

Summary of Comments
on
Final Information Packets:
Undeveloped Area Evaluation
of September 1, 2006

A review of all comments received on the Final Information Packet – Evaluation of Undeveloped Areas, dated September 1, 2006 was completed. Several of those comments led to changes to the information and evaluations between the public review of those packets and release of the Draft Potential Wilderness Evaluation Report, March 2008. All substantive general and specific comments applicable to the evaluation of the 37 undeveloped areas included in the final information packet are summarized.

The following summary includes both word-for-word extractions from comments and shortened versions of comments that pertain to perceived or factual errors in the data, narratives, and table information included in the final information packet. Responses are included for forest-wide and process comments. Comments on the individual areas were reviewed and used during development of the draft report. However, no response was written to area-specific comments in this summary. The comment summary does not include comments that were received concerning: 1) approval or disapproval of ongoing general or specific Forest Service resource management programs and activities and 2) general statements of dislike or approval of wilderness, wilderness recommendations, and/or the results of the evaluation.

The Forest Service Handbook 1909.12 (Land Management Planning – Wilderness Evaluation) was amended on January 31, 2007. This amendment included changes and modifications applicable to the evaluation of Capability Characteristics, Availability Conditions and Need Determinations for potential wilderness areas. When applicable, Forest Service responses to the following summarized comments reflect these changes and modifications. The term *undeveloped area*, used in the Draft and Final Information Packet, has been replaced by *potential wilderness area* in the draft report and related documents and correspondence, based on changed to handbook direction. However since those who commented on the Final Information Packet used the term undeveloped areas, this term was retained in the following summary of comments.

The comments have been grouped into general topics relevant to Forest Service planning processes, making them easier to relate to document updates. Similar comments on a topic share a comment number (#), summary, and response or resolution.

The summary of comments does not represent a “content analysis” as required and outlined in Forest Service Handbook policy and direction for compliance with NEPA regulations because the information packets (and the most recent draft report) are intended to be reference documents and are not subject to NEPA regulations.

Names of those who submitted comments

Vince Desimone
Dick Carter, High Uintas Preservation Council.
Ryan Brough
Kris Wagner
Roch Horton
James W. Thompson
Margaret Pettis
Lynette Brooks
Martin Steitz
Connie Bullis
Peter Metcalf, Black Diamond Equipment, Ltd
John Powell
Kevin Mueller, Executive Director, Utah Environmental Congress
Sweetwater and Uinta County Conservation Districts, State of Wyoming; and Uintah County, State of Utah
John Harja, Assistant Director, Planning and Policy, State of Utah
Matt Henry of the Sheep Creek Canal and Irrigation Company
Deven Serr
David Jorgensen
Duchesne County Commission
Randy Crozier, Duchesne County Water Conservancy District
James M. Lekas, Ouray Park Irrigation Company
Terry J. Hickman, Central Utah Water Conservancy District
Reed Murray, Central Utah Project Completion Office, BOR
Bruce Barrett, Area Manager, Bureau of Reclamation
Michael C. Weland Executive Director, Utah Reclamation Mitigation and Conservation Commission
Scott Ruppe, General Manager, Utah Water Conservancy District
Cody Jenkins, Taylor Mountain Livestock Association and Black Canyon Grazing Allotment Permittees
Curtis C. Kennedy, Utah Snowmobile Association

Comment Summary

1. Compliance with the National Forest Management Act (NFMA)				
#	Comment Summary	Source	Specific or example comment	Comment resolution or response
1A	The document incorrectly states that the inventory and evaluation are a requirement of the National Forest Management Act	Sweetwater and Uinta County Conservation Districts, State of Wyoming; and Uintah County, State of Utah	The evaluation report mentions that NFMA requires evaluation of roadless areas for wilderness. This is incorrect. Nothing in NFMA addresses wilderness study and evaluation.	Forest Service manuals and handbooks provide direction for implementation of NFMA. The sections pertaining to Forest Planning do require evaluation of lands for their wilderness suitability. This requirement is based on language in NFMA specifically including wilderness in the list of uses and management practices to be addressed in development and revision of Forest plans.
1B	The inventory and evaluation are not legal because the Utah and Wyoming National Forest Wilderness Act prohibits further consideration of areas for wilderness	Sweetwater and Uinta County Conservation Districts, State of Wyoming; and Uintah County, State of Utah	Utah and Wyoming NFs wilderness bills are final and feature hard release language."Congress in the Utah and Wyoming National Forest Wilderness Act prohibited additional statewide roadless area reviews beyond RARE II. Congress has not identified any roadless area in either state for further planning or study."	<p>The current Forest Plan effort to identify undeveloped areas, examine their inherent characteristics, and then evaluate these areas for their wilderness potential is a requirement of the regulations that implement NFMA. This requirement was originally in CFR 219.17 (1982 Planning Rule), updated in 219.27 (2000 Rule), and finally has continued in 219.7 (5)(ii) (2005 Rule). This requirement is further reiterated in Forest Service policy in FSM 1923 and FSM 2320. Wilderness evaluation is described in detail in FSH 1909.12, Chapter 70.</p> <p>The release language of the Utah Wilderness Act is similar to other wilderness acts of its time. The language in Title II, Sec 201(b)(2) makes it clear that while the RARE II review was sufficient for that time, the</p>

1. Compliance with the National Forest Management Act (NFMA)				
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				Forest Service shall be required to review the "wilderness option" during subsequent revisions of forest plans. Only the performance of a statewide wilderness assessment was prohibited by the Utah Wilderness Act of 1984. Individual reviews by each Forest do not violate this prohibition.

