Figure HYD-WRI4. Water rights regions in Daggett County.
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Figure HYD-WR15. Water rights regions in Duchesne County.
Figure HYD-WR6. Water rights regions in Uintah County.
Figure HYD-WRI7. Utah Division of Water Quality monitoring sites and assessment units in Daggett County.
Figure HYD-WRI 8. Utah Division of Water Quality monitoring sites and assessment units in Duchesne County.
Figure HYD-WR9. Utah Division of Water Quality monitoring sites and assessment units in Uintah County.
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Figure HYD-WRI10. Watershed condition and boundaries in Daggett County.
Figure HYD-WRI11. Watershed condition and boundaries in Duchesne County.
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Figure HYD-WRI12. Watershed condition and boundaries in Uintah County.
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21. WETLANDS

21.1. Findings

21.1.1. In addition to providing wildlife habitat, wetlands provide numerous ecosystem services related to water provision and storage, water filtration, and water detention. These services are reflected in regional management goals such as optimal yield, maintenance and enhancement or water quality, and flood attenuation and private property protection, respectively.

21.1.2. In addition to water-related services, wetlands provide recreation opportunities such as boating and hunting for a growing regional population.

21.1.3. Wetlands come in many forms, including ponds, lake fringes, vegetated playas, wet meadows, marshes, bogs, shrub-scrub wetlands, and forested wetlands. Riparian areas are not always considered wetlands.

21.1.4. Wetlands support many plant and animal species, including the Ute ladies’-tresses (Spiranthes diluvialis), which is on the threatened and endangered species list.

21.1.5. Drawdown of groundwater levels can affect conditions of local wetlands.

21.1.6. Wetlands are federally recognized as special aquatic sites and are regulated as waters of the U.S. under the Clean Water Act.


21.1.8. The National Wetland Inventory (NWI) program, administered by the U.S. Fish and Wildlife Service, consists of planning-level spatial data illustrating the extent and location of wetlands and other aquatic resources in the United States. Wetland and other aquatic resources are classified using the Cowardin (Cowardin et al. 1979) system. Table WET1 below provides estimated acreages for different wetland classes at the county level, based on NWI data, and Figures WET1–3 at the end of this section provide maps showing these NWI data per county. Palustrine emergent wetlands, which include marshes and wet meadows, have the largest area within each county. This class is also commonly affected by irrigation practices, which can reduce (hydrological modifications and construction of ditches) or increase (application of additional water to the landscape) wetland acreage.

<table>
<thead>
<tr>
<th>Wetland Classification</th>
<th>Daggett County</th>
<th>Duchesne County</th>
<th>Uintah County</th>
</tr>
</thead>
<tbody>
<tr>
<td>L1: lacustrine limnetic</td>
<td>13,987</td>
<td>8,985</td>
<td>4,175</td>
</tr>
<tr>
<td>L2: Lacustrine littoral</td>
<td>261</td>
<td>1,296</td>
<td>4,184</td>
</tr>
<tr>
<td>PAB: palustrine aquatic bed</td>
<td>383</td>
<td>2,730</td>
<td>1,338</td>
</tr>
<tr>
<td>PEM: palustrine emergent</td>
<td>4,709</td>
<td>34,136</td>
<td>25,941</td>
</tr>
<tr>
<td>PFO: palustrine forested</td>
<td>5</td>
<td>616</td>
<td>836</td>
</tr>
<tr>
<td>PSS: palustrine scrub-shrub</td>
<td>962</td>
<td>6,965</td>
<td>6,246</td>
</tr>
<tr>
<td>PUB: palustrine unconsolidated bottom</td>
<td>2</td>
<td>145</td>
<td>101</td>
</tr>
<tr>
<td>PUS: palustrine unconsolidated shore</td>
<td>36</td>
<td>357</td>
<td>1,025</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>21,393</strong></td>
<td><strong>57,047</strong></td>
<td><strong>58,360</strong></td>
</tr>
</tbody>
</table>

21.2. Objectives and Policies

21.2.1. Identify high-priority or ecologically sensitive wetland areas for conservation.

21.2.2. Track changes and updates in federal regulations that affect wetland jurisdiction and permitting to avoid overreach by the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers.

