# CHAPTER FIVE - CONSULTATION AND COORDINATION

This chapter reviews agency consultation and coordination that occurred prior to and during preparation of this EIS. It also includes the list of agencies and individuals who received the Draft document. The consultation process began in March, 2001 with a Notice of Preparation of an EIS and the comparable Notice of Intent under NEPA. Five public meetings were held in October 2001 to obtain input on issues and concerns to be evaluated in the EIS.

The EIS was prepared by an interdisciplinary team of specialists from the Vernal Field Office and SWCA Environmental Consultants, the third-party contractor hired to assist in preparation of the EIS. Technical review and support were provided by individuals from BLM and other federal and state agencies.

This environmental document was prepared in consultation and coordination with various federal, state, and local agencies, organizations, and individuals. Agency consultation and public participation have been accomplished through a variety of formal and informal methods, including scoping meetings, workshops, responses to e-mails, meetings with individual public agencies and interest groups, and a series of informational newsletters. This section summarizes these activities.

## 5.1 CONSULTATION AND COORDINATION

### 5.1.1 Fish and Wildlife Coordination

#### *5.1.1.1 Fish and Wildlife Coordination Act*

The action proposed in this document is an activity of the BLM. These activities have met any consultation/coordination requirements that may exist pursuant to the Fish and Wildlife Coordination Act.

#### *5.1.1.2 Endangered Species Act*

The BLM and the USFWS are continuing close coordination for Endangered Species Act (ESA) compliance of all aspects of the Vernal Resource Management Plan.

The USFWS and the DWR have been consulted regarding the effects of the proposed action on species listed pursuant to the ESA. For this proposed action, endangered species protections include compliance with existing ESA requirements

In December 2001, the BLM requested assistance from the Service in identifying threatened, endangered, proposed, and candidate plant and animal species that may be located in the Vernal planning area. A letter was sent by the BLM State office to the Service initiating informal consultation for the Price, Vernal, and Richfield planning efforts. The Service responded in  lists of species that may be present in or may be affected by projects in the subject project area. Tables 3.1.5.1 and 3.1.5.2 present a comprehensive list of sensitive species that may be present in the project area and whether they could be affected by the proposed and alternative actions. The results of this consultation have been incorporated into this EIS.

### 5.1.2 State Agency Coordination

NEPA requires that the Lead Agency must formally consult with responsible and trustee agencies in determining whether to prepare an EIS. The primary tool for this coordination is

the preparation of the draft alternatives (Chapter 2) for review by state agencies and subsequently the preparation of the draft EIS. An administrative draft was sent to the State of Utah and distributed to their Divisions of Oil, Gas, and Mining, Wildlife, the State Historic Preservation Office (SHPO), the School and Institutional Trust Lands Administration (SITLA), and the Utah Division of Wildlife Resources (UDWR).

### 5.1.3 Environmental Protection Agency

The EPA was involved in meetings as well as modeling groups that occurred throughout the planning process. The EPA's air quality protocols are used as guideline standards for this document.

## 5.2 COOPERATING AGENCY INVOLVEMENT

Federal, State, and local agencies have been involved with the development of this EIS. Daggett, Duchesne, and Uintah counties signed Memoranda of Understanding to be cooperating agencies in 2001 and 2002. The State of Utah signed a cooperating agency agreement in 2001. [*Will expand upon in next draft]*The Ute Tribe signed a cooperating agency agreement in September 2004.

These agency representatives are:

**U.S. Fish and Wildlife Service**
Diana Whittington

**State of Utah**
John Harja
Val Payne

**Division of Wildlife Resources**
Walt Donaldson

**Uintah County, Duchesne, and Daggett Counties**
Commissioners

**Uintah County**
Cloyd Harrison
David Haslem
Lloyd W. Swain
Mike McKee
Jim Abegglin

**Duchesne County**
Lorna Stradinger
Larry Ross
Guy R. Thayne
Kent Peatross

**Daggett County**
Chad Reed
James Briggs
Sharon Walters
Craig Collett
Clayton Chidester
- Tri-County Representative
Louise Sainsbury
- Uintah County Representative
Dave Allison
- Tri-County Representative

**Agency Liaisons**
BLM
*Primary Liaison*
Holly Roberts
- State Planning Coordinator
*Secondary Liaisons*
Annette Delos Santos
- Resource Planning Coordinator
Keith Rigtrup
- Planning Coordinator
Brad Higdon
- Planning Coordinator

## 5.3 NATIVE AMERICAN CONSULTATION REVIEW

The Native American Consultation was completed under the supervision of both the BLM Vernal and Price Field Offices for their respective Resource Management Plans. This approach was used due to the overlap in lands that many of the following Native American groups consider culturally significant. Separating the Field Offices in the following review would potentially sacrifice consistency throughout the document.

The primary objective of this report is to provide Native American organizations an opportunity to identify culturally significant places, areas, or resources on lands managed by the BLM, Vernal and Price Field Offices to be considered during the development of land use plans.

### 5.3.1 Methods

BLM has developed several sets of guidelines for consultation with Native American groups and evaluation of cultural resources with an emphasis on traditional use values. BLM Manuals 8160, *Native American Coordination and Consultation*, and H-8160-1, *General Procedural Guidance for Native American Consultation*, provide consultation requirements and procedural guidance to ensure that the consultation record demonstrates, "that the responsible manager has made a reasonable and good faith effort to obtain and consider appropriate Native American input in decision making" (H8160-1, 2003:4). Recommended procedures for initiating the consultation process include project notification preferably by certified mail, follow-up contact (i.e. telephone calls), and meetings when appropriate (H8160-1, 2003:15).

To begin the consultation process for this proposed study, BLM, Utah State Director Sally Wisely mailed letters to 32 tribal organizations requesting input concerning the identification and protection of culturally significant areas and resources located on lands managed by the Price and Vernal Field Office districts. Between November 2002 and May 2003, all 32 tribes were contacted by SWCA ethnographer Molly Molenaar to 1) ensure that the consultation letter was received by the appropriate tribal contact and 2) determine the need for additional or future consultation for the study areas identified in the consultation letter. Meetings were arranged when requested.

