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 Steinaker 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

Note: pages 2–5 of this letter are not displayed because they contain detailed information about a sensitive paleontological site.

State of Utah

GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

Office of the Governor
PUBLIC LANDS POLICY COORDINATION

KATHLEEN CLARKE
Director

April 26, 2013

Kerry Schwartz
Bureau of Reclamation
Upper Colorado Region
Provo Area Office
302 East 1860 South
Provo, UT 84606-7317

Subject: Draft EA for the Steinaker Reservoir RMP in Uintah County, UT
RDCC Project No. 38047

Dear Mr. Schwartz:

Comment 1A

The State of Utah, through the Public Lands Policy Coordination Office (PLPCO), has reviewed this project. Utah Code (Section 63J-4-601, et. seq.) designates PLPCO as the entity responsible to coordinate the review of technical and policy actions that may affect the physical resources of the state, and to facilitate the exchange of information on those actions among federal, state, and local government agencies. As part of this process, PLPCO makes use of the Resource Development Coordinating Committee (RDCC). The RDCC includes representatives from the state agencies that are generally involved or impacted by public lands management.

Utah Geological Survey

Comment 1B

Utah Geological Survey (UGS) is concerned as to the long term management of UGS Paleontological Locality Un2250 ("Steinaker Reservoir Dinosaur"). Management for this site needs to include ongoing salvage and the development of a research plan that includes at a minimum, excavation of the site to evaluate its significance and areal extent.

COMMENT LETTER 1

Note: pages 2–5 of this letter are not displayed because they contain detailed information about a sensitive paleontological site.

Kerry Schwartz
April 26, 2013
Page 6

Following the line of reasoning outlined above and given our intimate knowledge of the significance of this fossil resource (Kirkland and Madsen, 2007; Sprinkle et al., 2012). It is our recommendation that ongoing salvage and the development of a research plan that includes at a minimum, excavation of the site to evaluate its significance and areal extent be included in this management plan. If you have questions, please contact Dr. James I. Kirkland, State Paleontologist, Utah Geological Survey, at (801) 537-3307.

The State of Utah appreciates the opportunity to review this proposal and we look forward to working with you on future projects. Please direct any other written questions regarding this correspondence to the Public Lands Policy Coordination Office at the address below, or call Sindy Smith at (801) 537-9193.

Sincerely,

Kathleen Clarke
Director

5110 State Office Building, PO Box 141107, Salt Lake City, Utah 84114-1107 · telephone 801-537-9801

RESPONSES TO COMMENT LETTER 1

Comment 1A: "The State of Utah, through the Public Lands Policy Coordination Office (PLPCO), has reviewed this project. Utah Code (Section 63J-4-601, et. seq.) designates PLPCO as the entity responsible to coordinate the review of technical and policy actions that may affect the physical resources of the state, and to facilitate the exchange of information on those actions among federal, state, and local government agencies. As part of this process, PLPCO makes use of the Resource Development Coordinating Committee (RDCC). The RDCC includes representatives from the state agencies that are generally involved or impacted by public lands management."

Response to Comment 1A: Thank you for your review and facilitation of information exchange between Reclamation and the State of Utah.

Comment 1B: "Utah Geological Survey (UGS) is concerned as to the long term management of UGS Paleontological Locality Un2250…. Management for this site needs to include ongoing salvage and the development of a research plan that includes at a minimum, excavation of the site to evaluate its significance and areal extent."

Response to Comment 1B: Thank you for your comment. The Resource Management Plan includes management direction for Reclamation to, "develop a plan for stabilization and protection of identified resource localities" (Draft Environmental Assessment, Appendix B, p. B-23). In implementing the Resource Management Plan, Reclamation will continue to coordinate with Utah Geological Survey regarding this and other paleontological resources located at Steinaker Reservoir.

COMMENT LETTER 2

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
ATTORNEY - G. Mark Thomas
CLERK-AUDITOR - Michael W. Wilkins
RECORDER - Randy J. Simmons
TREASURER - Wendi Long
SHERIFF - Jeff Merrill
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

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. Particularly, Uintah County continues to assert its claims on the following roads:

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

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.

