

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

September 22, 2008

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

**Re: Protest – Vernal 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. Existing wilderness values must be protected. Although the Vernal Plan does a better job than the other five Utah Proposed RMPs, it protects a mere 38% (106,178) of the 277,596 acres identified by the agency as having wilderness character. Unfortunately, most of the 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 Vernal plan allows for oil and gas leasing and development in some of Utah's most cherished recreation destinations on public lands. Upper Desolation Canyon and the White River roadless areas offer some of the most remote and scenic river opportunities in the Vernal Field office, yet are being slated for oil and gas leasing under the new plan. In addition, the Vernal plan will designate off-road vehicle routes in roadless areas adjacent to Dinosaur National Monument and in roadless areas along the Green River in Upper Desolation Canyon. The Vernal plan is weighted heavily in favor of energy development and off-road vehicle use, rather than balanced for multiple uses., which I remind the agency does not mean every use on every acre.

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.

Best Regards,



Maurice Hinchey  
U.S. House of Representatives