2. Sufficiency under the National Environmental Policy Act (NEPA)				
#	Comment Summary	Source	Specific or example comment	Comment resolution or response
2A	The packet was released without consideration of wilderness options or alternatives.	Kevin Mueller, Executive Director, Utah Environmental Congress	"There has been no effort to develop or evaluate any range, let alone an adequate range of wilderness and non-wilderness options or alternatives. Some of these problems may be rooted in the Forest's approach to this Forest Plan revision premised on the application of a Categorical Exclusion (CE) category that does not exist." <i>and</i> "Once again we urge the Forest to proceed with alternative development so that it may develop and evaluate an adequate range of wilderness and non-wilderness options or alternatives."	The information packets were released to the public prior to NEPA considerations; they are part of the data collection process for forest planning. They include much of the data collected for each area, and tentative evaluations. The 2006 information packets and the draft report, released in 2008, do not offer or exclude any wilderness or non-wilderness options for the areas.
2B	The packets do not adequately consider boundary adjustments that would improve quality ratings.	Kevin Mueller, Executive Director, Utah Environmental Congress	"The Forest's information packet evaluates the undeveloped/roadless/areas/units inventory without consideration of an adequate range of wilderness options. For example each base unit in the undeveloped/roadless area	See answer 2A. In addition, the manageability factors have been updated to consider some of the many possibilities for boundary adjustments. The ratings are qualitative and for comparison purposes.

2. Sufficiency under the National Environmental Policy Act (NEPA)				
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			inventory is evaluated pursuant to the tests of capability/availability/need with no consideration of boundary adjustments that improve capability/availability/need ratings. This must be done."	They are not intended to firmly include or exclude areas from considered for wilderness recommendation. If areas are recommended for wilderness, it is very likely that the boundaries of recommended areas will be different from those of the inventory areas.
2C	Effects of wilderness and non-wilderness options have not been addressed			NEPA documentation of environmental effects from recommending wilderness or non-wilderness will be completed after land management options, including wilderness recommendations, are developed. The effects analysis will then be added to the report.

3. Inventory Adequacy				
#	Comment Summary	Source	Specific or example comment	Comment resolution or response
3A	The inventory did not adequately exclude areas based on roads, developments, disturbances and existing allowed activities.	John Powell	Change boundary locations to exclude areas that are presently used by ATV's, mountain bikes or occupied by radio towers, old timber sales, special use permits, etc. Ex. Move boundary of High Uinta B to north side of Heller Lake.	The potential wilderness areas were inventoried using the criteria in FSH 1909.12_71, and the Region 4 Undeveloped Area Protocol, 2004. These criteria specify how to handle motorized trails, existing mineral leases, and other features mentioned in these comments.
	<i>and</i>	James W. Thompson	Change boundary locations to eliminate conflicts with cherry stem roads, mines, reservoirs, old timber sales, etc.	The resulting maps have been through agency and external reviews and map adjustments. The inventory phase was considered complete in 2005. No errors in applying the Forest Service direction were
	The inventoried roadless areas do not meet the Forest Service planning policy limits for	Sweetwater and Uinta County Conservation Districts, State of Wyoming; and Uintah	"Permissible improvements include: an airstrip or heliport, vegetation treatment if use of mechanical equipment is not evident, some electronic installations, such as a repeater, historic mining (>	

3. Inventory Adequacy				
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	improvements, etc.	County, State of Utah	50 years), oil and gas leases with a NSO stipulation, or where leases are not developed or occupied and the leased area can be excluded if developed, previously logged areas if trees have regenerated to where canopy closure is same as uncut stands and roads are not evident; minor range structures, if they are visible or apparent the IRA does not qualify; primitive recreation sites, ground return phone lines or watershed treatment when use of mechanical equipment is not evident. FSH 1909.12, ch. 7.11a, 1-9." "In a significant number of cases, the ANF inventoried roadless areas have visible previously logged sites, high voltage transmission lines, other power lines, water development facilities and maintenance roads, hunting lodges, and are subject to oil and gas leases some of which are producing."	found during subsequent field reviews. Even so, additional corrections will be made if mapping errors are discovered as a result of public or internal review. Such corrections will occur if a specific feature is identified within an area that is inconsistent with the handbook and protocol.
3B	The inventory should not include any lands not included in the Inventoried Roadless Areas of the Roadless Area Conservation Rule because land uses on the Ashley National Forest are already very restricted by the roadless rule.	Sweetwater and Uinta County Conservation Districts, State of Wyoming; and Uintah County, State of Utah	A significant number of inventoried roadless areas do not conform to the inventoried roadless criteria. 'The reinstatement of the 2001 Inventory Roadless Area Conservation Rule, 36 CFR Part 294, State of California v. US Dept of Agriculture, 2006 WL 2711469 (N.D. Calif.2006) has now subjected all inventoried roadless area to a number of management restrictions. Relevant to the Ashley National Forest, most vegetative projects, including removal of diseased or beetle infested timber, would be prohibited. Thus, if the areas are not inventoried roadless area-qualified, the interest of sound land management requires revision of the	Inventoried Roadless Areas (IRAs) are areas identified in a set of inventoried roadless area maps contained in the Forest Service Roadless Area Conservation Final Environmental Impact Statement, Vol. 2, dated November 2000 and held at the National headquarters office of the Forest Service (36 CFR 294.11). These maps depict areas where certain prohibitions contained in the Roadless Area Conservation Rule of 2001 (RACR) are to be applied. The lands being considered for potential wilderness recommendation are a

