

April 26, 2010

Ms. Kristin Yannone
Bureau of Land Management
Lander Field Office
P.O. Box 589
Lander, Wyoming 82520

Re: Supplemental Comments for the Lander Field Office RMP

Dear Kristin,

We appreciate the dedicated and tireless efforts of you and your staff throughout the RMP revision. The open-house in Lander on March 31st was helpful and illustrated that local residents care about and want to be involved in this planning effort. Deserving special mention is the fact that you sought additional comments from the public in response to the informative maps and knowledgeable staff. We would like to take this opportunity to provide additional comments as the BLM moves ahead with crafting the preferred alternative.

The Wyoming Outdoor Council was founded in 1972, by rancher, conservationist, World War II veteran and visionary Tom Bell. Since its inception, the Outdoor Council's membership has grown substantially, and now has over 1400 members with over 200 who reside in Fremont County. Our members share a deep appreciation for our public lands – they value open and healthy landscapes, diverse wildlife populations, clean air and clean water. Our members also recognize the great peril that open landscapes, native species, and ecosystems are facing as a result of energy development, overgrazing, unchecked OHV use and climate change. We submit these comments to provide another perspective that is based upon the values and experiences of some of those who live here in Fremont County. While it is clear that the Fremont County land use plan and those who were instrumental in its formation clearly value certain uses of our public lands, we hope that the BLM recognizes the values of other local residents and crafts a preferred alternative that protects and enhances the many values that our public lands provide, and not just economic values. What follows is a discussion of specific management concerns and strategies that we believe should be addressed and adopted in the preferred alternative and ultimately the final Lander RMP.

I. ACECs

A. BLM Should Retain Existing ACECs

During the revision of an RMP, FLPMA requires that the BLM “give priority to the *designation* and *protection* of areas of critical environmental concern [ACEC].” 43 U.S.C. § 1712(c)(3) (emphasis added). In fact, areas with potential for ACEC designation “shall be identified and considered” if such areas meet the Relevance and Importance criteria. 43 CFR § 1610.7-2. We believe that not only should all existing ACECs be retained and perhaps enlarged, but that new ACECs should also be designated. No discernable changes have occurred that would demand that the BLM revisit its designation of any of the existing ACECs, including: Beaver Rim, Dubois Badlands, East Fork, Green Mountain, Lander Slope,

Red Canyon, South Pass, Whiskey Mountain, and the National Historic Trails sites. The values protected in these ACECs remain as or possibly more significant than they were in 1987, therefore we support their continued ACEC designation because the relevance and importance criteria are certainly still met.

Beaver Rim still retains the scenic beauty, cultural sites, rare plants, and critical wildlife habitat that led to its designation in 1987, however, invasive species infestations and the threat to mule deer habitat make this ACEC even more important than ever. We hope that the BLM will retain the Beaver Rim ACEC and implement management within this ACEC to deal with degraded mule deer habitat and invasive species infestations. The Dubois Badlands ACEC is still important for lambing Bighorn sheep and the Whiskey Mountain ACEC is still vital for wintering sheep, but both of these ACECs are probably even more critical given the decline of the Whiskey Mountain bighorn sheep population over the last couple of decades and the increasing prevalence of rural subdivisions in the upper Wind River valley.

The East Fork and Green Mountain ACECs remain crucial winter ranges for elk and should be maintained because of the strong custom and culture of elk hunting in Wyoming. Green and Crooks mountains continue to be important hunting area as evidenced by the high number of hunters who apply to hunt in this limited quota area.¹ Elk hunt area 24, which encompasses Green and Crooks Mountains, consistently draws more resident hunting license applicants than any other Wyoming elk hunt area except one.² Because Green and Crooks Mountains are both within this significant hunting area, we believe that the Green Mountain ACEC should be expanded to include Crooks Mountain and that management of this ACEC should reflect the value of the area to hunters. Clearly, the Lander Slope and Red Canyon ACECs remain important to the 3000 elk, 7000 mule deer, and the few remaining bighorn sheep that winter there, especially in light of expanding rural subdivisions and the spread of invasive species like cheatgrass and leafy spurge. The South Pass ACEC retains its nationally and even internationally significant historic character and will continue to do so as long as the area is subject to the ACEC protections that serve to protect this character. The National Historic Trails ACECs should be retained and possibly expanded, especially if BLM chooses to move forward with considering industrial-scale wind development in sage-grouse core areas.