21.2.3. Support wetland conservation through planning and management.

21.2.4. Support the treatment of invasive species, e.g., *Phragmites*, tamarisk, and Russian olive, which can degrade habitat value and impact groundwater levels.

21.3. Policies

21.3.1. Coordinate comments with other stakeholders regarding Clean Water Act rule revisions.

21.3.2. Participate in federal, tribal, state, and local wetland conservation planning processes.

21.3.3. Identify opportunities for creation, restoration, and enhancement of wetlands to augment the ecosystem services these resources provide.

21.3.4. Manage access by livestock, wild horses and burros, and native ungulates to wetlands to prevent overgrazing when appropriate, with the understanding that all have potential to negatively affect these resources when sensitive vegetation, soil, and hydrology conditions exist.

21.3.5. Use scientific methodology, e.g., proper functioning condition, to guide management decisions regarding recreation and grazing exclosures in wetlands.

21.3.6. Offset road alignments at least 300 feet from riparian areas and wetlands as practicable.

21.3.7. Consider release of northern tamarisk beetle (*Diorhabda carinulata*) as a biological control of tamarisk, an invasive plant species.

21.3.8. Cooperate with Natural Resources Conservation Service, Utah State University Extension, and other entities responsible for integrated weed management in wetland areas

21.4. Literature Cited


Figure WET1. National Wetland Inventory data for Daggett County.
Figure WET2. National Wetland Inventory data for Duchesne County.
Figure WET3. National Wetland Inventory data for Uintah County.
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22. WILD AND SCENIC RIVERS

22.1. Findings

22.1.1. The National Wild and Scenic Rivers System was created by U.S. Congress in 1968 under the Wild and Scenic Rivers Act of 1968 (Public Law 90-542; 16 United States Code 1271 et seq.) to preserve certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations. The act is notable for safeguarding the special character of these rivers while also recognizing the potential for their appropriate use and development. It encourages river management that crosses political boundaries and promotes public participation in developing goals for river protection. The act purposefully strives to balance dam and other construction at appropriate sections of rivers with permanent protection for some of the country's most outstanding free-flowing rivers. To accomplish this, it prohibits federal support for actions such as the construction of dams or other instream activities that would harm the river's free-flowing condition, water quality, or outstanding resource values. However, designation does not affect existing water rights or the existing jurisdiction of states and the federal government over waters as determined by established principles of law.

22.1.2. Under the Wild and Scenic Rivers Act, rivers may be designated by U.S. Congress or, if certain requirements are met, by the Secretary of the Interior. Each river is administered by either a federal or state agency. Designated segments need not include the entire river and may include tributaries. For federally administered rivers, the designated boundaries generally average 0.25 mile on either bank in the lower 48 states in order to protect river-related values.

22.1.3. Under the Wild and Scenic Rivers Act, rivers are classified as wild, scenic, or recreational.

- **Wild River Areas**: Those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America.

- **Scenic River Areas**: Those rivers or sections of rivers that are free of impoundments, have shorelines or watersheds still largely primitive and shorelines largely undeveloped, but are accessible in places by roads.

- **Recreational River Areas**: Those rivers or sections of rivers that are readily accessible by road or railroad, may have some development along their shorelines, and may have undergone some impoundment or diversion in the past.

22.1.4. Section 5(d)(1) of the Wild and Scenic Rivers Act directs federal agencies to identify potential additions to the National Wild and Scenic Rivers System through federal agency plans. Under these provisions, federal agencies study the suitability of river sections they manage for designation under the Wild and Scenic Rivers Act. Sections that are determined to be suitable can be managed to preserve their suitability by an agency land management plan while awaiting congressional designation.