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			inventoried roadless area classification.'	separate inventory, developed specifically to meet wilderness evaluation requirements during Forest plan revision. This planning inventory is not associated with the RACR, nor does it represent a land designation or allocation.
3C	The inventory separates large areas into too many smaller areas. The result is diminished capability due to the areas smaller sizes	Vince Desimone Dick Carter, High Uintas Preservation Council. Ryan Brough Kris Wagner Roch Horton James W. Thompson *Margaret Pettis Lynette Brooks Martin Steitz Connie Bullis Peter Metcalf, Black Diamond Equipment, Ltd	All comments on this issue are also represented by the concluding statement in the comment letter from Dick Carter, High Uintas Preservation Council. "It is not right to bias the (evaluation results) by splitting single massive roadless areas into smaller units and thus not account for the remarkable size, ecological and wild diversity of those roadless areas, and by attempting to diminish the natural integrity and the simply stunning opportunities for solitude in these wildly diverse, large and clustered sets of roadless country."	Boundaries between the great majority of areas follow roads or developments as prescribed by the inventory protocol. In a few cases landscapes that were connected by a single narrow corridor of land were divided into two separate areas for evaluation purposes. Each of the resulting areas was typically tens of thousands of acres in size, much larger than the 5000 acre minimum set by the inventory protocol. A review of the capability ratings for these subdivided areas showed that none would have been rated higher had they been treated as a single area. However, adjacency is one of the factors that can be used to help define the boundary of a draft wilderness recommendation later in the planning process.
3D	Improve boundaries to reduce conflicts.	James W. Thompson	Refer to High Uintas Preservation Council's maps illustrating boundary changes for High Uintas A and C. This map may eliminate some of the conflicts with existing activities and developments.	The potential wilderness areas were inventoried using the criteria in FSH 1909.12_71, and the Region 4 Undeveloped Area Protocol, 2004. The map you have provided will be among the sources of information used when options for wilderness recommendations are developed.

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3E	Roads submitted as RS2477 should be excluded from inventoried areas	Sweetwater and Uinta County Conservation Districts, State of Wyoming; and Uintah County, State of Utah	<p>"The evaluation states: <i>There is no existing Forest Service or county process to determine the validity of these RS 2477 claims, and these claims remain invalidated to date.</i> (Eval. at 168, 171, 199-200, 205, 224, 227, 236, and 241.)"</p> <p>"The above statement must be deleted as legally incorrect and county roads must be displayed and considered. In 2005, the Tenth Circuit Court of Appeals held that title to the public road under R.S. 2477 vests without any agency process to determine the validity. The Tenth Circuit followed more than 100 years of precedent finding that when use establishes a road or trail, it is dedicated to public use and title passed pursuant to the executory grant made by Congress. <i>Southern Utah Wilderness Alliance v. Bureau of Land Management</i>, 425 F.3d 735, 754 (10 Cir. 2005). The Court of Appeals held that the agency could not claim administrative jurisdiction to adjudicate R.S. 2477 claims, because any dispute as to title is a judicial not an administrative function and, thus, the Forest Service has no jurisdiction to invalidate county roads; nor can it rely on the absence of a procedure to disavow the rights. The ANF position regarding R.S. 2477 does not conform to the above case decision that is binding on Utah. The lack of an agency process is irrelevant to the validity of the R.S. 2477 road rights. They are assumed valid unless and until the Forest Service can prove otherwise. The evaluation also does not conform to Forest Service policy regarding R.S.</p>	<p>The Forest Service recognizes documented rights-of-way held by State, county, or other local public authorities. This includes rights-of-way under Revised Statute (R.S.) 2477 that have been evaluated by the authorized Forest Service official in order to make an administrative determination of validity; or that have been adjudicated through the Federal court system.</p> <p>In order for an authorized officer of the Forest Service to administratively determine whether or not an R.S. 2477 right-of-way exists, we must review the original evidence of the historical use of the road and key elements required to demonstrate that an R.S. 2477 right-of-way for a public highway was established at a particular location. This includes but is not limited to documentation of the historical location and use of the road, documentation attesting to the fact that the road so constructed is considered a public highway, documentation describing the type of construction that was used in established the highway, and status of the Federal land at the time the road was established.</p> <p>The report acknowledges that county officials have notified us of right-of-way assertions affecting certain routes (see "Other Concerns" in the Availability section</p>

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			2477. FSM 2710 incorporates by reference the Hodel policy (Sierra Club v. Hodel, 848 F.2d 1068 (10 Cir. th1988)). It does not state that R.S. 2477 claims are invalidated; instead R.S. 2477 roads are outstanding rights over which the Forest Service has limited jurisdiction."	for each area). These assertions lack complete background documentation as described above, so it is not possible to determine their merit at this time. Therefore these routes do not fall into the category of "forest roads or other permanently authorized roads" (FSH 1909.12 §71.1) and cannot be eliminated from the inventory based solely on the assertion. However, by including these assertions as a factor affecting availability of areas for wilderness designation we recognize that a public-right-of-way may be established in the future if the appropriate Federal authority were to make a determination of validity.
3F	The proposed wilderness areas should be allocated to multiple use because wilderness management is too restrictive.	Sweetwater and Uinta County Conservation Districts, State of Wyoming; and Uintah County, State of Utah	"...the Nation would be better served if the proposed wilderness areas are reclassified so that the areas are all managed for a full range of multiple uses, as determined by the Forest Plan. A full range of multiple uses includes the option to manage areas as primitive or semi-primitive providing similar visual protection without the restrictions that come with wilderness" -and- "As Judge Brimmer held, only Congress can designate wilderness and the Forest Service is without any authority to identify and manage areas as de facto wilderness. State of Wyoming v. U.S. Dept. of Agriculture, 277 F. Supp.2d 1197 (D. Wyo. 2003), vacated as moot, 414 F.3d 1207 (10 Cir.	The potential wilderness inventory is just that: an inventory. It is not a land classification, management allocation, or a designation for specific land uses. No wilderness is being proposed in this report. A wilderness recommendation may be prepared as a part of developing land management options in the revised Forest Plan. This recommendation would be a preliminary administrative recommendation that would receive further review and possible modification by the Chief of the Forest Service, Secretary of Agriculture, and