B. BLM Should Designate a Sage Grouse ACEC.

The Lander planning area is home to approximately one-quarter of the world's Greater sage-grouse and is part of "one of two remaining areas of contiguous range essential for the long-term persistence of the species."³ Because of the national significance of this population, we believe that the BLM should heed the advice of the Wind River/Sweetwater Sage-grouse local working group and designate a Greater sage-grouse ACEC that encompasses the suite of winter, breeding, brood rearing and summer habitats from Hudson to South Pass. Such an ACEC would ensure that this important

¹ 2,818, 2,943, 3,316, 2821, and 2,443 resident and nonresident elk hunters applied for an elk license in elk hunt area 24 in 2009, 2008, 2007, 2006, and 2005, respectively.

<http://gf.state.wy.us/wildlife/hunting/stats/demandpdf/index.asp>

² *Id.*

³ 75 Fed. Reg. 13910, 13945 (Mar. 23, 2010).

habitat remains protected and may help preclude an Endangered Species Act (ESA) listing because of the long-term viability of this regulatory mechanism . Management of this ACEC should seek to promote the recovery of sage-grouse to historic population levels rather than just maintain the current population. In addition to preventing new disturbances⁴, this sage-grouse population will likely benefit from grazing changes⁵ that will restore the health of sagebrush steppe, wet meadows, springs, seeps and riparian areas – all of which are important habitat components for Greater sage-grouse. This potential Greater sage-grouse ACEC clearly meets the relevance and importance criteria.

II. General Management for the Greater sage-grouse.

The Greater sage-grouse has suffered a significant decline and has been declared by the U.S. Fish and Wildlife Service to be warranted for listing under the ESA.⁶ We are aware of BLM Instruction Memorandum no. 2010-071 (IM-071) as well as Wyoming IMs 2010-12 and 2010-13, but we feel that this guidance does not go far enough to protect the critically important Greater sage-grouse habitat in the Lander planning area. This guidance could allow additional disturbances such as oil and gas wells, transmission lines and wind turbines in sage-grouse core or “priority” habitat. We do not support this approach within the untouched Sweetwater/South Pass landscape. We also believe that any successful effort to recover sage-grouse populations in the Lander planning area must address degraded range and riparian conditions because of the importance of these areas for nesting and brood rearing.

A. Energy Development

As mentioned in the July 7th, 2009 letter from the U.S. Fish and Wildlife Service (FWS) to Director Ferrell of the Wyoming Game and Fish Department, the placement of wind turbines in sage-grouse core habitat “negates the usefulness of the core area concept as a conservation strategy and brings into question whether adequate regulatory mechanisms are in place to protect the species.” Because the strategy embodied in the BLM’s IMs largely mimics the State of Wyoming’s core area strategy, but could allow for disturbances (including wind turbines) in core or “priority” habitat, we doubt that such an approach is an adequate regulatory mechanism to protect the sage-grouse. A review of current scientific literature suggests that wind turbines are not compatible within core habitat if sage-grouse populations are to be maintained because wind turbines “have the potential to reduce the size of sagebrush habitats directly, degrade habitats with invasive species, provide pathways for predators, and cumulatively contribute to habitat fragmentation.”⁷ Because of these problems we do not believe that wind turbines should be sited in Greater sage-grouse core areas or in areas that provide connectivity between core areas.

The scientific literature has clearly shown that oil and gas development negatively affects sage-grouse habitat and populations.⁸ Consistent with the recommendation of the Wyoming Game and Fish

⁴ See *infra* Section II(A).

⁵ See *infra* Section II(B).

⁶ 75 Fed. Reg. at 13910.

⁷ 75 Fed. Reg. at 13952.

⁸ 75 Fed. Reg. at 13942-13948.

Department (WGFD)⁹, we believe that core areas within the Sweetwater/South Pass landscape should be unavailable to future oil and gas leasing in the Lander RMP. We believe this is justified, and agree with the WGFD that in the Lander planning area, “[l]ands within the Governor’s Core Areas are the very best of the best sage-grouse habitats in the very core of the species remaining distribution.¹⁰” Similarly, we believe that mining activities should not be allowed in core areas because of the numerous potential threats to sage-grouse.¹¹ The State of Wyoming’s core area protections were a political compromise that excluded existing development zones even though these areas could be considered core habitat. In its letter to Director Ferrell, the FWS mentioned, “ensuring the conservation of sage-grouse in the core areas is mitigation for the greater development flexibility outside core areas provided for the by the Strategy” and “allowing impacts within core areas, for research or other reasons, destroys the function and value of the strategy.” Clearly, it seems as if expert agencies would agree that development in sage-grouse core areas within the Lander planning area is not appropriate if the BLM wants to protect some of the world’s best remaining sage-grouse habitat.

