

**Political Opposition to
Wild and Scenic River Suitability Determinations
in Utah Bureau of Land Management
Proposed Regional Management Plans**

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Executive Summary

This report analyzes the designations of Wild and Scenic Rivers (WSR) proposed in the Bureau of Land Management Resource Management Plans (RMPs) developed by the Vernal Field Office (VFO), Price Field Office (PFO), and Monticello Field Office (MFO) between 2003 and 2008, with regard to the basis of these proposals. The report addresses three major issues:

1. The standards established by statute, BLM policy, and interagency policy applicable to BLM for the evaluation of river segments with regard to suitability for inclusion in the National Wild and Scenic River System (NWSRS).
2. The application of those standards to eligible river segments by field offices in their RMPs.
3. The extent to which political opposition, especially from state and local government, influenced the suitability findings proposed in the RMPs.

The report investigates these issues in five steps:

1. On the basis of documents provided by the Vernal, Price, and Monticello field offices in response to a Freedom of Information Act (FOIA) request by the Utah Rivers Council, identify those standards formally established by Congress and BLM for making suitability determinations under the Wild and Scenic Rivers Act of 1968 as amended (WSRA) (16. U.S.C. §1271 *ff.*)
2. On the basis of the standards so identified, develop a formal model to analyze how field offices applied these standards to eligible segments in the RMP process.
3. On the basis of the Draft Resource Management Plan/Environmental Impact Statement (RMP/EIS), the Proposed Resource Management Plan/Final Environmental Impact Statement (PRMP/FEIS), and the analytical model so developed, determine how the field offices applied these standards to eligible segments in the RMP process.
4. On the basis of the FOIA request, describe the political opposition to proposed suitability designations, especially from state and local governments.
5. On the basis of all of the above, determine the extent to which political opposition to designation of segments as suitable influenced proposed suitability designations contrary to the WSRA and BLM policy.

This report comes to the following conclusions regarding the proposed suitability designations in the RMPs:

1. BLM procedures for evaluating potential Wild and Scenic Rivers generally provide no guidance for operationalizing, evaluating, or comparing suitability factors or for making a determination of suitability on the basis of such factors.
2. Under WSRA and BLM policy, political opposition is in itself insufficient cause for a finding of nonsuitability.

3. Both within BLM and across other federal agencies involved in WSR designation processes, there is significant disparity regarding the overall intent of the suitability phase and how the suitability factors are to be evaluated relative to each other.
4. Contrary to guidance that BLM issued as part of the Interagency Wild and Scenic Rivers Coordinating Council, the only consistent basis for proposed suitability designations in the Vernal and Price RMPs, other than those previously made for segments of the Green River, is the existence of political opposition on the part of local governments.
5. Political opposition to Wild and Scenic River designation from state and local government is based primarily on factors that are not relevant to the segments' suitability for WSR designation.
6. Because of the way in which MFO presents its analysis of suitability factors, no rational basis can be identified for its proposed suitability findings. The proposed suitability findings of the Monticello RMP are, procedurally speaking, arbitrary.
7. MFO may have followed a strategy of pursuing management strategies other than WSR designation in order to afford protection to river segments while minimizing political opposition.
8. Analyses in the Vernal PRMP/FEIS were, in some cases, likely developed to support conclusions regarding suitability that had already been made prior to the development of the Draft RMP/EIS.