Of the 32 organizations contacted for this report, four requested meetings to discuss the traditional cultural resources study: Pueblo of Laguna, Hopi Tribe, Southern Ute Tribe, Uintah and Ouray Ute Indian Tribe. The Southern Ute Tribe requested that a meeting invitation be extended to all Ute Tribes contacted for this project and a meeting was held in Grand Junction, Colorado on April 10, 2003. Attending this meeting were representatives from the Ute Mountain Ute, White Mesa Ute, Uintah and Ouray Ute Indian Tribe, and the Southern Ute Tribe. Two meetings were held with the Hopi Cultural Preservation Office on January 19, 2003 and May 23, 2003. A meeting was held with the NAGPRA Committee at the Pueblo of Laguna tribal offices on April 28, 2003. Based on telephone conversations, correspondence, and meetings, 12 Native American organizations requested to be contacted for future projects in the Price Field Office and 12 Native American organizations requested to be contacted for future projects in the Vernal Field Office. Three organizations said that they did not need to be contacted for future projects and 16 organizations did not respond to the initial consultation letter or telephone calls made by Ms. Molenaar. *It is important to note*

*that failure to respond to a request to consult does not necessarily mean that a Native American organization is not interested in current or future consultation with the Price and Vernal Field Offices.* The remaining organizations contacted expressed concerns that are summarized below but did not specify as to whether or not they would like to be contacted for future projects for the field offices. *It is important to note that failure to respond to a request to consult does not necessarily mean that a Native American organization is not interested in current or future consultation with the Price and Vernal Field Offices.*

**TABLE 5.1. NATIVE AMERICAN ORGANIZATIONS REQUESTING TO BE CONTACTED FOR FUTURE PROJECTS IN THE PRICE FIELD OFFICE**

| | |
|---|---|
| Jicarilla Apache Tribe | Navajo Nation |
| Paiute Indian Tribe of Utah | Pueblo of Acoma (NAGPRA cases only) |
| Pueblo of Laguna | Pueblo of Santa Clara |
| Pueblo of Zia | Uintah and Ouray Ute Indian Tribe |
| Southern Ute Tribe | White Mesa Ute Tribe |
| Ute Mountain Ute Tribe | Hopi Tribe |

**TABLE 5.2. NATIVE AMERICAN ORGANIZATIONS REQUESTING TO BE CONTACTED FOR FUTURE PROJECTS IN THE VERNAL FIELD OFFICE**

| | |
|---|---|
| Jicarilla Apache Tribe | Navajo Nation |
| Pueblo of Acoma (NAGPRA cases only) | Pueblo of Laguna |
| Pueblo of Santa Clara | Pueblo of Zia |
| Uintah and Ouray Ute Indian Tribe | Southern Ute Tribe |
| White Mesa Ute Tribe | Ute Mountain Ute Tribe |
| Hopi Tribe | Pueblo of Nambe (assumption) |

**TABLE 5.3. NATIVE AMERICAN ORGANIZATIONS REQUESTING NO FURTHER CONSULTATION ON PROJECTS IN THE PRICE AND VERNAL FIELD OFFICES**

| | |
|---|---|
| Pueblo of Picuris | Pueblo of Sandia |
| Te-Moak Tribe of Western Shoshone Indians | |

| TABLE 5.4. NATIVE AMERICAN ORGANIZATIONS THAT DID NOT SUBMIT A FINAL RESPONSE | |
|---|---|
| Kaibab Paiute Tribe | San Juan Southern Paiute Tribe |
| Pueblo of Cochiti | Pueblo of Isleta |
| Pueblo of Jemez | Pueblo of Pojoaque |
| Pueblo of San Felipe | Pueblo of San Ildefonso |
| Pueblo of San Juan | Pueblo of Santa Ana |
| Pueblo of Santo Domingo | Pueblo of Taos |
| Pueblo of Tesuque | Pueblo of Zuni |
| Confederated Tribes of Goshute Nation | Shoshone-Bannock Tribes |

| TABLE 5.5. NATIVE AMERICAN ORGANIZATIONS THAT DID NOT SPECIFY THE NEED FOR FUTURE CONSULTATION (SEE SUMMARY OF RESULTS FOR COMMENTS) | |
|---|---|
| Duck Valley Shoshone-Paiute Tribe | Duckwater Shoshone Tribe |
| Eastern Shoshone Tribe | Ely Shoshone Tribe |
| Skull Valley Band of Goshute Indians | |

### 5.3.2 Summary of Results

The following is a list of requests, comments and concerns submitted to BLM during the consultation process. Complete summaries for each tribe and BLM response to requests can be found in the section entitled, Native American Consultation Review. Detailed phone records can be found in Appendices C-KK.

The Paiute Indian Tribe of Utah representative, Dorena Martineau (Cultural Resources Director) requested avoidance of "significant cultural resources whenever possible" on lands managed by the Price Field Office. She requested to consult with BLM, Price Field Office, on future projects.

The Jicarilla Apache Tribal representative Adelaide Paiz (Acting Director, Historic Preservation Office) voiced a concern for the protection of plants and medicinal herbs in the mountainous regions of Utah. Because it is not known how far north into Utah the Jicarilla Apache traveled, Ms. Paiz requested to consult with BLM, Price and Vernal Field Offices.

The Navajo Nation representative, Marklyn Chee (Archaeologist, Historic Preservation Office) expressed a concern for the protection of the waters of the Green River. The Navajo will not usually consult on federal lands north of the Henry Mountains. However, the Green River that flows through both the BLM Price and Vernal Districts is a significant water source to the Navajo. When the Green River is impacted, the cultural integrity of the spring water is affected, which in turn affects traditional procurement use values of the Navajo. Mr. Chee requested to consult with BLM, Price and Vernal Field Offices, for future projects. He is particularly concerned with new discoveries, sites, and burials where NAGPRA will be initiated.

The Pueblo of Acoma representative Todd Sissons (Acoma Historic Preservation Office Head Researcher and NAGPRA Consultant) requested to be contacted for NAGPRA cases in the Price and Vernal Field Offices.

The Pueblo of Laguna NAGPRA Committee requested a meeting to discuss the traditional cultural resources study. Ms. Molenaar met with the committee at the Laguna tribal headquarters on April 28, 2003. During the meeting, the following requests were made by committee members:

1. A request to consult for future projects in both the Price and Vernal Field Offices.
2. A request to review the traditional cultural resources study draft report. After reviewing the draft document, the Laguna NAGPRA Committee will determine the need for additional meetings and field visits.
3. A request for a written policy between Native Americans and BLM that considers monetary compensation for field visits to project areas.
4. A comment that federal agency request for consultation and comment for proposed projects (i.e., Right-of-Way applications), initial consultation letters, and appropriate follow-up contact. Letters are not considered sufficient consultation.
5. A request was made for a large map of the project area and any videos of the project area.
6. A request that the draft report include information about the laws that require Government-to-Government consultation between the federal agencies and Native Americans.

The Pueblo of Santa Clara representative Gilbert Tafoya (Land Claims, Rights and Protection Officer) mailed a written request to Sally Wisely (BLM Utah State Director) claiming affiliation to prehistoric cultural groups in the Price and Vernal Field Office areas. In a later telephone conversation with Ms. Molenaar, Mr. Tafoya voiced concerns about the BLM's ability to protect confidential, culturally significant information. Specific sites are identified, flagged, and recorded thus drawing attention to the sites and possibly attracting looting. Mr. Tafoya requested to review the draft report and then determine the need for further consultation.

The Pueblo of Zia representative Celestino Gachupin (Cultural and Natural Resources Director) requested to consult on future projects with BLM, Price and Vernal Field Offices but would not participate in the proposed study. Zia claims cultural affiliation with both field office district lands through oral history, specifically migration stories.