B. Rangeland Management

The degraded or declining quality of many of the rangelands and riparian areas in the Lander planning area¹² dictate that grazing changes be implemented to enhance and protect sage-grouse habitat. It is known that native vegetation communities within sagebrush ecosystems evolved without significant grazing pressure,¹³ and it is quite likely that range-wide sage-grouse declines are partially a result of grazing pressure that has degraded sage-grouse habitat. The scientific literature¹⁴ illustrates numerous potential deleterious impacts on sage-grouse from poor grazing management, including: degradation of nesting habitat because of reduced of hiding cover, degradation of brood rearing habitat because of species composition changes and loss of preferred forb and insect diversity, and degradation of year-long sagebrush habitat from trampling and invasive species infestations. It should be noted that climate change is another potential stressor on these ecosystems that may well exacerbate the impacts from grazing and push many areas beyond a threshold where restoration may not be possible. In general, but especially within sage-grouse core-areas, we believe that livestock utilization needs to be balanced with carrying capacity and that these areas need to be rested as needed during the growing season. We do not believe that a successful effort to restore rangelands should include the widespread

⁹ Wyoming Game and Fish Department’ comments in response to the Lander RMP alternatives distributed on September 10, 2009.

¹⁰ *Id.*

¹¹ 75 Fed. Reg. at 13948-13949.

¹² See Split Rock Holdings, LLC Grazing Permit Renewal Environmental Assessment, WY-050-EA09-035, <http://www.blm.gov/pgdata/etc/medialib/blm/wy/information/NEPA/lfodocs/splitrock.Par.95027.File.dat/ea.pdf> (Discussing how the 2005 comprehensive rangeland health assessment showed that four of six Standards for Rangeland health were not being met in the Split Rock Ranch Allotments.); Green Mountain Common Allotment Proposed Grazing Management Environmental Assessment, WY050-EA07-153, http://www.blm.gov/pgdata/etc/medialib/blm/wy/information/NEPA/lfodocs/greenmtn_common/ea.Par.76921.File.dat/completeEA.pdf (Discussing how the 2002 comprehensive rangeland health assessment showed that the standards of rangeland health were not being met as well as many other specific problems with existing management.).

¹³ 75 Fed. Reg. at 13939.

¹⁴ *Id.* at 13939-13941.

expansion of range improvements – absent permitting grazing at levels compatible with meeting the standards and guidelines these measures have been ineffective to restore riparian areas and have led to the degradation of previously healthy upland habitats in the Lander planning area.

III. Oil and Gas Leasing

We believe that it is appropriate for the BLM to follow the model set in the Pinedale RMP – a model which allows oil and gas leasing in appropriate areas while protecting other areas and values by making them administratively unavailable to oil and gas leasing. We believe that such an approach is supported by Secretary Salazar’s oil and gas leasing reforms announced on January 6, 2010 and would save the BLM time and money because fewer leases would be protested and appealed. Such an approach would also provide more certainty to industry and would ultimately put the BLM in charge of where and how leasing should occur. A system where the majority of the planning area is open to oil and gas leasing, which in turn allows industry to nominate and subsequently lease parcels of its choosing, reduces the involvement of BLM in the management of the public lands it is entrusted with protecting and in some respects is not planning at all in our view

We believe that the scenic quality, recreational values and world-class wildlife populations that are found in the Upper Wind River valley near Dubois demand that BLM lands in this area be rendered unavailable for mineral leasing, location, and sale throughout the life of the Lander RMP. We are concerned about the status of the Whiskey Mountain Bighorn sheep population that inhabits this part of the field office, and we believe that this “mother herd” should not be subject to the potential added stress and habitat loss that would likely result from oil and gas as well as other kinds of development. For over forty years, state, federal and private entities have worked to ensure the viability of the Whiskey Mountain herd – we know that BLM recognizes those efforts, and thus it should ensure the protection of this priceless resource in the Lander RMP. We are concerned that additional oil and gas development on BLM lands north of Highway 287 will be detrimental to the nearly 3,000 elk that migrate through and winter there. Unlike many wintering herds, these elk have a low incidence of Brucellosis and are not fed supplementally. Many of these elk spend the summer in the Thoroughfare Plateau, throughout the Togwotee Pass area and into the Buffalo River valley – all quintessential landscapes of the Greater Yellowstone Ecosystem. To make their migration, most of the elk pass through BLM lands north and northwest of Dubois, an area that if developed, could impede elk migrations to and from the East fork winter ranges. It should also be noted that many of the now state-owned lands in the East fork drainage were purchased with public monies for the express purpose of protecting the winter ranges – we hope that the BLM appreciates this large public expenditure and protects the elk that winter in this Valley.