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			2005). In order to conform to the law in the Tenth Circuit, ANF should complete the inventory, reclassify most of the areas as something other than IRAs, and manage all of these areas for the full range of multiple uses.'	the President of the United States. The Congress has reserved the authority to make final decisions on wilderness designation.
3G	Include areas recently logged, and areas with high fuel loading, and then rate the areas based on the effects of these to the natural appearance factor of capability.	Sweetwater and Uinta County Conservation Districts, State of Wyoming; and Uintah County, State of Utah	Include all recently logged areas within the undeveloped areas, as well as fuel loading or the extent of beetle and disease infestations in stands, and the resulting effects to natural appearance. Many recently logged areas are not mentioned or described for the undeveloped areas.	Recently logged areas were removed from the areas based on the inventory criteria and protocol (see response 3A). Logged areas that were excluded are described in the "surroundings" part of the area description, in order to capture their general affect to scenic integrity. Fuel loading, beetle infestations, and other management of forested areas is covered under the timber heading of availability; "Lands with potential for timber harvest" means harvest for a variety of objectives, including reducing fuels, minimizing insect & disease impacts, providing wildlife habitat, or other objectives.
3H	Remove areas with numerous cherry stems from the inventory	Matt Henry of the Sheep Creek Canal and Irrigation Company	"The unroaded area boundaries have numerous "cherry stems" to exclude roads, canals and association structures and water rights, logged areas, mining activity, recreation facilities etc. The extensive use of boundary manipulation supports removal of many of the areas from an unroaded or roadless classification."	See response 3A. The R4 protocol provides detailed instructions on how to map areas penetrated by forest roads. To remove these areas from the inventory would be inconsistent with that inventory (mapping) process.

4. Evaluation and rating process				
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4A	An overall comparative	Kevin Mueller,	"All potential units or areas are not created equal.	While this approach is valid, we have chosen

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	quality rating should be included for each area, once they are accurately mapped.	Executive Director, Utah Environmental Congress	Considering the very admittedly qualitative ratings of availability/capability/need together we rated different areas or portions of these areas/units as unparalleled (A), outstanding (B), and exceptional (C) candidates for wilderness recommendation in this Forest Plan revision process. Comments on areas that need to be recommended for wilderness designation to Congress. Refer to the enclosed PDF and GIS maps for undeveloped area boundaries and the boundary adjustment locations mentioned above and in the text below for the Wilderness recommendations."	not to give an overall wilderness suitability rating to the potential wilderness areas during the evaluation. Instead, we will use the evaluation for each of the qualities, the potential for alternative boundary locations, and public input during the process to determine if and/ or where to provide a preliminary administrative recommendation for wilderness designation.

4. Evaluation and rating process				
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4B	The rating process used is not from the FS protocol, and does not result in capability for some of the best areas.	David Jorgensen	<p>There is nothing in the FS "protocol" for evaluating undeveloped areas that requires that each capability criterion be give equal weight with the other listed items in a mathematical "majority rules" methodology for determining what areas are capable of further consideration for wilderness recommendation.</p> <p>The Wilderness Act is clear that either outstanding opportunities for solitude or outstanding opportunities for primitive unconfined recreation will satisfy the requirement of the law. Requiring either attribute rather than both makes sense. To be within the bounds of the Wilderness Act, if you are going to use a "majority rules" evaluation scheme, either outstanding solitude or primitive recreation should satisfy what is considered to be one combined "primitive recreation or solitude" requirement. ... "Both High Uintas A and C would then have three out of what should be 6 characteristics rated "high". The both should be considered Capable.</p>	<p>All of the areas are <i>capable</i> because they meet the inventory criteria.</p> <p>You are correct in stating that we have not been given an evaluation method. The handbook outlines factors to be considered in evaluating each of the three wilderness qualities (capability, availability, and need). However, it is up to each Forest or planning unit to determine how to use those evaluation factors and what kind of system will be used to evaluate areas. The rating criteria and outcomes for the Ashley National Forest have been revised (see next response) and are available for review in the 2008 draft report.</p>

5. Capability description & evaluation				
#	Comment Summary	Source	Specific or example comment	Comment resolution or response
5A	Solitude, Natural Integrity, and Natural appearance should be rated together.	David Jorgensen	The Forest did not follow the FS Handbook 1909.12 – Chapter 70 and made three characteristics out of one, i.e., Solitude, Natural Integrity and Natural Appearance.	The handbook was updated in January 2007, with changes to capability factors. As a result, the capability factors for the areas were all revisited, and capability ratings

5. Capability description & evaluation				
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				changed for several areas. See response to 4B, and the rating criteria and outcomes in the 2008 draft report for more information on the factors and ratings.
5B	The manageability and overall capability of areas would improve if area boundaries were adjusted. This would result in more areas which could be considered for wilderness recommendation.	Kevin Mueller, Executive Director, Utah Environmental Congress	"Evaluating the base undeveloped or roadless area/area inventory without proper consideration of boundary adjustments for wilderness options in light of availability/capability/need is frustrating... and... futile. For example, the roadless or undeveloped extensions of the High Uintas Wilderness often receive low capability/availability ratings due to presence of designated ATV trails, known snowmobile playgrounds, etc near the edges of units when it is obvious that alternatives or options need to be developed and analyzed that consider the wilderness recommendation option having excluded the most glaring of these conflict areas. This step has not been done yet."	The manageability aspect of the capability factor has been further developed, and includes additional discussion of the possibility of boundary adjustments. Such adjustments, as well as alternate boundaries offered by the public, will be considered when options for recommending wilderness are developed during development of the Forest plan.
5C	The capability maps and descriptions do not show all roads, other developments, and disturbances that would lower the capability rating.	Sweetwater and Uinta County Conservation Districts, State of Wyoming; and Uintah County, State of Utah	Not all unclassified and classified roads, trails, power transmission lines, pipelines, irrigation ditches, etc. are mapped or discussed within the undeveloped areas. This should be corrected to show impacts to naturalness and primitive characteristics of the roadless areas.	Though not all unauthorized roads and other developments are shown on maps, all that are known to be present were considered in the evaluation. Any new information obtained through internal or public comment that includes specific locations of developments and disturbances will be considered in future drafts of the evaluation.
		Matt Henry of the Sheep Creek Canal and Irrigation Company	"Several of the area evaluations omit recent logging or vegetation changes (fire, manipulation, or pine beetle infestation). If these facts were included in the ratings, they would be lower.	
5D	Include the effects of motorized activities on	Sweetwater and Uinta County Conservation	Address the sights and sounds of road and boat traffic near Flaming Gorge Reservoir and the effect	These have been noted as effects to solitude in areas adjacent to the reservoir and