The Duck Valley Shoshone-Paiute Tribe representative Ted Howard (Environmental Coordinator) made a comment that tribes are living cultures, something that the government does not always understand. He said that agencies refer to sites as if they are past places, but they are dynamic and a sacred site can be rekindled at any time. Mr. Howard also voiced a concern about the federal government's ability to protect confidential information about sacred areas. Mr. Howard said that the tribe would not participate in the study and did not specify as to whether the tribe would like to be contacted for future projects.

The Duckwater Shoshone Tribe representative Ian Zabarte (Environmental Coordinator) commented on the overwhelming number of initial consultation letters received every month. The tribe does not have the staffing to issue formal responses for all projects. Mr. Zabarte

said that the tribe would not be able to participate in the study and did not specify as to whether the tribe would like to be contacted for future projects.

The Skull Valley Band of Goshute Indians representative Mel Brewster submitted a cultural patrimony claim map to Ms. Molenaar and a report, *The Skull Valley Band of Goshute Indians: Historic Preservation Plan for Assumption of State Historic Preservation Office Responsibilities within the National Historic Preservation Program (see Appendix GG for document).* During an informal meeting with Ms. Molenaar, Mr. Brewster requested that federal agencies offer monetary compensation when requesting comment and consultation for federal projects. The Skull Valley Band does not have the staffing or funding to respond to federal agency requests to consult.

According to the cultural patrimony claim map, the Skull Valley Band does not consider lands managed by the Price and Vernal Field Offices to be part of their traditional territory. However, the preservation plan offers the Skull Valley Band's definition for correct and timely consultation and coordination of the Government-to-Government consultation process that should be considered for future projects in other BLM Field Offices.

The Te-Moak Tribe of Western Shoshone Indians representative Jennifer Bell (Environmental Coordinator) requested that BLM, Price and Vernal Field Offices, contact the Confederated Tribe of Goshute Indians for future projects. The Te-Moak Tribe does not need to be contacted for future projects in the Price and Vernal BLM offices.

The Hopi Tribe representative Leigh Kuwanwisimwa (Director, Hopi Cultural Preservation Office) mailed a response letter to Sally Wisely (BLM, Utah State Director) claiming cultural affiliation with prehistoric cultural groups in the Price and Vernal Field Office areas. Mr. Kuwanwisimwa had the following comments and concerns:

1. Opposition to BLM Instructional Memoranda 98-131-2 which prohibits reburial of Native American human remains and funerary objects subject to the Native American Graves Protection and Repatriation Act (NAGPRA) and excavated from BLM lands, on BLM lands.
2. Opposition to any proposed ground disturbing activities with the potential to disturb the human remains of Hopi ancestors on BLM lands until the memoranda is revised or rescinded.
3. A request that the revision or revocation of the memoranda be addressed as a traditional cultural concern in the preparation of land use plan revisions.
4. A concern that the Hopi Tribe's cultural values, religious beliefs, traditional practices and legal rights are being affected by BLM actions, specifically the instructional memoranda mentioned above and the Price Field Office's inaction regarding the appropriate protection of exposed burials on BLM lands under their jurisdiction.
5. A request for a summary of cultural resource surveys of the project area (Daggett, Uintah, Duchesne, Carbon, and Emery Counties).
6. A request to be involved in future projects.

In a telephone conversation with Ms. Molenaar, Terry Morgart (Legal Researcher) said that although the Hopi Council resolution claims affiliation with Basketmaker, Pueblo I and II, Archaic and Paleo-Indian Cultures, the Hopi clans have not used the Price and Vernal landscape in a long time. Hopi would therefore not be an active participant in the study but

requested to comment on the final report. Hopi would, however, continue to be involved in NAGPRA cases issued by the Price and Vernal Field Offices.

The Southern Ute Tribe, Uintah and Ouray Ute Indian Tribe, Ute Mountain Ute Tribe, and White Mesa Ute Tribe met with BLM Utah State Archaeologist and Price Field Office representatives in Grand Junction, Colorado on April 10, 2003 to discuss the land use plans and traditional cultural resources study. The tribes had the following comments and requests:

1. Uintah and Ouray Ute Indian Tribal representative Betsy Chapoose (Director, Cultural Rights and Protection) requested that the Vernal Field Office make a concerted effort to consult with the tribe on all aspects of projects, not just cultural resources. Ms. Chapoose requested that BLM consider holding community meetings on the reservation to discuss future projects.
2. Ms. Chapoose requested that BLM provide specific information on future project study areas (i.e., Class III cultural resource reports) and provide "site types" that may appear in the project area.
3. Ms. Chapoose requested that BLM re-consider their position on compensation for tribal knowledge, especially when a tribal elder, spiritual leader, or tribal expert in cultural resources is asked for this knowledge. She said that the issue of compensation for tribal knowledge concerning cultural resources should be addressed in the management plan.
4. Ms. Chapoose said that the project area (Price and Vernal Field Office areas) for the proposed study is too large to offer specific information regarding traditional cultural properties and requested a larger map and additional cultural resource reports prepared for past projects.
5. Southern Ute Tribal Representative Neil Cloud (NAGPRA Representative) voiced a concern about BLM's ability to protect confidential information about culturally significant sites.
6. Mr. Cloud requested that a follow-up meeting be held in a few months, stated that the project area is too large for a reasonable response and requested additional information about cultural resources in both field office areas.
7. Ute Mountain Ute Tribal representative Terry Knight (Cultural Resources Director) commented that the BLM should protect culturally sensitive areas on federal lands by entering into agreements with tribes before projects begin.
8. Mr. Knight requested that BLM consider compensation for tribal knowledge and said that elders should be paid a rate comparable to level of expertise.

#### *5.3.2.1 Jicarilla Apache Tribe*

In a telephone conversation with Ms. Molenaar on November 25, 2002, Adelaide Paiz (Acting Director, Historic Preservation Office) said that the Jicarilla Apache would like to maintain consulting party status for future federal projects on lands managed by the Price Field Office. Ms. Paiz said that the Jicarilla Apache have an interest in the BLM Price District lands because their nomadic ancestors roamed in the Utah area. When asked if she could identify areas of concern for the tribe, she said she would be interested in consulting and protecting the mountainous regions for future projects in the Price FO district. She said that the mountain areas are exploited for plants and medicinal herbs more than the plains

region in Utah. When asked if she could name any plants and herbs, she said that it is hard to identify specific plants because these plants usually spread to different locations and cannot be found in the same place year after year. She said that if meetings are held for this project, the Jicarilla would like to be invited to attend, although attendance at such a meeting would depend on money and staff availability. She said that a joint meeting with other tribes would be acceptable as the Jicarilla are in frequent contact with the Navajo and Southern Ute groups concerning land use issues.

On April 10, 2003, a meeting was held between the BLM and Ute Tribes at the request of the Southern Ute NAGPRA Coordinator. The Jicarilla Apache were invited to this meeting but were unable to send a representative.

In a telephone conversation with Ms. Molenaar on May 27, 2003, Ms. Paiz said that the Jicarilla Apache would like to stay on the Price and Vernal lists of tribes to be contacted in the future and would also like to be placed on the Vernal list for future projects because it is not known how far north the Apache traveled.