22.1.5. Four federal land management agencies—the U.S. Forest Service (USFS), the Bureau of Land Management (BLM), the U.S. Fish and Wildlife Service, and the National Park Service (NPS)—administer the Wild and Scenic Rivers Act. This includes managing rivers that have been designated by U.S. Congress and managing rivers that have been studied and determined to be suitable for designation and that are awaiting congressional action.
22.1.6. USFS completed a statewide Wild and Scenic River Suitability Study for National Forest System Lands in Utah in 2008 (USFS 2008), and BLM completed the Bureau of Land Management Vernal Field Office Record of Decision and Approved Resource Management Plan (BLM Vernal ROD/RMP) in 2008. Both evaluate and recommend suitability of river segments on USFS and BLM-administered lands. A wild and scenic river study and environmental impact statement was published in 1980 for NPS-administered lands in Dinosaur National Monument. In Daggett, Duchesne, and Uintah Counties, BLM and USFS currently manage the following river sections to preserve their wild or scenic values while awaiting congressional action (Table WSR1; see Figure WSR1 at the end of this section).

**Table WSR1.** Recommended Wild and Scenic Rivers in Daggett, Duchesne, and Uintah Counties

<table>
<thead>
<tr>
<th>Agency</th>
<th>Daggett County</th>
<th>Duchesne County</th>
<th>Uintah County</th>
</tr>
</thead>
<tbody>
<tr>
<td>BLM</td>
<td>Upper Green River Little Hole to the Utah state line (12 miles) – Suitable, scenic</td>
<td>–</td>
<td>Lower Green River BLM boundary south of Ouray to the Carbon County line (27 miles) – Suitable, scenic</td>
</tr>
<tr>
<td>USFS</td>
<td>Upper Green River Flaming Gorge Dam to Ashley National Forest boundary (13 miles) – Suitable, scenic</td>
<td>Upper Uinta River, including Gilbert Creek, Center Fork, and Painter Draw (40 miles) – Suitable, wild</td>
<td>–</td>
</tr>
<tr>
<td>NPS</td>
<td>–</td>
<td>–</td>
<td>Green River from Colorado state line to NPS boundary – Suitable, wild</td>
</tr>
</tbody>
</table>

*Sources: BLM (2008); USFS (2008).*

22.1.7. Designating river segments as wild, scenic, or recreational would restrict many activities related to the stream and other uses within 0.25 mile of it, and in some cases, these designations could be detrimental to users’ ability to develop and manage water resources necessary to meet future growth needs. The ability to obtain approval for water right change applications on, or upstream of, designated streams by existing water users may also be limited. Similarly, federal permits cannot be issued for uses on a stream segment that would be in conflict with the wild and scenic designation.

22.1.8. Designation of wild and scenic rivers may result in non-use, restricted use, or environmental impacts on public and private lands. These restrictions may prohibit future uses that are necessary to continue to assure economic prosperity or may adversely affect the operation, management, and maintenance of existing facilities.

22.1.9. A December 2008 report prepared by Utah State University for the Governor’s Public Lands Policy Coordination Office, entitled *Impacts of Wild and Scenic River Designation*, finds no scientific evidence that wild and scenic river designation led to increased recreational use of such rivers and no scientific evidence that the economic benefits of designation would offset potential economic losses from decreased timber production, grazing, mining, and water development (Utah State University 2008a).
22.1.10. When asked whether public land managers should reduce or increase the extent to which designation of wild and scenic rivers occurs on Utah’s public lands, a December 2008 report published by Utah State University entitled *Public Lands and Utah Communities: A Statewide Survey of Utah Residents*, finds survey respondents in the Daggett, Duchesne, and Uintah County area believed that public land managers should take the following action (Utah State University 2008b):

- Major reduction (8.8%)
- Moderately reduce (12.2%)
- Stay about the same (48.2%)
- Moderately increase (15.4%)
- Major increase (5.1%)

### 22.2. Objectives

22.2.1. Avoid designating rivers as wild and scenic if the designation would adversely affect the economic interests of the county, including enjoyment of private property rights, mineral extraction, timber harvest, agriculture, water rights, water storage, or water delivery.

22.2.2. Manage rivers and river corridors not designated as wild and scenic by U.S. Congress but deemed suitable based on the multiple-use and sustained-yield management standard prescribed in Federal Land Policy and Management Act of 1976.