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	and near Flaming Forge Reservoir	Districts, State of Wyoming; and Uintah County, State of Utah	to solitude of nearby undeveloped areas.	surrounding major roads.
5E	Semi-primitive motorized and non-motorized ROS should be discussed separately to show the effect of motorized uses on unconfined recreation opportunities.	Sweetwater and Uinta County Conservation Districts, State of Wyoming; and Uintah County, State of Utah	The evaluation lumps semi-primitive non-motorized with semi-primitive motorized recreation to determine the rating for unconfined recreation opportunities. Motorized and non-motorized recreation activities do not mix and the majority of the undeveloped areas have recreation uses that are at odds with a wilderness recommendation.	The physical attributes of these two types of settings are very similar, so it is appropriate to combine them from the capability perspective. From an availability perspective, the presence of the motorized settings means that those opportunities would need to be "traded off" if the area became wilderness. Those potential trade-offs have been documented in the availability section.
5F	The photos are not accurate portrayals of the undeveloped areas as a whole.	Matt Henry of the Sheep Creek Canal and Irrigation Company	Most of the photographs of each area are misleading in that they are shot from a perspective that fails to show existing or recent developments, such as roads, logged areas etc. Accurate photos should be added to disclose existing or visible logging sites or evidence of other development that detract from wilderness eligibility. This information ensures a balanced and accurate document that meets the twin objectives of informed decision making and full public disclosure.	Based on this comment, no photos are included in the report. Any photo, even an aerial photo, can only provide one view of an area. Even though that view may represent the majority of the area, there will be other, differing conditions present that are not apparent. The photos remain available in the project file with appropriate documentation of their applicability and limitations in this analysis.
		Sweetwater and Uinta County Conservation Districts, State of Wyoming; and Uintah County, State of Utah	The photos do not show the areas accurately and should be removed.	
5G	The effect of cherry stem roads on manageability is not adequately addressed	Sweetwater and Uinta County Conservation Districts, State of		Each area includes a description of excluded road corridors. Additionally the corridors are addressed in manageability where they

5. Capability description & evaluation				
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	in the evaluation of undeveloped areas	Wyoming; and Uintah County, State of Utah		would likely contribute to enforcement issues. This is particularly true where the terrain is gentle. If we have missed this in any of the manageability sections, please let us know specifically what road and where so that we can improve the evaluation.
5H	Provide a wider buffer along excluded road corridors and boundary roads, or account for the narrow width of boundary and excluded road corridors in the evaluation of solitude and naturalness. Management is needed in these wider corridors.	Matt Henry of the Sheep Creek Canal and Irrigation Company	“Throughout the analysis roads, logged areas and canals have been "cherry stemmed" out of the proposed areas. The width of these cherry stems does not exceed the width of the existing disturbance, and no buffers are proposed. Areas have been rated high for solitude and naturalness, right to the edge of these disturbances, with no consideration of the human disturbances and visual impacts to naturalness that radiate from them. In addition, the impacts to existing developments have not been considered. Canals, roads, etc. should be protected for land flows, siltation, fire, or restrictions on use or maintenance to protect wilderness values on adjoining lands. Buffers would provide areas around developments where vegetation treatments could be accomplished to prevent such impacts.”	The corridors are the width prescribed by the inventory protocol, and the narrow width of the corridors generally do affect solitude and naturalness along the edges of the areas. We have described these effects to varying levels in the evaluation. It is possible for the width of the excluded road corridors and corridors along boundary roads to be adjusted if any areas are recommended for wilderness at a later date in the planning process.
5I	Natural integrity ratings are incorrect because they do not consider the effects of fire suppression and stocking of non-native fish	John Harja, Assistant Director, Planning and Policy, State of Utah	Natural Integrity ratings for most of the undeveloped areas are incorrect, due to the lack of proper management by the Forest Service, including fire suppression which has unduly influenced natural processes. <i>and</i> For areas rated “moderate” for Capability	Natural integrity in many designated wilderness areas has also been affected by fire suppression and stocking of non-native fish. Since the effects of fire suppression are nearly universal across the west, it does not provide us with a comparative factor to incorporate in the ratings. Therefore the

5. Capability description & evaluation				
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			Characteristics, natural integrity ratings should never be "high" due to fire suppression and stocking of non-native fishes (see Appendices of Final Information Packet, p. 461)	decision was made to not include fire suppression in the evaluation narratives or ratings. In many areas we have added the presence of non-native fish to the narrative descriptions of natural integrity.

6. Availability description & evaluation				
#	Comment Summary	Source	Specific or example comment	Comment resolution or response
6A	Availability ratings are difficult to compare to capability and need.	Matt Henry of the Sheep Creek Canal and Irrigation Company	The availability section does not assign a priority or value to the analysis. By not assigning a value, it is difficult to compare availability with the other factors, such as capability or need.	The rating criteria and ratings for availability were revisited and updated between the information packets and the 2008 draft report. All three of the wilderness qualities of capability, availability, and need have rating options of high, moderate and low. Caution should be used when comparing the ratings, since the rating factors and criteria are so different for each of the three qualities. See the rating criteria provided in the 2008 draft report for more information.
6B	Timber suitability should not be an availability concern because the Roadless Area Conservation Rule does not allow timber sales in roadless areas.	Dick Carter, High Uintas Preservation Council	<p>Definition and use of the phrase "Lands where timber production is a desired condition and objective" does not meet the test of "clearly documented resource demands" such as timber..... Where did this definition come from, and how does it apply to future timber sales?</p> <p>The High Uintas Preservation Council is not aware of any desired conditions suggesting timber production in the roadless areas adjacent to the High Uintas Wilderness. The council requests</p>	The response to this comment is divided into several parts for clarity: 1 The 2001 Roadless Area Conservation Rule (RACR) does allow timber sales, though under limited circumstances. Also, although there is much overlap between Inventoried Roadless Areas (IRAs) attached to the RACR and the Potential Wilderness Areas, they are not identical inventories. This evaluation addresses all Potential Wilderness Areas, regardless of whether or