The activity log and all correspondence with the Jicarilla Apache can be found in Appendix C.

#### *5.3.2.2 Navajo Nation*

In a telephone conversation with Ms. Molenaar on January 8, 2003, Marklyn Chee (Navajo Nation Historic Preservation Office Archaeologist) said that the tribe will not usually consult on federal lands north of the Henry Mountains. However, the Green River that flows through both the BLM Price and Vernal Districts is a significant water source to the Navajo. When the Green River is impacted, the cultural integrity of the spring water is affected, which in turn affects traditional procurement use values. Mr. Chee said that he has drafted an electronic response letter to federal agency's requests for Section 106 consulting party status and would be emailing response letters to federal agencies in the near future.

In a telephone conversation with Ms. Molenaar on May 27, 2003, Mr. Chee said that the Navajo Nation would like to remain on the list of tribal contacts for the Price and Vernal Field Offices even though he indicated in a previous conversation that the tribe will probably not request to consult on projects on lands north of the Henry Mountains. He is particularly concerned with new discoveries, sites and burials, where NAGPRA will be initiated.

The activity log and all correspondence with the Navajo Nation can be found in Appendix D.

#### *5.3.2.3 Kaibab Paiute Tribe*

As of the date of this report, neither SWCA nor BLM has received a final response from the Kaibab Paiute Tribe.

The activity log and all correspondence with the Kaibab Paiute can be found in Appendix E.

#### *5.3.2.4 Paiute Indian Tribe of Utah*

In a telephone conversation with Ms. Molenaar on March 27, 2003, Dorena Martineau (Cultural Resources Director) said that the Paiute Indian Tribe of Utah will request consulting party status on future projects on lands managed by the BLM Price Field Office only, even though the tribe has consulted in the past with federal agencies in the Vernal area. Ms. Martineau said that the tribe requests avoidance of significant cultural resources

whenever possible and said that Ralph Pikyavit (Kanosh Band, Cultural Resources Director) may have additional information about specific plants that need to be protected. Ms. Martineau said that the tribe would not participate in the traditional cultural resources study.

The activity log and all correspondence with the Paiute Indian Tribe of Utah can be found in Appendix F.

#### *5.3.2.5 San Juan Southern Paiute Tribe*

As of the date of this report, neither SWCA nor BLM has received a final response from the San Juan Southern Paiute Tribe.

The activity log and all correspondence with the San Juan Southern Paiute can be found in Appendix G.

#### *5.3.2.6 Hopi Tribe*

In a telephone conversation with Ms. Molenaar on December 30, 2003, Terry Morgart (Hopi Cultural Preservation Office Legal Researcher) said that he would submit a written response to Ms. Wisely stating that the Hopi Tribe considered the Vernal and Price areas to be peripheral territory. Hopi would not request to be a consulting party for the resource management plans. However, the preservation office would request a copy of the final traditional cultural resource report prepared for the Price and Vernal Field Offices. He said that the Hopi would also request the revocation of the BLM Reburial Policy.

On January 2, 2003, Leigh Kuwanwisimwa (Director, Hopi Cultural Preservation Office) mailed a response letter to Sally Wisely (BLM, Utah State Director) claiming cultural affiliation to prehistoric cultural groups in the Vernal and Price BLM Field Office areas.

The activity log and all correspondence with the Hopi Tribe can be found in Appendix H.

#### *5.3.2.7 Pueblo of Acoma*

In a telephone conversation with Ms. Molenaar on May 27, 2003, Todd Sissons (Acoma Historic Preservation Office Head Researcher and NAGPRA Consultant) said that Acoma is usually involved as a consulting party on federal lands in Utah for the Southeastern part of the state. However, Acoma sometimes requests to be involved in discovery (NAGPRA) cases in the Price and Vernal areas. Mr. Sissons requested that the Pueblo of Acoma stay on the list of tribal contacts for the Price office and should be contacted for NAGPRA cases in both the Price and Vernal field offices.

The activity log and all correspondence with the Pueblo of Acoma can be found in Appendix I.

#### *5.3.2.8 Pueblo of Cochiti*

As of the date of this report, neither SWCA nor BLM has received a final response from the Pueblo of Cochiti.

The activity log and all correspondence with the Pueblo of Cochiti can be found in Appendix J.

#### *5.3.2.9 Pueblo of Isleta*

As of the date of this report, neither SWCA nor BLM has received a final response from the Pueblo of Isleta.

The activity log and all correspondence with the Pueblo of Isleta can be found in Appendix K.

#### *5.3.2.10 Pueblo of Jemez*

As of the date of this report, neither SWCA nor BLM has received a final response from the Pueblo of Jemez.

The activity log and all correspondence with the Pueblo of Jemez can be found in Appendix L.

#### *5.3.2.11 Pueblo of Laguna*

On November 21, 2002, Laguna Governor Harry Early mailed a letter to Sally Wisely (BLM Utah State Director) requesting a meeting between the BLM and the Laguna NAGPRA Committee. On April 28, 2003, Ms. Molenaar attended a meeting with the Laguna NAGPRA Committee representatives to discuss the traditional cultural resources study for the Price and Vernal Field Offices. The NAGPRA Committee requested to consult for future projects on lands managed by both field offices but did not wish to contribute to the traditional cultural resources study until a draft document had been produced and distributed to tribes for review. On May 6, 2003, Ms. Molenaar mailed copies of the meeting notes to Laguna NAGPRA Committee Representatives for comment. The NAGPRA Committee approved of the meeting notes. A copy of the meeting notes can be found in Appendix B of this report.

The activity log and all correspondence with the Pueblo of Laguna can be found in Appendix M.

#### *5.3.2.12 Pueblo of Nambe*

In a telephone conversation with Ms. Molenaar on March 19, 2003, Ernest Mirabel (Nambe NAGPRA Committee) said that Nambe has been involved in previous projects in the Vernal area and requested more information about the proposed study. Copies of the initial consultation letter and map were mailed to Mr. Mirabel on the same day but a final response has not been forthcoming from the Pueblo of Nambe.

The activity log and all correspondence with the Pueblo of Nambe can be found in Appendix N.

#### *5.3.2.13 Pueblo of Picuris*

In a telephone conversation with Ms. Molenaar on April 3, 2003, Richard Mermejo (Cultural Resources Director) said that Picuris would not request consulting party status for projects on lands managed by the BLM, Price and Vernal Field Offices. He said that Picuris would prefer that tribes residing close to the project area take the lead role in the consultation process, including NAGPRA cases.

The activity log and all correspondence with the Pueblo of Picuris can be found in Appendix O.

#### *5.3.2.14 Pueblo of Pojoaque*

As of the date of this report, neither SWCA nor BLM has received a final response from the Pueblo of Pojoaque.

The activity log and all correspondence with the Pueblo of Pojoaque can be found in Appendix P.

#### *5.3.2.15 Pueblo of San Felipe*

As of the date of this report, neither SWCA nor BLM has received a final response from the Pueblo of San Felipe.

