

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 – Monticello 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 Monticello Plan would protect a mere 15% (88,871 acres) of the 582,360 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 Monticello Plan is of utmost importance for the protection of our nation's prehistoric cultural heritage. Less than 10% of the ancient Puebloan sites, including structures, granaries, and other significant artifacts in the area have been surveyed and recorded. 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 agency is proposing motor vehicle routes in areas known to be rich in cultural treasures, such as Indian Creek near Canyonlands National Park, and White and Arch canyons and other mesas and canyons in the Cedar Mesa area, without first conducting archaeological surveys to determine the impacts such routes will have on irreplaceable archaeological resources. These off-road vehicle decisions will lead to increased damage to archaeological sites and artifacts, and areas of importance to present-day Native Americans.

In addition to putting ancient archaeological treasures at risk, the Monticello plan fails to preserve the scarce riparian oases --the desert streams and waters that are the lifeblood of desert ecosystems. Riparian areas represent less than 1% of Utah's public lands, yet support approximately 85% of the area's wildlife. Vehicle routes in riparian areas cause a host of damaging impacts to natural and cultural resources, including increased sedimentation, channeling and down cutting of the streambed, and hydrocarbon pollution, yet BLM is ignoring the vital role these waters play in sustaining ecosystems, and is proposing off-road vehicle routes in numerous riparian areas, including Moqui Canyon, Lake Canyon, Indian Creek, Arch Canyon.

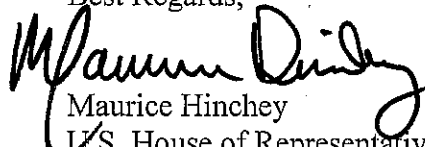
Federal regulations require that BLM manage off-road vehicle use to protect public lands and resources, minimize the impacts of off-road vehicle use to those resources, including archaeological, riparian and wilderness resources, and to minimize

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