

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-3222

September 8, 2008

**Director (210)**  
**Attention: Brenda Williams**  
**P.O. Box 66538**  
**Washington, DC 20035**

**Re: Protest – Richfield Field Office Proposed Resource Management Plan and Final Environmental Impact Statement**

Please accept and fully consider this Protest letter on behalf of citizens throughout the country who demand preservation of their wild public lands in Utah's redrock country. Since 1993, I have sponsored America's Red Rock Wilderness Act, important legislation that would protect Utah's wilderness-quality BLM lands as part of the National Wilderness Preservation System. One-hundred fifty-nine of my colleagues in the House of Representatives this Congress have joined in support of protecting a landscape truly unlike anything else in the country—our nation's unique redrock heritage. Our federal public lands require careful and appropriate attention, to ensure that these lands that are undeniably dominated by wilderness character are managed appropriately, and that important resources that supplement that character – cultural sites, wildlife habitat, desert streams and waters, scenic vistas, and opportunities for quiet recreation – remain protected from inappropriate use as well as the inevitable impacts of climate change.

I have raised my concerns with Utah BLM's ongoing Resource Management Planning process on several occasions over the last few years. In an August 2007 letter to the Interior Secretary Dirk Kempthorne, I raised concerns about the Utah land use plans and travel plans' failure to protect public lands and cultural resources from the impacts of off-road vehicle use. In October of 2007, over 90 of my colleagues joined me in a letter requesting that Secretary Dirk Kempthorne truly preserve our cultural heritage in Utah by adequately protecting the nearly 3 million acres of agency-identified roadless areas from energy development and ORV use. In April of this year, a similar number of House members joined me in requesting that, as a minimum, the 3 million acres of lands identified by the BLM as having wilderness character receive the management prescriptions defined in the proposed plans' conservation management alternative.

Despite the alarm raised by so many of members of the U.S. Congress, few of the concerns raised in these comments have been addressed in the Proposed Resource Management Plan and Final Environmental Impact Statement. I submit this Protest letter pursuant to 43 C.F.R. § 1610.5-2 related to those concerns that were not addressed. I have included a copy of my recent letters for reference.

## General Concerns

Despite the BLM's identification of lands that retain wilderness character, but are not managed as a Wilderness Study Area (WSA), the proposed plan fails to provide protection for these areas. Americans appreciate the redrock desert that makes Utah's public lands some of our nation's most unique, most iconic, and most treasured landscapes. Identifying the existence of the wilderness character our country yearns for is not nearly enough. More importantly, that wilderness character must be protected. However, the Richfield Plan would protect a mere 12% (78,600 acres) of the 682,600 acres identified by the agency as having wilderness character. Unfortunately, most of these lands identified as having wilderness character would be carved up by newly designated off-road vehicle routes in BLM's proposed plan. Additionally, destructive oil and gas exploration and development would continue to be allowed in the vast majority of these identified roadless areas. BLM failed to even consider designating these wild lands as WSAs during its planning process.

The Richfield Plan will open up *existing WSAs* to damaging off-road vehicle use, with nearly 60 miles of vehicle routes designated in the very areas that the agency is required to manage so as to not impair wilderness values until Congress acts to designate or release these areas from further study. In addition, the Plan opens up thousands of acres in the iconic Factory Butte badlands that were previously off-limits to off-road vehicle use to protect threatened and endangered cactus species.

A detailed review of the proposed plan has identified major deficiencies in the protection of ancient archaeological treasures and riparian oases --the desert streams and waters that are the lifeblood of desert ecosystems. Archaeological resources are often located in secluded canyons, along streams, atop remote mesas, often far from modern civilization and development, and where, for the most part, their very remoteness has provided protection from harm. Therefore, I am greatly concerned that the off-road vehicle decisions proposed by the agency would allow extensive networks of motorized off-road vehicle routes in riparian areas and in areas that could result in increased damage to archaeological sites and artifacts, and areas of importance to present-day Native Americans.


Federal regulations require that BLM manage off-road vehicle use to protect public lands and resources, minimize the impacts of off-road vehicle use to those resources, including archaeological and wilderness resources, and to minimize conflicts with other users. I am concerned that the agency is not living up to its legal responsibilities and not seeking to actively protect these wilderness and culturally rich lands by eliminating damaging off-road vehicle use from these areas.

Finally, global climate change will have significant impacts on Utah's desert lands over the upcoming decades. BLM's land use plan should factor in how climate change affects natural resources, including soils, vegetation, wildlife, and riparian areas, and provide management that reflects the reality of the dramatic change that warming will cause to these resources. The predicted warmer, drier conditions will create

fundamental change to Utah's public lands, and BLM has simply ignored those coming changes, choosing instead to manage for the past, rather than for the future. The EPA recently weighed in on this matter, stating that the best way to manage for the impending impacts on public lands of a warming climate is to protect large tracts of undeveloped lands. BLM's proposed plan utterly fails to do so.

Thank you for considering my concerns and recommendations.

Sincerely,

  
Maurice Hinchey  
U.S. House of Representatives