The activity log and all correspondence with the Pueblo of San Felipe can be found in Appendix Q.

#### *5.3.2.16 Pueblo of San Ildefonso*

As of the date of this report, neither SWCA nor BLM has received a final response from the Pueblo of San Ildefonso.

The activity log and all correspondence with the Pueblo of San Ildefonso can be found in Appendix R.

#### *5.3.2.17 Pueblo of San Juan*

As of the date of this report, neither SWCA nor BLM has received a final response from the Pueblo of San Juan.

The activity log and all correspondence with the Pueblo of San Juan can be found in Appendix S.

#### *5.3.2.18 Pueblo of Santa Clara*

On December 2, 2002, Gilbert Tafoya (Land Claims, Rights and Protection Officer) mailed a letter to Sally Wisely (BLM Utah State Director) stating that Santa Clara elders indicated that their people had traveled in the project area for hunting, trading, or other reasons and therefore, Santa Clara has concerns for traditional cultural properties on lands managed by the Price and Vernal Field Offices. Mr. Tafoya requested a copy of the draft report once it becomes available.

In a telephone conversation with Ms. Molenaar on March 10, 2003, Gilbert Tafoya (Land Claims, Rights and Protection Officer) said Santa Clara would prefer to read the draft report before requesting to be involved in the proposed study. If he finds the report lacking or does not agree with its contents specific to TCPs, tribal consultation, and cultural resources, he will then request a meeting.

Mr. Tafoya said in the past, Santa Clara has released confidential, culturally significant information for similar federal projects only to find out years later that the information was not kept confidential. He said that he has concerns about identifying specific sites in an area because the government usually draws more attention to the site by putting up ribbons and barriers for its protection but this draws attention to the site instead and attracts looters.

Another concern voiced by Mr. Tafoya was that federal agencies often request information from the Pueblo of Santa Clara only to completely disregard the concerns raised and information given when making final project decisions.

The activity log and all correspondence with the Pueblo of Santa Clara can be found in Appendix T.

#### *5.3.2.19 Pueblo of Santa Ana*

As of the date of this report, neither SWCA nor BLM has received a final response from the Pueblo of Santa Ana.

The activity log and all correspondence with the Pueblo of Santa Ana can be found in Appendix U.

#### *5.3.2.20 Pueblo of Santo Domingo*

As of the date of this report, neither SWCA nor BLM has received a final response from the Pueblo of Santo Domingo.

The activity log and all correspondence with the Pueblo of Santo Domingo can be found in Appendix V.

#### *5.3.2.21 Pueblo of Sandia*

In a telephone conversation with Ms. Molenaar on February 26, 2003, Mike Ferguson (Lands Director) said that he requested input from tribal elders concerning the traditional cultural resource study and was told that the tribal elders had no concerns in the project area. He said that he would like to contact the elders one more time and verify their response. He said that if he did not call again then the BLM could assume that the Pueblo of Sandia does not have cultural resource issues in the project area.

The activity log and all correspondence with the Pueblo of Sandia can be found in Appendix W.

#### *5.3.2.22 Pueblo of Taos*

As of the date of this report, neither SWCA nor BLM has received a final response from the Pueblo of Taos.

The activity log and all correspondence with the Pueblo of Taos can be found in Appendix X.

#### *5.3.2.23 Pueblo of Tesuque*

As of the date of this report, neither SWCA nor BLM has received a final response from the Pueblo of Tesuque.

The activity log and all correspondence with the Pueblo of Tesuque can be found in Appendix Y.

#### *5.3.2.24 Pueblo of Zia*

In a telephone conversation with Ms. Molenaar on May 12, 2003, Celestino Gachupin (Cultural and Natural Resources Director) said that Zia would not participate in the proposed study. He said that they did not know of any significant traditional cultural properties in the Price and Vernal FOs but said that they do consider themselves to be culturally affiliated to the study area through their migration stories. He said that Zia would prefer that tribes located closer to the project area take the lead in tribal consultation for future project planning in the study area but would like to remain on the contact list for the Price and Vernal Field Offices.

The activity log and all correspondence with the Pueblo of Zia can be found in Appendix Z.

#### *5.3.2.25 Pueblo of Zuni*

As of the date of this report, neither SWCA nor BLM has received a final response from the Pueblo of Zuni.

The activity log and all correspondence with the Pueblo of Zuni can be found in Appendix AA.

#### *5.3.2.26 Duck Valley Shoshone-Paiute Tribe*

In a telephone conversation with Ms. Molenaar on March 28, 2003, Ted Howard (Environmental Coordinator) said that the tribe probably does not need to be involved in the proposed study for the BLM, Price and Vernal Field Offices. He did, however, request another copy of the initial consultation letter and map for the proposed study.

Mr. Howard also said that his tribe is very cautious about giving information to the government about their sacred areas. He said that they have MOUs in place so that they can keep this information within the tribe so that it does not get published in the public record. He said that tribes are living cultures, something that the government does not always understand. He said that agencies refer to sites as if they are past places, but they are dynamic and a sacred site can be rekindled at any time.

The activity log and all correspondence with the Duck Valley Shoshone-Paiute Tribe can be found in Appendix BB.

#### *5.3.2.27 Duckwater Shoshone Tribe*

In a telephone conversation with Ms. Molenaar on February 20, 2003, Ian Zabarte (Environmental Coordinator) said that the tribe would like to respond to all requests to consult but they are overwhelmed with the number of requests they receive every month. He said that the tribe does not have the staffing to respond to the number of letters received and would therefore not be able to participate in the study. Mr. Zabarte did not specify as to whether the tribe would like to be contacted for future projects.

The activity log and all correspondence with the Duckwater Shoshone Tribe can be found in Appendix CC.

#### *5.3.2.28 Eastern Shoshone Tribe*

In a telephone conversation with Ms. Molenaar on January 8, 2003, Reba Teran (Eastern Shoshone Cultural Center), said that the tribe would not be involved in this project due primarily to recent budget cuts. The Business Council considers only the most significant cultural resource studies, particularly study areas that may contain spiritual rock cairns. She said that, unfortunately, there is no budget for the Preservation Office. She said that the Eastern Shoshone Spiritual Leaders who used to travel on behalf of the tribe now have to travel with their own funds in order to be involved in cultural resource projects. Ms. Teran did not specify as to whether the tribe would like to be contacted for future projects.

The activity log and all correspondence with the Eastern Shoshone Tribe can be found in Appendix DD.

#### *5.3.2.29 Ely Shoshone Tribe*

In several telephone conversations with Ms. Molenaar, Dana McDade (Tribal Coordinator) said that she would prepare a written statement to BLM, Utah State Office concerning Ely Shoshone's interest in the Price and Vernal Field Office lands. As of the date of this report, neither SWCA nor BLM has received a final response from the Ely Shoshone Tribe.

The activity log and all correspondence with the Ely Shoshone Tribe can be found in Appendix EE.

#### *5.3.2.30 Confederated Tribes of Goshute Nation*

As of the date of this report, neither SWCA nor BLM has received a final response from the Goshute Nation.