6. Availability description & evaluation				
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			<p>more information on how this definition will be applied to these roadless areas.</p> <p>The Roadless Area Conservation Rule has been reinstated and disallows road construction and timber sales within roadless areas.</p>	<p>not they are also within IRAs.</p> <p>2. The 2008 draft report addresses timber as an availability issue. Specifically, the report considers whether or not timber harvest is a potential management tool on lands within each area, using the definition of lands generally suited for timber harvest in Forest Service Handbook 1909.12 Ch. 60. This definition differs from timber suitability as used under the 1982 planning rule, and includes harvest for a variety of management objectives (not just timber production).</p> <p>3. Although we have not drafted desired condition descriptions for any of these areas yet, using the above approach we can identify areas where wilderness designation would mean foregoing a management tool that would otherwise be available. This is an appropriate trade-off to consider in the availability rating.</p>
6C	Wildlife management	David Jorgensen	Wildlife management measures must be "of considerable magnitude and importance" before they might be weighed against the wilderness values of an undeveloped area. There is no evidence that this is the case for the undeveloped areas.	The rating criteria for the wildlife management factor have been modified to reflect the scope and need for such activities. See the criteria as outlined in the 2008 draft report.
6D		David Jorgensen	The statements that... UDWR has approval from the Forest to use rotenone to eradicate non-native trout from North Slope High Country and temporary and permanent fish barriers will be constructed	Both the rating criteria and the narrative have been revised in the 2008 draft report.

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			<p>using motorized equipment... are not completely accurate. Some of the proposed actions have already been completed, and the 2002 EA said that access after initial construction would be non-motorized.</p> <p>“Assuming that more Colorado River cutthroat trout projects are planned for streams inside the North Slope High Country, I am not aware of any reason why they could not proceed under the interim rules governing management of areas recommended for wilderness.”.....“the same reasoning applies to those habitat improvement projects in Ashley Gorge and High Uintas A, B and C....including prescribed fire plans...”</p>	
6E	Insects and disease infestations must be considered, and would result in low availability ratings across the forest.	Sweetwater and Uinta County Conservation Districts, State of Wyoming; and Uintah County, State of Utah	The availability ratings need to be revised to low due to the large amount of disease and insect infestations in the undeveloped areas, especially those rated “high” for Capability Characteristics.	The 2008 draft report addresses insects and disease as a part of the timber factor. The timber factor for availability addresses lands with potential for timber harvest. This harvest may satisfy timber production or other needs, such as wildlife projects, salvage, beetle control, or fuels management.
6F	Existing and potential water needs from the forest are not adequately addressed in the availability section	Sweetwater and Uinta County Conservation Districts, State of Wyoming; and Uintah County, State of Utah	‘The Availability Condition #1 (Areas where the need for increased water production and/or additional onsite storage improvements is so vital that the installation or maintenance of improvement that would be incompatible with wilderness is and obvious and inevitable public necessity) needs to	The 2008 draft report evaluates areas with existing water withdrawals as low for availability. The withdrawals, however, have not been removed from the inventory because the availability concerns can be mitigated with boundary changes,

6. Availability description & evaluation				
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			be reevaluated, based on the requirement that the FS must request and obtain all pending onsite storage improvements prior to potential wilderness recommendations. Applications do not have to be on file for all pending improvements! The statement in the evaluation report that "there are no existing or proposed water production and/or onsite storage improvements within the undeveloped area" misstates the planning policy criteria that require the agency to inquire and obtain all pending onsite storage improvements.'	congressional waivers, for maintenance, or by other means.
		Sarah Sutherland, UCWCD	Bureau of Reclamation withdrawals located within some of the undeveloped areas along the south slope of the High Uintas have not been acknowledged in the evaluation. These withdrawals are for "exploratory analysis of future water development". These withdrawals are "exempt" and area boundaries should be modified to exclude them; including possible reservoir sites and accompanying borrow areas.	
6G	Industrial, agricultural, and domestic water supplies should be an availability concern.	Matt Henry of the Sheep Creek Canal and Irrigation Company	"The majority of the area's domestic, agricultural and industrial water is produced on watersheds located on Forest Service lands. These lands contain reservoirs, lakes and canals that are utilized to store, transport and regulate the area's water supply and extensive livestock and wildlife watering facilities."	These concerns have been added to the availability narratives and to the rating criteria. Where there are range allotments and watering facilities, these have been incorporated as a livestock grazing concern. See the 2008 report for details by area and for the updated rating criteria.

6. Availability description & evaluation				
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			<p><i>and</i> Neither the text nor the tables mention water rights of the downstream users or the need for access by water rights to maintain operate or construct improvements to existing systems.</p>	
6H	The evaluation does not include narratives that support the availability tables for 32 of the 37 inventoried roadless areas.	Sweetwater and Uinta County Conservation Districts, State of Wyoming; and Uintah County, State of Utah		The tables were a part of the early evaluation considerations via the handbook. The tables have been removed and replaced with narrative information by resource, as described in FSH 1909.12_74.
6I	Grazing is insufficiently addressed in the narratives and evaluation	Matt Henry of the Sheep Creek Canal and Irrigation Company	The brief discussion regarding livestock grazing for each area omits the fact that grazing continues under authority of 10-year permits and is more than an historical use. The grazing permittee enjoys a legal right to graze under the terms of the permit, just like the holder of a special use permit or right-of-way enjoys legal rights under the permit. The grazing discussion is also insufficient with respect to range improvements, numbers of livestock, and vegetation manipulation.	The 2008 report summarized grazing for each area in the availability section. The narrative is sufficient to help assess the area's wilderness availability during the evaluation phase. More detailed information may be gathered for any areas considered for wilderness recommendation.
6J		Sweetwater and Uinta County Conservation Districts, State of Wyoming; and Uintah County, State of Utah	'The evaluation report does not disclose the impact to grazing permittees from wilderness recommendations, i.e., loss of vehicular access to range developments, restrictions on mechanical tools for construction, operation and maintenance of range developments, etc. These impacts would occur to all undeveloped areas with range/wildlife	Livestock grazing is allowed by law in existing wilderness, and is therefore, not an availability concern that would lower availability ratings. The rating criteria for livestock grazing as an availability factor have, however, been adjusted to show the trade-off of access and maintenance of

