach road on the northern side of the reservoir.

“The county Class D road providing access to the Cottonwood Wash area should remain open allowing closer access to the lake.”

Response to Comment ID: As you are likely aware, roads to the South Beach and Cottonwood Wash areas are currently gated in order to control recreational boat access to the lake as a preventative measure in controlling aquatic invasive species (through cooperative management between Reclamation, State Parks, Utah Division of Wildlife Resources, Uintah Water Conservancy District, and Uintah County) and due to unsafe road conditions.

COMMENT LETTER 2

From: Trina Hedrick <trinahedrick@utah.gov>
Date: Mon, May 6, 2013 at 3:09 PM
Subject: Re: Comments on Red Fleet/Steinaker draft EAs
To: "Schwartz, Kerry" <kschwartz@usbr.gov>

Thanks, Kerry. I had submitted these to our Habitat guys, but missed the RDCC deadline of April 23rd apparently. Anyway, only one major comment, the first one for Red Fleet. Let me know what you think.

Red Fleet

Comment
2A

--DWR certainly supports additional recreational facilities and fishing access as proposed in Alternative C, the Preferred Alternative. However, the addition of a boat ramp that does not pass by the wash station is difficult for us to swallow in light of the previous quagga mussel detection there and the finding of multiple life stages of mussels at Lake Powell. In 2012, four of 304 boaters interviewed had previously been to Lake Powell. This may seem like a low number, but it just takes one introduction sometimes to get them established in a new water. We would like to see the road from the new boat ramp go by the wash station or else the addition of a second boat ramp removed from this alternative.

Comment
2B

--Page 90 (RF) and page 85 (Steinaker), the text suggests that the rainbow trout fishery may be susceptible to whirling disease if ever found there. While rainbow trout are susceptible to WD, it is more detrimental to smaller fish and it is unlikely that the catchable fish stocked there would see any deformities. This should probably be reworded.

Steinaker

--We have confirmed American bullfrogs at Steinaker Reservoir in 2012. This could be added to the AIS list on page 85.

That's it. Thanks again,
Trina

RESPONSES TO COMMENT LETTER 2

Comment 2A: “DWR certainly supports additional recreational facilities and fishing access as proposed in Alternative C, the Preferred Alternative. However, the addition of a boat ramp that does not pass by the wash station is difficult for us to swallow in light of the previous quagga mussel detection there and the finding of multiple life stages of mussels at Lake Powell. In 2012, four of 304 boaters interviewed had previously been to Lake Powell. This may seem like a low number, but it just takes one introduction sometimes to get them established in a new water. We would like to see the road from the new boat ramp go by the wash station or else the addition of a second boat ramp removed from this alternative.”

Response to Comment 2A: Thank you for your comment. The Resource Management Plan includes direction for Reclamation and its partners to “Work with UDWR to identify a desired fish species composition, fishery enhancement opportunities, and develop a Fisheries Management Plan,” and in doing so to, “include objectives to monitor and prevent introduction of Aquatic Invasive Species and pathogens” (p. B-19). Under this management direction, Reclamation will work with the Utah Division of Wildlife Resources to either delay implementation of a second boat ramp location until such time that boat washing is no longer required or to determine a means of requiring boat washing by users of the second boat ramp location.

Comment 2B: “[On page 90 of the Draft Environmental Assessment] the text suggests that the rainbow trout fishery may be susceptible to whirling disease if ever found there. While rainbow trout are susceptible to WD, it is more detrimental to smaller fish and it is unlikely that the catchable fish stocked there would see any deformities. This should probably be reworded.”

Response to Comment 2B: Thank you for the clarification. The text in the Final EA has been reworded as suggested.

COMMENT LETTER 3

From: Amy Defreese <amy_defreese@fws.gov>
Date: Mon, May 13, 2013 at 10:31 AM
Subject: Reservoir RMPs
To: kschwartz@usbr.gov

Hi Kerry,

Comment
3A

I wasn't able to submit written comments to the Red Fleet and Steiner RMP Draft EA by the 30th as requested. I'm looking through the draft EAs now, and I am wondering if you would be interested in including some programmatic language to protect migratory birds during the nesting season. I'm thinking specifically of seasonal and spatial buffers during construction activity at the reservoirs. If so, I can work with [BIO-WEST] to provide some language.

Comment
3B

It was also a little unclear to me what the determination is/was for *Spiranthes*. There may be some activities that don't require a 404 permit that would provide a nexus for Section 7 consultation, correct? I'm thinking about introducing human presence to areas that may house the plant, or I imagine construction equipment could find its way into wetlands. Do you anticipate submitting a BA and effect determination for this species at any point?

Best regards,
Amy

Amy Defreese, Ecologist
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U.S. Fish and Wildlife Service
2369 W. Orton Circle, Suite 50
West Valley City, Utah 84119

Email: amy_defreese@fws.gov
Phone: 801-975-3330 x 128

RESPONSES TO COMMENT LETTER 3

Comment 3A: “I am wondering if you would be interested in including some programmatic language to protect migratory birds during the nesting season. I’m thinking specifically of seasonal and spatial buffers during construction activity at the reservoirs.”

Response to Comment 3A: Thank you for your comment. Reclamation has added general management direction in the Resource Management Plan to coordinate with the U.S. Fish and Wildlife Service regarding provisions to avoid and minimize impacts to migratory birds. Specific actions for doing so would be determined in site-specific environmental clearances. Under the Migratory Bird Treaty Act and Executive Order 13186, Reclamation would coordinate with the U.S. Fish and Wildlife Service in identifying the appropriate actions.

Comment 3B: “It was also a little unclear to me what the determination is/was for *Spiranthes*. There may be some activities that don’t require a 404 permit that would provide a nexus for Section 7 consultation, correct? I’m thinking about introducing human presence to areas that may house the plant, or I imagine construction equipment could find its way into wetlands. Do you anticipate submitting a BA and effect determination for this species at any point?”

Response to Comment 3B: Thank you for your comment. Reclamation will consult U.S. Fish and Wildlife Service as appropriate during site-specific National Environmental Policy Act analyses. General management direction has been added to the Resource Management Plan.