Wolves, grizzly bears, and countless other species use the BLM lands in the Upper Wind river valley. Because this valley is one of the few places left in North America that host a nearly complete suite of native species and the fact that the area has either “no” or “very low” oil and gas potential, we believe that protection of this ecosystem and its component species is the highest and best use of these lands. A protective approach would be consistent with the economy of this area, which is primarily based on tourism and recreation, both of which depend on the area’s natural character and healthy

wildlife populations. These undeveloped BLM lands will become even more important for recreation and wildlife habitat as housing developments continue to expand across private lands in this area. We fully support the WGFD comments¹⁵ that expressed why the BLM lands in the Upper Wind river valley are important for wildlife and why oil and gas development should not be pursued in this area.

As mentioned above, we believe that Greater sage-grouse core areas should largely be rendered unavailable to oil and gas leasing in the Lander RMP. In addition, we believe that oil and gas leasing along the Lander front would be inappropriate because of the high value of the area to wildlife¹⁶ and Lander residents. Moreover, the Sweetwater River/South Pass landscape, which contains the National Historic trail segments, should be protected to the maximum extent possible to protect the many scenic, recreational, and ecological values of these areas. As leases within unavailable areas expire, we would expect that these leases are not re-offered except to prevent drainage. Within existing oil and gas fields and areas of high oil and gas potential, such as the Lysite area, we hope that the BLM will strive to minimize the impact of these operations by reasonably requiring directional drilling, road and pad mats, green house gas controls,¹⁷ and closed-loop drilling systems, among other practices.

IV. Mining

We are deeply concerned about the potential for uranium, granite, gold, phosphate, zeolite, and other mineral extraction and believe that the following areas should be withdrawn from further mineral entry and sale: all Greater sage-grouse core areas, Green and Crooks Mountains, the Granite Mountains, the Lander Front, the Upper Wind River valley, and the South Pass/Sweetwater watershed landscape. Each of these areas are unique and have aesthetic, ecological, recreational, or historic values that are not compatible with mining.

Green Mountain hosts elk crucial winter range and is a very popular elk hunting area. Under the 1987 RMP, only a few isolated areas on Green Mountain were withdrawn from mineral entry. We feel that both Green Mountain and Crooks mountains should be withdrawn from further mineral entry because of the importance of this area to elk hunters and to maintain the natural setting of the historic trails to the north and the Continental Divide trail to the south.

As depicted on the "Important Recreation Areas" map shown at the March 31st open house, the Granite Mountains are a popular destination for hikers, climbers¹⁸, campers, and hunters. The National Outdoor Leadership School (NOLS), a significant economic contributor to Fremont County, holds many of its courses in this area. Because of these values, we feel that the Granite Mountains should be

¹⁵ Wyoming Game and Fish Department comments in response to the Lander RMP alternative distributed on September 10, 2009.

¹⁶ Over 3000 elk and 7000 mule deer winter along the Lander front. Tom Ryder, pers. Comm., April 20, 2010.

¹⁷ EPA's "Natural Gas STAR" program provides information on 120 technologies that reduce emissions, most of which pay for themselves within one to three years. <http://www.epa.gov/gasstar/tools/recommended.html>

¹⁸ The Granite Mountains are particularly popular with climbers from Lander, Casper, and Laramie. In addition, the University of Wyoming Outdoor Adventure Program regularly conducts climbing outings in this area.

withdrawn from mineral entry¹⁹ and that the sale of common varieties should be prohibited. In addition, we believe that the boundaries for such a withdrawal must be drawn so as to prevent excavation and removal of buried granite along the periphery of the Granite Mountains.

For the reasons expressed above, the entire Upper Wind River valley should be withdrawn from mineral location and closed to the sale of common varieties.