The activity log and all correspondence with the Confederated Tribes of Goshute Nation can be found in Appendix FF.

#### *5.3.2.31 Shoshone-Bannock Tribes*

As of the date of this report, neither SWCA nor BLM has received a final response from the Shoshone-Bannock Tribes.

The activity log and all correspondence with the Shoshone-Bannock Tribes can be found in Appendix GG.

#### *5.3.2.32 Skull Valley Band of Goshute Indians*

On January 28, 2003, Ms. Molenaar visited Mel Brewster (Tribal Archaeologist) at the Skull Valley tribal offices in Salt Lake City, Utah. Mr. Brewster gave Ms. Molenaar copies of letters to federal agencies concerning Goshute indigenous lands, including a cultural patrimony claim map, and a definition for consultation from the Goshute Historic Preservation Plan. According to the cultural patrimony claim map, the Skull Valley Band does not consider lands managed by the Price and Vernal Field Offices to be part of their traditional territory.

The activity log and all correspondence with the Skull Valley Band of Goshute Indians can be found in Appendix HH.

#### *5.3.2.33 Te-Moak Tribe of Western Shoshone Indians*

In a telephone conversation with Ms. Molenaar on November 25, 2002, Jennifer Bell (Environmental Coordinator) said that the Eastern half of Utah is not considered to be the traditional territory of the Te-Moak Shoshone and requested that BLM contact the Goshute for this project. When asked if the tribe should be included in consultation for future projects in the Vernal and Price areas, Ms. Bell said the Te-Moak would defer to the Goshute, and did not need to be contacted for future projects in the BLM Price and Vernal Field Offices. Ms. Molenaar requested that the Te-Moak Tribe submit a written response to the BLM, Utah State Office Director, Sally Wisely, stating that they did not need consultation on future projects in the Price and Vernal BLM districts.

The activity log and all correspondence with the Te-Moak Tribe of Western Shoshone Indians can be found in Appendix II.

#### *5.3.2.34 Uintah and Ouray Ute Indian Tribe*

In a telephone conversation with Ms. Molenaar on March 11, 2003, Betsy Chapoose said that she would attend a meeting with the BLM concerning cultural resource issues and the development of the resource management plans for the Price and Vernal Field Offices. On April 10, 2003, Ms. Chapoose represented the Uintah and Ouray Ute Indian Tribe at a meeting with the BLM in Grand Junction, Colorado. The complete set of meeting notes can be found in Appendix B.

The activity log and all correspondence with the Uintah and Ouray Ute Indian Tribe can be found in Appendix JJ.

#### *5.3.2.35 Southern Ute Tribe*

In a telephone conversation with Ms. Molenaar on November 21, 2002, Jim Jefferson (Cultural Preservation Coordinator) said that the Southern Ute Tribe should be left on the list of tribal contacts for the Price and Vernal Field Offices. He voiced a concern about the potential for looting of archaeological sites once they are identified.

In a telephone conversation with Ms. Molenaar on February 26, 2003, Neil Cloud (NAGPRA Representative) requested a meeting with the BLM to discuss the proposed study and the development of the resource management plans. On April 10, 2003, Mr. Cloud represented the Southern Ute Tribe at a meeting with the BLM in Grand Junction, Colorado. The complete set of meeting notes can be found in Appendix B.

The activity log and all correspondence with the Southern Ute Tribe can be found in Appendix KK.

#### *5.3.2.36 White Mesa Ute Tribe*

In a telephone conversation with Ms. Molenaar on March 28, 2003, Elayne Attcity (Councilwoman) said that she would attend the joint meeting with the Ute Tribes and the BLM to discuss the proposed study and the development of the resource management plans. On April 10, 2003, Mr. Cloud represented the White Mesa Ute Indian Tribe at a meeting with the BLM in Grand Junction, Colorado. The complete set of meeting notes can be found in Appendix B.

The activity log and all correspondence with the White Mesa Ute Tribe can be found in Appendix LL.

#### *5.3.2.37 Ute Mountain Ute Tribe*

In a telephone conversation with Ms. Molenaar on February 20, 2003, Terry Knight (Cultural Resources Director) said that he would attend the joint meeting with the Ute Tribes and the BLM to discuss the proposed study and the development of the resource management plans. On April 10, 2003, Mr. Knight represented the Ute Mountain Ute Indian Tribe at a meeting with the BLM in Grand Junction, Colorado. The complete set of meeting notes can be found in Appendix B.

The activity log and all correspondence with the Ute Mountain Ute Tribe can be found in Appendix MM.

## 5.4 LOG OF MEETINGS & COORDINATION WITH PARTNERS FOR DEVELOPMENT OF THE VERNAL RMP

Scoping Meetings

Duchesne – October 17, 2001

Vernal – October 18, 2001

Salt Lake City – October 25, 2001

Manila – November 1, 2001

Green River – November 8, 2001

Contractor Interviews

Contractor met with Daggett County Commission to identify planning issues and discuss Coop. Agency Status – November 6, 2001.

Contractor met with Uintah County Commission to identify planning issues and discuss Coop. Agency Status – November 2001.

Contractor met with Duchesne County Commission to identify planning issues and discuss Coop. Agency Status – November 9, 2001.

Coordination Meetings and Other Contacts

Met with State Legislators (Evans, Snow, and Seitz) – July 20, 2001.

Met with Daggett County Commission – August 21, 2001.

Met with FWS (Dan Alonzo). Discussed plan and EPCA – August 28, 2001.

Partners Meeting at BLM, briefed on plan – September 4, 2001.

Met with EPA and FWS in SLC, briefed on plan – September 14, 2001.

Uintah Basin Partners, briefed group on planning schedule and progress – October 9, 2001.

Oil and Gas Working Group, briefed group on planning schedule and progress – October 10, 2001.

Ute Tribe, briefed Business Committee on plan and expressed desire to work closely with them – October 11, 2001.

Met with Uintah County – November 9, 2001.

Met with Daggett County – November 20, 2001.

Met with Fish & Wildlife Service – November 28, 2001.

Met with Environmental Protection Agency – November 28, 2001.

Met with Oil and Gas Working Group – November 29, 2001.

State Legislators (Beverly Evans, Gordon Snow, Dan Price) – November 30, 2001.

Met with Daggett County – January 8, 2002.

Met with Environmental Protection Agency – January 14, 2002.

Fish & Wildlife Service – January 14, 2002.

Utah State University on Resource Assessments, all County Commissioners Invited (Rich Etchberger) – January 18, 2002.

Met with Uintah County – January 29, 2002.

Met with Duchesne County – January 31, 2002.

Met with Uintah County – February 6, 2002.

Ute Business Committee (SWCA attended) – February 6, 2002.

Uintah County Public Lands Committee – February 11, 2002.

Duchesne County – March 20, 2002.

Duchesne County Public Lands Committee – March 20, 2002.

Utah State University (Resource Assessment Progress Report), County Commissioners Invited – April 18, 2002.