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COMMENT LETTER 2

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

Comment 2A 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 2B 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.

Comment 2C

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

Mark D. Raymond

Mark D. Raymond, Chairman

Michael J. McKee

Michael J. McKee

Darlene R. Burns

Darlene R. Burns

RESPONSES TO COMMENT LETTER 2

Comment 2A: "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 2A: 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 Steinaker Reservoir.

Comment 2B: "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 2B: 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. The Resource Management Plan (Appendix B of the Draft Environmental Assessment) 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-29) and to "encourage appropriate maintenance of access roads to Steinaker Reservoir" (p. B-2). Under this management direction, Reclamation will continue to coordinate with Uintah County regarding access and road maintenance responsibilities at Steinaker Reservoir.

Comment 2C: "…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."

Response to Comment 2C: Thank you for your comment. Reclamation's preferred alternative, Alternative C, includes plans to have a designated off-highway vehicle open riding area within the Honda Hills Management Area as well as a developed trailhead for off-highway vehicle users.

COMMENT LETTER 3

From: Tim Smith <timsmith@utah.gov>
Date: Tue, Mar 26, 2013 at 9:27 AM
Subject: Re: Long-term Camping
To: kschwartz@usbr.gov
Cc: Fred Hayes <fredhayes@utah.gov>, Jeff Rasmussen <jeffrasmussen@utah.gov>

Comment 3A

In a recent BOR - Utah State Parks meeting, we discussed the issue of long-term camping at Steinaker State Park. We indicated that we have a section of the park ideally suited for this use. It is the former employee housing area that is separated from the developed portion of the park by the road and maintenance yard and trees planted by the former residents. For a relatively low cost, our region crew can add some hookups and we could utilize the area for volunteer camp hosts and long-term campers. The return on investment projections are significant and have the possibility of placing Steinaker on a sustainable financial foundation of self-funding. We have discussed this issue with the Uintah County Commission and they are supportive of the project.

Please let me know what we can do to move this project forward. The construction season in the basin is nearly upon us and as you heard at the meeting, sustainable self-funded parks is a key goal of our agency. Thank you in advance for your assistance.

RESPONSES TO COMMENT LETTER 3

Comment 3A: "In a recent BOR - Utah State Parks meeting, we discussed the issue of long-term camping at Steinaker State Park. We indicated that we have a section of the park ideally suited for this use. It is the former employee housing area that is separated from the developed portion of the park by the road and maintenance yard and trees planted by the former residents. For a relatively low cost, our region crew can add some hookups and we could utilize the area for volunteer camp hosts and long-term campers. The return on investment projections are significant and have the possibility of placing Steinaker on a sustainable financial foundation of self-funding. We have discussed this issue with the Uintah County Commission and they are supportive of the project."

Response to Comment 3A: Thank you for your comment. Reclamation has included the long-term camping area with Alternatives B and C in the Final Environmental Assessment. Pursuant to 43 CFR 423 Subpart E, Reclamation would approve the long-term camping area as a "Special Use Area." This Environmental Assessment serves as the public process that is required by the federal regulation for such designation. The designation would be made upon selection of Alternative B or C in the Record of Decision.

COMMENT LETTER 4

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
--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 4A --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
Comment 4B --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 4

Comment 4A: "[On page 85 of the Draft EA] 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 4A: Thank you for the clarification. The text in the Final Environmental Assessment has been reworded as suggested.

Comment 4B: "We have confirmed American bullfrogs at Steinaker Reservoir in 2012. This could be added to the AIS list on page 85."

Response to Comment 4B: Thank you for the information. This species has been added to the Final EA as suggested.

COMMENT LETTER 5

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,
I wasn't able to submit written comments to the Red Fleet and Steinaker 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 5A

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
Utah Field Office
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 5

Comment 5A: "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 5A: Thank you for your comment. Reclamation has added general management direction to protect 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.