V. Rangelands

Many of the riparian areas and uplands in the Lander planning area are in poor condition and nearing a threshold where damage may be irreversible²⁰. Climate change is likely to place additional stress on Wyoming upland and riparian plant communities because of increased severity and frequency of drought and alteration of snowpack and runoff dynamics.²¹ We urge the BLM to carefully consider the current condition of our rangelands and riparian areas and the potential impacts from climate changes as it considers how to manage grazing in the revised RMP. It may well be the case that changes to the grazing program could restore healthy plant communities and allow more carbon to be sequestered in above and below-ground plant biomass. The 1987 RMP focused on range improvements in an attempt to restore rangelands and riparian areas, but this strategy has not led to compliance with the Standards and Guidelines for Healthy Rangelands or the Fundamentals of Rangeland Health.²²] Now that the Greater sage-grouse warrants protection under the ESA, the regulation at 43 CFR 4180.1(d) is especially relevant and requires that rangelands be managed so that “habitats are, or are making significant progress toward being, restored or maintained...”

To restore the myriad degraded upland, wetland, and riparian habitats, we believe that the BLM should reduce stocking rates²³ as needed to the levels indicated necessary by rangeland surveys and give degraded areas adequate growing season rest, rather than continuing to focus on range improvements. To do otherwise will likely continue a trend of species composition changes, loss of species, loss of water storage and wet meadows, and loss of organic soils. In addition, we believe that many range improvements should be removed or altered because: livestock are lured or forced into sensitive areas or those previously subject to little or no grazing²⁴, wildlife mortalities often result from fence

¹⁹ A withdrawal is needed to prevent potential gold mining and granite quarrying. Even though granite is commonly thought to be a common variety, the 1872 Mining Act remains viable and effective as to uncommon common varieties that have “distinct and special value.” *U.S v. Coleman*, 390 U.S. 599 (1968).

²⁰ See *supra* footnote 11.

²¹ See Gray, S., & C. Anderson. 2009. Assessing the Future of Wyoming’s Water Resources: Adding Climate change to the Equation, William D. Ruckelshaus Institute of Environment and Natural Resources. University of Wyoming, Laramie, WY, 28 pp. A pdf version of this publication is available at www.uwyo.edu/enr.

²² See *supra* footnote 11.

²³ See Holecheck, J.L., H. Gomez, F. Molinar, and D. Galt. 2006. Grazing Studies: What We’ve Learned. *Rangelands*. 21(2):12-16. (This review of the “classic” long-term grazing studies shows that stocking rate reduction rather than rotation grazing systems “have a much higher probability of increasing grazing capacity, reducing risk, increasing financial returns, and reducing erosion.”).

²⁴ Many areas in the Lander Planning area still host microphytic crusts that minimize erosion and create conditions conducive to seedling establishment. (Knight D.H. 1994. *Mountains and Plains: The Ecology of Wyoming Landscapes*, p. 106. Yale Univ. Press, New Haven). The crusts are very sensitive to trampling and can be found

collisions²⁵, and because wildlife movements and distributions are interrupted²⁶. We are aware of the poor condition of the rangelands and riparian areas in the Sweetwater watershed²⁷, and we believe delaying efforts to address the documented problems will only increase the risk that these areas will reach a threshold beyond which restoration to historic conditions will be impossible, especially if climate change causes Wyoming to be a warmer and drier place.

According to Tom Bell, the Outdoor Council was formed in response to widespread unauthorized fencing of the public domain in Fremont County. Because of our roots, we believe that fencing and range improvements, especially within the Sweetwater watershed, should not be used as a means to allow unsustainable stocking rates. Over the years the Outdoor Council has worked tirelessly to see that livestock grazing is brought into balance with the ability of the land to support such use without its permanent degradation – we hope that the BLM will use this opportunity to achieve this balance. However, to achieve this balance, the BLM must put in place an enforceable mechanism to ensure that cattle are removed when timing and stubble height criteria are reached. To reduce concerns regarding reductions in livestock numbers where needed to restore range conditions to compliance with BLM’s standards and guidelines (and Fundamentals of Rangeland Health) we believe the BLM could provide in the RMP that it will work with permittees to identify other areas in the Lander Field Office where grazing might be permissible, or assist the permittees in finding similar areas in other Field Offices or on private lands.

Given the topographic characteristics of the Sweetwater canyon WSA and the importance of this canyon to local anglers and recreationists, we feel that this relatively small area should be closed to livestock grazing. However, we would not necessarily be opposed to some grazing in this area if BLM could devise a program to keep livestock from lingering in riparian areas in the bottom of the canyon, but such a program is probably not possible without an elaborate array of fences. If fences must be used to protect riparian areas, wet meadows or springs, we ask that BLM use wildlife friendly fencing²⁸ and design such fences so as not to impede wildlife migrations. Indeed, because springs are delicate, very important to wildlife and relatively rare on the landscape, we support fencing of these features, but such fencing should protect the ecosystems around these water sources and not just the seep itself.

