The True Measure of Wyoming’s Public Lands

Kathy Lichtendahl

47 Years
The Immeasurable Value of Wyoming’s Public Lands

BY STEFANI FARRIS
DEVELOPMENT COORDINATOR

My parents were born and raised in Cheyenne, but my father’s career took them to Maine, which is where I grew up—on 17 acres of hardwood forest and hay meadows tucked along the tidal Kennebec River. It was not wilderness and hadn’t been for centuries. But it was wild enough. I stalked bullfrogs on these acres, climbed and toppled from oak trees, dug clay from the riverbed, flushed turkeys, waded in shallow ponds in the summer and in the winter carved them up with my skates.

At the time it seemed unremarkable. I was just doing what country kids do. It wasn’t until I left home—and my parents divorced and sold the land—that I realized my incredible fortune. From the time I was a young and curious child all the way through my teen years, when I wanted nothing more than a place to wander alone with my thoughts, I’d had a corner of the natural world available to me, day after day, year after year. That bit of land, which seemed to exist for forever. What kind of value do we, or should we, put on that experience?

Wyoming Citizens Treasure Their Public Lands

Colorado College’s 2015 Conservation in the West poll, which looked at bipartisan opinions about a variety of issues in six Western states, suggests—not surprisingly—that the people of Wyoming value the experience a lot.

The poll found that 96 percent of Wyoming voters surveyed had visited national public lands in the last year—including 43 percent who had gone more than 20 times. Nearly as many respondents—94 percent—said they thought an important priority for public lands management should be the protection of those lands for future generations.

The numbers are impressive. Very nearly all of us in Wyoming, regardless of political affiliation or hometown, regularly use public lands, and we believe they should be protected. Wyoming’s public lands are beloved, to be sure. But they’re also easy to take for granted.

When I arrived in Laramie at the age of 20, a little disoriented from having just lost my claim on the corner of the world I’d known as home, I was grateful to learn there were other special places I could go, places that—while utterly different from what I’d known in Maine—were available to me any time. There were the dramatic rock formations of Vedauwoo and the aspen-lined trails at Happy Jack, where I could walk after a morning lecture. There were the alpine meadows of the Snowies, whose expansive views were almost more than my woodlot-trained brain could fathom. At the time, it meant nothing to me that these places were part of something called a national forest—that some were recreation areas and others roadless areas. All that mattered was that they existed, and that I was welcome to explore them whenever I liked.

“Like No Place on Earth”

By an accident of climate and elevation and topography, Wyoming is unlike any of its neighboring states. Most of the land here is neither arable nor peopleed. And about half of it is public. We are blessed with an embarrassment of riches—millions of acres of open spaces that look very much as they did a thousand years ago. Even in 2015, there exist in Wyoming vast landscapes that remain more or less intact. Intact, in a very practical sense. Some of these landscapes—those in Yellowstone and Grand Teton National Parks, for instance, or on the Shoshone National Forest—are intact because of good decisions made long ago. But others, such as the longest known mule deer migration corridor, documented just last year in western Wyoming, persist only through happenstance and sheer luck.

Thankfully, the Wyoming Outdoor Council has long recognized the dangers of leaving the fate of our irreplaceable public lands to luck. So, a number of years ago, as long-term land-use plans governing nearly a quarter of Wyoming’s total land area were about to undergo their first revisions in decades, the Council saw both the opportunity and the need to take a big-picture, landscape-level approach to this planning. Because huge, connected ecosystems don’t fit neatly within agency boundaries, it only makes sense to think about management in terms of entire landscapes, and to consider carefully how decisions made for one jurisdiction could complement or weaken decisions made for adjoining lands managed by a different agency.

Years Later, We’re Just Beginning to See the Fruits of Our Labors

Two recently released plans that Outdoor Council staff and members worked hard to influence—one for the Shoshone National Forest and another for the BLM lands in the Wind River Basin—now reflect a more comprehensive understanding of the importance of connected landscapes and the need for a balanced approach to management. Thanks to the efforts of many, some of the most crucial wildlife habitat along the southern gateway to the wild Albarsarokas and Yellowstone National Park is now protected for years to come.

We’re also working to present a similarly broad, long-term vision for the protection of two other unique landscapes as the BLM reworks its land-use plans for the Bighorn Basin and a huge area around Rock Springs that includes vast portions of the Red Desert. We want to ensure that these unique places, which people travel from far and wide to experience, are still here long after we are gone.

Taking the Long View

Some incredible discoveries have been made on Wyoming’s public lands in recent years. On the Shoshone National Forest in the Wind River Range, archaeologists have found evidence of prehistoric high-altitude villages that call into question long-held theories about human migration patterns. On BLM lands in the Bighorn Basin, paleontologists have unearthed bones of ancient camels, dire wolves, American lions, and other extinct species in what is believed to be one of the largest Ice Age deposits in the United States. And yet despite these remarkable discoveries, the Bighorn Basin are fossils from an ancient species of tropical turtle that could provide clues to how some of today’s endangered animals might adapt to climate change.