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			improvements, not to just the few mentioned in the report. Also, it appears from the evaluation that only some allotments within their respective roadless area(s) would be open to motorized access and mechanical tools for operation and maintenance of grazing developments upon a wilderness recommendation. Why not all? And if this is the case, wouldn't this be contrary to wilderness regulations?' "The report concludes for one area that the wilderness designation would have no impacts since the grazing permit provides for motorized access" "this statement is at odds with standard form grazing permits and FS rules regulating wilderness management. The evaluation needs to disclose the restrictions on grazing operations and the adverse effects of de facto wilderness."	grazing developments if wilderness were designated. The evaluation is intended to accurately reflect developments currently in place. Individual ratings can be adjusted if specific on-ground information is shown that contradicts the rating, based on the criteria.
6K	The evaluation should address access and mechanical equipment use.	Sweetwater and Uinta County Conservation Districts, State of Wyoming; and Uintah County, State of Utah	Where applicable, the evaluation report should include statements that vegetative management for wildlife habitat require the use of motorized vehicles and mechanical equipment, and that such management will change appearances of vegetation. It should also be noted that wilderness management will restrict wildlife habitat manipulation.	The 2008 draft report addresses mechanical vegetation treatments as a part of the timber factor. The timber factor for availability addresses lands with potential for timber harvest. This harvest may satisfy timber production or other needs, such as wildlife projects, salvage, beetle control, or fuels management.
		Matt Henry of the Sheep Creek Canal and Irrigation	"The evaluation fails to deal with the loss of access that would occur if these areas were recommended for wilderness or managed as roadless."	(Comment & Response continued from 6K)

6. Availability description & evaluation				
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		Company	"Several county and local groups are working... "under a Tri-State agreement to restore healthy habitats and watersheds to the area." "Wilderness designations on forest lands will greatly hinder these efforts. Many of the proposed wilderness areas contain crucial or important wildlife habitats or watersheds that need vegetation treatments. A lack of access to these areas will prevent meaningful and feasible habitat and watershed treatments." "Many of the areas proposed for roadless designation contain water developments that benefit both livestock and wildlife. Such a designation will limit access to these developments for maintenance and improvements."	
6L		Matt Henry of the Sheep Creek Canal and Irrigation Company	The evaluation of each area does not have sufficient information regarding current and past hunting and wildlife uses, capability, and related access. While hunting is allowed in wilderness, a change from motorized to non-motorized access is a major issue, especially for big game hunting. The evaluation needs to provide more information also with respect to habitat management issues, since wilderness type management limits or prohibits vegetation manipulation often needed to enhance big game habitat. The text and tables only reflect summer and winter use. Most big game hunting is a fall use, and exceeds winter and summer use in some areas. Most of the fall camping activity is related to hunting. Hunting and fishing are primary tools in wildlife management	<p>You are correct that hunting is an important fall recreational activity for people using the Forest. However, since the areas and routes open for motorized activities are the same in both summer and fall, the description covers all pertinent travel opportunities.</p> <p>Also, in many areas hunting is listed in both the area description and in the availability section as the most common recreational activity. Fishing is one of the highlighted opportunities on the Forest. It is not discussed at length because it is a use common to virtually all areas being evaluated, due to widespread participation</p>

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			and any reduction in access will directly reduce its effectiveness and thus impede wildlife management.	and distribution of fish-bearing waters on the Forest.
		John Harja, Assistant Director, Planning and Policy, State of Utah	A wilderness recommendation would severely restrict wildlife and wildlife habitat management in all 37 areas, unless provisions were made to allow active management practices, including access.	See also responses to 6C and 6K
6M	Mineral and oil & gas development potential are not adequately discussed, and belong in the availability evaluation.	Matt Henry of the Sheep Creek Canal and Irrigation Company	The Oil and Gas and Mineral Potential determinations are made based on development activity not geological potential. The lack of Oil and Gas or Mineral Development on a claim does not indicate potential. The term 'mineral potential' refers to geological potential, not the development potential. This is because the question is what resources will be foregone, not what development might be hindered. While the latter is important, it is an issue that better belongs in availability. Of particular concerns is the existence of known phosphate deposits in the Uintas and oil and gas in the southern unit. The analysis of mineral potential needs to be revisited throughout the draft evaluation to correctly capture the geological data that would identify mineral potential.	The 2008 draft report references USGS assessments of oil, gas and mineral potential. The evaluation criteria take into account potential for discovery as well as factors affecting development. This information has been moved to the availability section as you indicated.
6N	Roads and trails open to motorized activities must be considered as an availability concern	Matt Henry of the Sheep Creek Canal and Irrigation Company	The analysis also omits the existing roads and trails, whether they are classified and unclassified. In several cases, the forest travel plan map does show OHV and snowmobile trails. The existence and use of these roads and trails are critical to an analysis of wilderness character and availability,	Motorized travel opportunities are considered and addressed as an availability concern in the 2008 report under the recreation factor.

6. Availability description & evaluation				
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			because motorized uses would be foreclosed if managed as undeveloped.	