VI. Recreation

within the planning area in areas such as the Bus, Johnny Behind the Rocks, Red Canyon, and other areas with sandy soils.

²⁵ See Christiansen, T. 2009. Fence Marking to Reduce Greater Sage-grouse (*Centrocercus urophasianus*) Collisions and Mortality near Farson, Wyoming – Summary of Interim Results. Wyoming Game and Fish Dept.

²⁶ See Sheldon, D.P. Pronghorn Movement and Distribution Patterns in Relation to Roads and Fences in Southwestern Wyoming, M.S., Department of Zoology and Physiology, University of Wyoming. August 2005.

²⁷ Pickett lake and creek, Coyote gulch, and various reaches of Sulphur creek are just a few examples of severely degraded riparian areas within the Sweetwater watershed.

²⁸ See Paige, C. 2008. A Landowner’s Guide to Wildlife Friendly Fences. Landowner/Wildlife Resource Program, Montana Fish, Wildlife and Parks, Helena, Mt. 44 pp.

We applaud Mr. Oakleaf's mapping effort that depicts which recreation areas of are particular importance both locally and nationally. These areas include the Granite Mountains, Green Mountain, Beaver Creek Ski area, Sweetwater Canyon, Johnny Behind the Rocks, the Bus, Baldwin Creek, Red Canyon, as well as Beaver Rim and the upper Sweetwater watershed. We believe that a number of areas within the Lander planning area deserve special management that protects the values that make these areas so popular. Certainly as the human population in Fremont County increases, these areas will become even more important, not only as places for local residents to recreate, but also for local business like NOLS, sporting goods retailers, and other businesses who will benefit from tourism inputs as well as local spending.

The popularity of mountain biking near Moab Utah provides direct and measurable economic input into that community – these benefits are shared by many small businesses such as restaurants, mountain bike tour guides and mountain bike retailers and renters. Some BLM lands in the Lander area (especially Johnny Behind the Rock and the Bus) share some of the characteristics that make Moab such a popular destination, and it is possible with proper management and vision, that these lands could become a regional destination for mountain bikers. If so, recreation in the Lander area will continue to support a diversity of new businesses and attract younger residents into Fremont County. The popularity of rock climbing in Sinks Canyon, Baldwin Creek and Wild Iris has led to the formation of local businesses and certainly supports other local businesses such as restaurants, grocery stores, and retailers – all of which are a testament to the ability of recreation to diversify and strengthen our local economy. It is no wonder why Lander continues to grow and attract younger people, even in these relatively slow economic times. Many of the younger residents of Lander chose to live there because of the nearby climbing and other recreational activities.

VII. WIND

We do not believe that wind energy development is appropriate throughout most of the Lander planning area because of the presence of critically important habitat for sage-grouse²⁹ and other wildlife, historic trails and landscapes, and other high recreational values. That said, we believe that it would be appropriate to site wind energy facilities and associated transmission infrastructure in existing development areas and transmission corridors. Two such existing development areas might include the Lysite area and the Gas Hills. Transmission lines from any development in these areas should be routed to the east or south along the existing corridor that passes through Crooks Gap.

VIII. OHVs

We are certain that BLM is aware of the need to address the growing OHV problem. In addition to the successful implementation of an “open to designated routes only” travel management policy, we feel that the BLM also needs to address OHV use for non-recreation purposes and OHV use in WSAs. First, whether or not off-road OHV travel is done by a recreational user or someone during the course of

²⁹ See *supra* Section II(A).

other permitted activities³⁰, the result is the same – new trails are established, vegetation is trampled, wildlife is disturbed, and erosion problems begin. To solve this problem, we feel that the RMP should include specific language that restricts all OHV use on BLM lands to designated routes even if all routes are not inventoried. Similarly, we believe that the BLM should include specific language in the RMP that prohibits OHV use in WSAs. Such language would permit law enforcement to ticket OHV users who tread upon lands within WSAs. In addition we feel that OHV closures are appropriate for the Whiskey Mountain and East Fork ACECs and well as the Castle Gardens area to protect wildlife, cultural resources, and the recreational experience of other non-motorized users.

Thank you for considering these comments and please contact me if you have any questions.

Sincerely,

Nathan Maxon
Energy and Public Lands Fellow
Wyoming outdoor Council

³⁰ These other uses would include when grazing permittees and private consulting entities (geophysical, biological, and cultural surveys) use OHVs to pursue their work activities on BLM lands.