Duchesne County (SWCA attended). County was given copies of Scoping Comments and Summary, Draft Mineral Potential Report, and Planning Bulletins – April 30, 2002.

Duchesne County (Moore and Howell) – May 3, 2002.

Uintah County – May 7, 2002.

Uintah County (SWCA attended). County was given copies of Scoping Comments and Summary, Draft Mineral Potential Report, and Planning Bulletins – May 15, 2002.

Daggett County (SWCA attended). County was given copies of Scoping Comments and Summary, Draft Mineral Potential Report, and Planning Bulletins – May 15, 2002.

Fish & Wildlife Service (Dan Alonzo) – May 22, 2002.

Forest Service (Ashley, Bert Kulesza) – May 22, 2002.

Uintah County Public Lands Committee – June 10, 2002.

State of Utah (John Harja) on Wild & Scenic Rivers – June 10, 2002.

Uintah Basin Partners – June 12, 2002.

Uintah County Commission and members of Public Lands Committee – June 24, 2002.

Fish & Wildlife Service (Salt Lake City) – July 2, 2002.

Ute Business Committee (Coop. Agency Agreement) – July 9, 2002.

Utah State University (Resource Assessment Progress Report), All County Commissioners invited – July 12, 2002.

Uintah Basin Association of Governments – July 16, 2002.

Joint meeting with Meeker and Craig Field Offices – July 16, 2002.

State of Utah (Wild & Scenic Rivers) – July 23, 2002.

Joint meeting with Grand Junction, Meeker, Craig, & Moab Field Offices on SUWA's proposed wilderness areas – July 30, 2002.

Ute Business Committee (Wild & Scenic Rivers) – August 27, 2002.

RAC (Discussion of Raptor Best Management Practices Scenarios) – August 27, 2002.

Alternative Development Meeting with Counties, FWS, Resource Specialists, and Contractor – October 7, 2002.

Alternative Development Meeting with Counties, FWS, Resource Specialists, and Contractor – October 8, 2002.

Alternative Development Meeting with Counties, FWS, Resource Specialists, and Contractor – October 22, 2002.

Alternative Development Meeting with Counties, FWS, Resource Specialists, and Contractor – October 23, 2002.

Alternative Development Meeting with Counties, FWS, State of Utah and Contractor – Oct. 28, 2002.

Duchesne County Commission to discuss coordination problems – October 28, 2002.

Alternative Development Meeting with Counties and Contractor – November 4, 2002.

Uintah County Commission to discuss coordination problems and give them a copy of the AMS and Mineral Potential Report – November 4, 2002.

Alternative Development Meeting with Counties, State of Utah, and Contractor – November 5, 2002.

EPA in Vernal F. O. to discuss air quality modeling for the RMP effort – November 6, 2002.

The working draft of Chapter 2 and alternative matrix was sent to Uintah County and UBAG for their use and review – November 22, 2002.

Copies of 20 Wilderness Determination forms were sent to Uintah County – December 2, 2002.

A draft copy of the Paleontological section of the AMS was sent to Uintah County – December 3, 2002.

Draft copies of the Livestock Grazing and Alternative Energy sections of the AMS were sent to Uintah County and UBAG for their review – December 18, 2002.

Brief Utah Division of Wildlife Resources on alternatives for the plan – December 4, 2002.

Met with State of Utah DEQ to review protocol for Air Quality Modeling for RMP. Attended by BLM (Utah & Colo.), SWCA (Deb Reber), Trinity Consultants (YuShan Huang), and the Uintah Basin Association of Governments (Clayton Chidester) – December 14, 2002.

Met with State of Colorado DEQ to review protocol for Air Quality Modeling for RMP. Attended by BLM (Utah & Colo.), and Trinity Consultants (YuShan Huang). Clayton Chidester was invited but did not attend. – December 16, 2002.

Uintah Basin Partners Meeting, briefed those in attendance on progress on RMP. – January 8, 2003.

Met with Park Service to discuss the Alternatives for the RMP that could impact the Monument. – January 8, 2003.

Met with Senator Beverly Evans and the Uintah Basin Association of Governments to brief them and answer questions about the status and progress of the RMP – January 16, 2003.

Briefed new BIA Superintendent on RMP effort – January 22, 2003.

Briefed Utah Division of Wildlife Resources on alternatives for the plan – January 27, 2003.

Met with Clayton Chidester and Dave Allison (UGAOG) to discus issues related to the RMP – January 28, 2003.

Daggett County Commission, updated them on progress of RMP effort – February 3, 2003.

Duchesne County Commission, updated them on progress of RMP effort – February 6, 2003.

Meeting between BLM, EPA, Forest Service, Park Service, FWS, and Air Quality Subcontractor for RMP to discuss protocol for air quality analysis for RMP. Clayton Chidester (UBAG) was invited to attend but declined – February 11, 2003.

Uintah County Commission, updated them on progress of RMP effort – February 12, 2003.

BLM met with John Harja (State Of Utah) and Cathryn Collis (SWCA) to discuss alternative presentation in the RMP – February 13, 2003.

Met in Uintah County Building to discuss county concerns about RMP schedule. The meeting was attended by County Commissioners from all three counties, UBAG, State of Utah, Senator Beverly Evans, and BLM. The BLM State Director and Vernal Field Office Manager were both in attendance – February 14, 2003.

Worked with Uintah Basin Association of Governments (Clayton Chidester) to scan, or copy, 1979 wilderness files, 1999 wilderness inventory files, and externally generated proposed wilderness files – February 18, 19, 20, 25,26, 27, 2003.

Partners Meeting, held at Fire Center. RMP update was presented. Commissioners from Daggett and Duchesne Counties were present – March 12, 2003.

Partners Meeting, held at BLM's new fire building. RMP update was presented and an offer was made to meet and discuss the plan in more detail with anyone that was interested. – April 9, 2003.

Uintah County Public Lands Committee meeting, attended to respond to any questions committee members may have about the RMP. – April 14, 2003.

State Resource Development Coordination Committee (RDCC) meeting at DNR Building in SLC. Briefed the members on the top five issues in the RMP: Oil and Gas, OHV, Raptors, Special Designations, and Wild Horses. A question-and-answer session was held following the briefing. – April 16, 2003.

Question-and-answer session with counties and State on draft alternatives for RMP, attending were Louise Sainsbury, Clayton Chidester, Dave Allison, Mike McKee, LaVonne Garrison, and John Harja. Held at BLM office – April 24, 2003.

Question-and -answer session with counties and State on draft alternatives for RMP, attending were Louise Sainsbury, Clayton Chidester, Dave Allison, Mike McKee, and LaVonne Garrison. Held at BLM office – May 6, 2003.

Question-and-answer session with counties and State on draft alternatives for RMP, attending were Louise Sainsbury, Clayton Chidester, Dave Allison, and Scott Chamberland. Held at BLM office – May 12, 2003.