7. Need description & evaluation				
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7A	The need assessment should consider the need for resource uses in conflict with wilderness management because multiple use demands for areas in Uintah County and southwestern Wyoming far exceed the demand for more wilderness.	Sweetwater and Uinta County Conservation Districts, State of Wyoming; and Uintah County, State of Utah	'In regards to the Need assessment, the State of Wyoming and Utah, and affected counties and local government agencies, and the Nation would be better served if the proposed wilderness areas are reclassified so that the areas are all managed for a full range of multiple uses, as determined by the Forest Plan. A full range of multiple uses includes the option to manage areas as primitive or semi-primitive providing similar visual protection without the restrictions that come with wilderness. There is a greater demand in the Uintah Basin and southwestern Wyoming for other resources from the forest, particularly water, and watershed management, power transmission, and hunting, one of the most popular recreation activities	The need assessment is designed to indicate whether or not an area meets the need for additional wilderness from a regional and national perspective. The availability section discloses potential trade-offs of other resource values. The effects analysis, not yet completed, will describe the effects to resources and people from recommending areas for wilderness, and effects if Congress designates the areas as wilderness.
7B	The evaluation does not adequately consider all nearby areas available for primitive recreation.	Sweetwater and Uinta County Conservation Districts, State of Wyoming; and Uintah County, State of Utah	The evaluation should include references to nearby BLM wilderness study areas, ex. (Devils Playground, Twin Buttes WSAs in Wyoming near Flaming Gorge NRA); and West Cold Springs, Winter Ridge, Daniels Canyon, and Diamond Breaks WSAs in Utah. These areas should be included to show their role in meeting the demand for primitive recreation.	Based on your comment and on further evaluation, wilderness areas within 250 miles of communities along a stretch of I-15 were used to help determine the need for additional wilderness recreation. BLM Wilderness Study Area and other non-wilderness designations and land allocations were not used to quantify the opportunities for wilderness recreation. The need assessment does recognize that primitive

7. Need description & evaluation				
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				recreation opportunities are available outside of designated wilderness both on and off of the Ashley National Forest.
7C		Matt Henry of the Sheep Creek Canal and Irrigation Company	The evaluation needs to be consistent and list all nearby cities. In several cases, the area description omits the nearest city, even when it is only a few miles away.	It is true that not every nearby town is listed in the report description and/or need section. The report is intended to summarize information. However, more detailed information may be developed and displayed for areas if they are considered for wilderness recommendation during Forest Plan development.
7D	The need should indicate the need for water developments along the south slopes of the Uintas, and the economic effects of restricting access to potential developments.	Sarah Sutherland, DCWCD	A statement should be added to the Need Table for all undeveloped areas along the south slope of the Uintas, indicating the importance of critically needed water developments to meet rapidly increasing municipal and industrial needs, not to mention the long-standing and well-documented water shortages experience by the agricultural sector, and that restrictions for access and development will affect these economic development sectors.	Your comment is also represented in the public input section for several of the areas along the south slopes of the Uintas. The water development issue is displayed in the availability section as a potential loss or tradeoff if these areas were recommended by the forest service, and then designated by Congress as wilderness. See also response to 7A.
7E	Roaded and motorized backcountry opportunities need to be expanded to meet the demands of the region's growing population.	Matt Henry of the Sheep Creek Canal and Irrigation Company"Due to the region's increasing populations, there is a need to expand roaded and dispersed recreation opportunities."	The draft report and prior information packets do not include detailed analysis of environmental consequences of a wilderness recommendation vs other management options because no recommendation has been developed yet. The draft report acknowledges that this additional analysis will need to be completed when planning options have been developed

7. Need description & evaluation				
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				<p>for these areas.</p> <p>Demographic information and recreation trends will be considered during forest plan revision, development of any wilderness recommendations, and during effects analysis. This comment is also represented in the public comment section of the document.</p>

8. Other data & map comments				
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8A	Include a forest-wide map of all the areas to show how they fit on the landscape.	Dick Carter, High Uintas Preservation Council	A Forest-wide map of roadless areas should have been provided so that reviewers could see how the roadless areas fit across the Forest. It would then be evident that these areas dominate the landscape in "meaningful patches", and that they are not "isolated meaningless roadless areas".	The 2008 report includes a vicinity map in the forest-wide summary that shows all of the area in relationship to the Forest, and to a few major roads and towns at road junctions. Additionally, Adobe Acrobat (.pdf) maps are provided that cover the east and west halves of the Forest, and show all of the areas in relationship to each other. These maps use the Forest visitor map as a base. They can be viewed on the computer with a zoom function at a variety of scales, or they can be printed at 1/2 inch per mile on 36" x 48" using a standard plotter. The page size individual area maps remain available from the project file.
8B	The area maps are inadequate	Matt Henry, Sheep Creek Canal	The maps included in the area description do not contain adequate information to inform the reader	The map displays for the 2008 draft report do include less detail by area than those in

		and Irrigation Company	of existing attributes so that he/she is informed of or can understand the impacts to existing resources or uses.	the data provided in the information packet. The maps are intended to orient readers, while the narratives should adequately describe the attributes for each area. Additional maps will be created as needed for the effects analysis. Additionally, the large scale computer maps are available as described above, and can be overlain on the travel plan. This improves orientation for reviewers who are familiar with individual areas. (see 8A response above)
8C	Snowmobiling information in the evaluation narratives for these areas is incorrect.	Deven Serr	(Commenter did not indicate what was incorrect, only that forest personnel need to contact snowmobile users on what areas are used in these areas.)	The most current Ashley National Forest Winter Use Travel Map was used to describe the opportunities and uses for each area. Corrections will be made where specific errors are found during reviews.
8D	Why are sight and sound issues considered in the capability factor descriptions for the areas?	James W. Thompson	What is the difference between solitude on the wildernesses adjacent to cities along the Wasatch Front and solitude in the undeveloped areas adjacent to the High Uintas Wilderness? If solitude is not an issue on the Wasatch Front wildernesses where there is considerable sight/sound occurrences and interactions, why is it an issue with the mentioned undeveloped areas where there are few sight/sound occurrences and interactions?	The comparison area for the capability evaluations is the Ashley National Forest. Visitor expectations from the Forest are different from expectations along the Wasatch Front. FSH 1909.12_72 describes sights and sounds as effects to consider in evaluating capability, and we have used the general expectations for settings on the Ashley N.F. as a qualitative baseline.