22.2.3. Ensure that any designation of rivers as wild and scenic supports the economic interests of the county.

### 22.3. Policies and Guidelines

22.3.1. The county will be actively involved in all studies or plans that may consider or evaluate eligibility or may recommend inclusion of rivers in the National Wild and Scenic River System.

22.3.2. The county will be actively involved in all legislation that could result in designation of wild or scenic rivers within the boundaries of the county.

22.3.3. Potential reservoir sites should be protected from designation as wild and scenic rivers.

22.3.4. Any instream water right created by the designation of wild and scenic rivers is junior to all absolute and conditional water rights existing before the special designation is finalized.

22.3.5. Wild and scenic rivers should be identified based on their regional and national significance rather than on their local significance. These selections should be supported by data that clearly show such selection will not negatively impact the ability of agriculture and other industry to access the water it needs and the county to develop water supplies and other resources to meet future needs. Where such impacts are unavoidable, a plan to mitigate such impacts should be presented.
22.3.6. In accordance with Utah Code 63J-4-401, county support for the addition of a river segment to the National Wild and Scenic Rivers System or its management to protect wild and scenic values while awaiting congressional action shall be withheld until the following take place:

- It is clearly demonstrated that water is present and flowing at all times. Dry washes or stream segments below dams and other controls and other stream segments that have been physically altered by human activity should not be considered, even in the eligibility stage.

- It is clearly demonstrated that the required water-related value is considered outstandingly remarkable within a region of comparison consisting of one of the three physiographic provinces in the state. The rationale and justification for the conclusions shall be disclosed.

- It is clearly demonstrated that the inclusion of each river segment is consistent with the plans and policies of the state and the county or counties where the river segment is located as those plans and policies are developed according to Subsection (3) of Utah Code 63J-4-401.

- The effects of the addition on the local and state economies, private property rights, agricultural and industrial operations and interests, tourism, water rights, water quality, water resource planning, and access to and across river corridors in both upstream and downstream directions from the proposed river segment have been evaluated in detail by the relevant federal agency.

- It is clearly demonstrated that the provisions and terms of the process for review of potential additions have been applied in a consistent manner by all federal agencies.

- The rationale and justification for the proposed addition, including a comparison with protections offered by other management tools, is clearly analyzed within the multiple-use mandate, and the results disclosed. All valid existing rights, including grazing permits shall not be affected.

- It is clearly demonstrated that the federal agency with management authority over the river segment, and which is proposing the segment for inclusion in the National Wild and Scenic River System will not use the actual or proposed designation as a basis to impose management standards outside of the federal land management plan.

- It is clearly demonstrated that the terms and conditions of the federal land and resource management plan containing a recommendation for inclusion in the National Wild and Scenic River System
  - evaluates all eligible river segments in the resource planning area completely and fully for suitability for the National Wild and Scenic River System;
  - does not suspend or terminate any studies for inclusion in the National Wild and Scenic River System at the eligibility phase;
  - fully disclaims any interest in water rights for the recommended segment as a result of the adoption of the plan; and
  - fully disclaims the use of the recommendation for inclusion in the National Wild and Scenic River System as a reason or rationale for an evaluation of impacts by proposals for projects upstream, downstream, or within the recommended segment.

- It is clearly demonstrated that the agency with management authority over the river segment commits not to use an actual or proposed designation as a basis to impose visual resource management prescriptions that do not comply with the provisions of Subsection (8)(t) of Utah Code 63J-4-401.
• It is clearly demonstrated that including the river segment and the terms and conditions for managing the river segment as part of the National Wild and Scenic River System will not prevent, reduce, impair, or otherwise interfere with
  o the state and its citizens' enjoyment of complete and exclusive water rights in and to the rivers of the state as determined by the laws of the state; or
  o local, state, regional, or interstate water compacts to which the state or any county is a party.

• The conclusions of all studies related to potential additions to the National Wild and Scenic River System, 16 United States Code 1271 et seq., shall be submitted to the state for review and action by the legislature and governor, and the results, in support of or in opposition to, shall be included in any planning documents or other proposals for addition and such documentation shall be forwarded to the U.S. Congress.

• A time limit is set for Congress to act on recommended wild and scenic rivers.

22.4. Literature Cited