Question-and-answer session with counties and State on draft alternatives for RMP, attending were Louise Sainsbury, Clayton Chidester, Dave Allison, Mike McKee, Diana Whittington. Raptor Management was the topic of discussion for the meeting. BLM gave the counties copies of the Alternative Matrix for the RMP that we had been using at the last five meetings to record county comments and concerns. They were going to review

the comments, make needed corrections, and send it back to BLM through the County Commissioners as their official comments on the draft alternatives. Meeting was held at the Vernal BLM office – May 27, 2003.

May 28, 2003 – Meeting with the Ute Business Committee at Fort Duchesne, Utah. The purpose of the meeting was to keep the Business Committee informed and involved in the BLM-Resource Management Plan. The meeting included a presentation and discussion of the following topics:

- Area of Critical Environmental Concern (ACEC)
- Wild & Scenic Rivers
- Off Highway Vehicle (OHV) Designated Travel
- Oil and Gas leasing Categories
- Wild Horses
- Hill Creek Extension federal subsurface minerals issues

Question-and-answer session with the counties and State on the draft alternatives for the RMP. The focus of the meeting was to present modifications to the RMP that were required following the Wilderness Settlement. Attending were Louise Sainsbury, Clayton Chidester, Dave Allision, Mike McKee, and Val Payne. The meeting was held at the BLM Office – June 3, 2003.

Met with John Harja and Val Payne on Friday June 6, 2003, at the SWCA Office in SLC to explain the changes that were made to the alternatives in the RMP that were required as a result of the Wilderness Settlement. Dave Howell, Deb Reber, Dave Moore, Steve Knox, and Maggie Kelsey were also in attendance.

Joint meeting with the Ashley National Forest and the Vernal Field Office leadership teams on June 20, 2003 to discuss a variety of cross boundary issues, but with particular emphasis on the RMP and edge matching on resource management.

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Chapter Five—Table of Contents
(Section 5.1)

5.1 Consultation and Coordination ..... 5-1
5.1.1 Fish and Wildlife Coordination ..... 5-1
5.1.1.1 Fish and Wildlife Coordination Act ..... 5-1
5.1.1.2 Endangered Species Act ..... 5-1
5.1.2 State Agency Coordination ..... 5-1
5.1.3 Environmental Protection Agency ..... 5-2
5.2 Cooperating Agency Involvement ..... 5-2
5.3 Native American Consultation Review ..... 5-3
5.3.1 Methods ..... 5-3
5.3.2 Summary of Results ..... 5-5
5.3.2.1 Jicarilla Apache Tribe ..... 5-8
5.3.2.2 Navajo Nation ..... 5-9
5.3.2.3 Kaibab Paiute Tribe ..... 5-9
5.3.2.4 Paiute Indian Tribe of Utah ..... 5-9
5.3.2.5 San Juan Southern Paiute Tribe ..... 5-10
5.3.2.6 Hopi Tribe ..... 5-10
5.3.2.7 Pueblo of Acoma ..... 5-10
5.3.2.8 Pueblo of Cochiti ..... 5-10
5.3.2.9 Pueblo of Isleta ..... 5-10
5.3.2.10 Pueblo of Jemez ..... 5-11
5.3.2.11 Pueblo of Laguna ..... 5-11
5.3.2.12 Pueblo of Nambe ..... 5-11
5.3.2.13 Pueblo of Picuris ..... 5-11
5.3.2.14 Pueblo of Pojoaque ..... 5-11
5.3.2.15 Pueblo of San Felipe ..... 5-12
5.3.2.16 Pueblo of San Ildefonso ..... 5-12
5.3.2.17 Pueblo of San Juan ..... 5-12
5.3.2.18 Pueblo of Santa Clara ..... 5-12
5.3.2.19 Pueblo of Santa Ana ..... 5-13
5.3.2.20 Pueblo of Santo Domingo ..... 5-13
5.3.2.21 Pueblo of Sandia ..... 5-13
5.3.2.22 Pueblo of Taos ..... 5-13
5.3.2.23 Pueblo of Tesuque ..... 5-13
5.3.2.24 Pueblo of Zia ..... 5-13
5.3.2.25 Pueblo of Zuni ..... 5-14
5.3.2.26 Duck Valley Shoshone-Paiute Tribe ..... 5-14
5.3.2.27 Duckwater Shoshone Tribe ..... 5-14
5.3.2.28 Eastern Shoshone Tribe ..... 5-14
5.3.2.29 Ely Shoshone Tribe ..... 5-15
5.3.2.30 Confederated Tribes of Goshute Nation ..... 5-15
5.3.2.31 Shoshone-Bannock Tribes ..... 5-15
5.3.2.32 Skull Valley Band of Goshute Indians ..... 5-15
5.3.2.33 Te-Moak Tribe of Western Shoshone Indians ..... 5-15

5.3.2.34 Uintah and Ouray Ute Indian Tribe ..... 5-16
5.3.2.35 Southern Ute Tribe ..... 5-16
5.3.2.36 White Mesa Ute Tribe ..... 5-16
5.3.2.37 Ute Mountain Ute Tribe ..... 5-16
5.4 Log of Meetings & Coordination with Partners for Development of the Vernal RMP ... 5-17

Chapter Five—List of Tables
(Section 5.1)

Table 5.1. Native American Organizations Requesting to Be Contacted for Future Projects in the Price Field Office ..... 5-4
Table 5.2. Native American Organizations Requesting to Be Contacted for Future Projects in the Vernal Field Office ..... 5-4
Table 5.3. Native American Organizations Requesting No Further Consultation on Projects in the Price and Vernal Field Offices ..... 5-4
Table 5.4. Native American Organizations That Did Not Submit a Final Response ..... 5-5
Table 5.5. Native American Organizations That Did Not Specify the Need for Future Consultation (see Summary of Results for comments) ..... 5-5

Chapter Five—List of Figures
(Section 5.1)

**Error! No table of figures entries found.**

Chapter Five—Index
(Section 5.1)

ACEC, *see* Area of Critical Environmental Concern ..... 5-21
Area of Critical Environmental Concern ..... 5-21
Best Management Practices ..... 5-18
BIA, *see* Bureau of Indian Affairs ..... 5-19
Daggett County ..... 5-2, 5-17, 5-18, 5-20
Duchesne County ..... 5-2, 5-17, 5-18, 5-19, 5-20
Environmental Protection Agency ..... 5-2, 5-17, 5-23
EPA, *see* Environmental Protection Agency ..... 5-2, 5-17, 5-19, 5-20
EPCA, *see* Energy Policy Conservation Act ..... 5-17
sensitive species ..... 5-1
State of Utah ..... 5-2, 5-18, 5-19, 5-20
traditional cultural properties ..... 5-8, 5-12, 5-13
U.S. Fish and Wildlife Service ..... 5-2
UDWR, *see* Utah Division of Wildlife Resources ..... 5-2
Uintah County ..... 5-2, 5-17, 5-18, 5-19, 5-20
USFWS, *see* U.S. Fish and Wildlife Service ..... 5-1

Utah Division of Wildlife Resources.....5-2, 5-19
Ute Tribe.....5-2, 5-3, 5-4, 5-8, 5-9, 5-16, 5-17, 5-24