Research is offering us crucial data about the present, too. The recent...
documentation of the 150-mile mule deer migration corridor in western Wyoming has captured the imagination of many. The distance the deer travel in a season is compelling, especially when you consider that it’s the same distance you’d cover driving from Rawlins to Cheyenne on I-80. Even more compelling is the fact that this important migration has been taking place for ages—quietly and without fanfare—even as pressure along the corridor has steadily increased.

Recent studies also reveal a high winter concentration of greater sage-grouse on BLM lands near Pinedale. At an estimated 1,500 to 2,000 birds, this is the largest winter flock in a state that is home to about 40 percent of the nation’s entire population of this imperiled species. It’s no stretch to say that this landscape—which is also the proposed site of a huge natural gas field that would more than quadruple the size of the Jonah Field—is crucial to the long-term health of the sage-grouse. As with the mule deer migration, we are lucky to have the science in time to inform good management decisions. Now we just need to make sure those good decisions are made.

Beyond their obvious cultural and scientific significance, these discoveries also raise an important question: What else is out there, hiding in plain sight? Certainly we won’t find it all, not in my lifetime and probably not ever. I wouldn’t want to. In this age of being able to tap a screen to find the answer to nearly any question we can come up with, it delights me to be reminded that the natural world still harbors secrets and mysteries. It thrills me to think of all we don’t know.

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So how do we ensure that whatever else might be out there—key habitat, a migration route, or even clues to our own distant past—is not lost? We start by being proactive. By standing back and looking at a map, then pushing for smart, strategic management that supports and protects intact landscapes before there’s even a threat. And also by remembering that Wyoming’s public lands are only as wild or wide-open—or as industrialized—as we agree they will be.

How Do We Value Our Public Lands?

That’s a little like asking how we quantify wonder, or how we measure a deep sense of awe. We might as well ask: How do we value any of the essential elements that make us human? For these are the intangibles that Wyoming’s vast untamed public lands offer freely, every day—to anyone who steps out and starts looking around.
Some Legislators Want the State to Take Over Public Lands. Can They Do It?

BY BRUCE PENDERY, CHIEF LEGAL COUNSEL & LISA MCGEE, PROGRAM DIRECTOR

In recent years, a vocal minority of elected officials has tried to revive the old sagebrush rebellion with studies and legislation calling for the transfer of federal public lands to states. “Transfer Movement” campaigns have been launched in several western state legislatures, including Wyoming’s. Wyoming now has a law, for example, directing the Office of State Lands and Investments to conduct a study to address “management” of federal public lands by the state of Wyoming. The study will be completed by November 30, 2016, at which point lawmakers could pursue legislation attempting to mandate the transfer of federal public lands to Wyoming.

When propagated by state legislatures, mandatory transfer laws are actually unconstitutional. Wyoming’s constitution makes clear that when the state became part of the Union back in 1890, it “forever disclaim[ed]” right and title to federal public lands within its borders. Despite the claims of land transfer proponents, nothing in Wyoming’s Enabling Act requires the transfer of federal lands to the state. The Property Clause of the U.S. Constitution gives the federal government absolute power over federal public lands. Proponents of state takeover of federal lands commonly overlook this clause, though, pointing instead to the U.S. Constitution’s Enclave Clause and the Equal Footing Doctrine to take over federal lands commonly overlook this clause, though, pointing instead to the U.S. Constitution’s Enclave Clause and the Equal Footing Doctrine to take over federal lands. That’s an important provision because those revenues help fund our public schools. But applying this model generally to our federal public lands would result in decisions favoring short-term economic gain at the long-term expense of other values such as open space, wildlife habitat, clean air and water, hunting opportunities, and recreational access.

Another model envisions the state stepping into the role of the federal government—managing millions of acres of land to maintain multiple uses while ostensibly generating greater revenue for the state. Recent studies from Utah and Idaho, however, have concluded that costs would far outweigh any revenue gained. We anticipate that if Wyoming were to pursue an objective study, it would reach similar conclusions. We believe that if federal lands were to be acquired by states, the states almost certainly wouldn’t have the ability or even the right incentives to manage them effectively. Instead, real-world economic incentives and politics would likely result in the sale of these treasured lands to private interests.

Here’s the key issue: States have no legal authority to force the transfer or sale of our federal public lands, but Congress can divest ownership and control. Many of us take for granted that Congress would simply never do this. However, on March 26 of this year the U.S. Senate voted 51-49 to create a “reserve fund” to assist states and local governments to initiate the sale, transfer, and exchange of some federal public lands. Wyoming Senators John Barrasso and Mike Enzi voted in favor of this fund. And while we’re long a way from final legislation, the move is a troubling indication that some congressional members might one day favor—and push for—a state or private takeover of these lands.

For all Americans who value our public lands, and particularly for those of us in Wyoming whose quality of life or livelihoods depend on them, this is sobering. And it’s another stark example of why elections matter, and why public participation matters. Support for federal public lands doesn’t mean we always agree with the federal government. What it means is that we each have a responsibility and an opportunity to ensure that public lands stay public. We do this by standing up, speaking out, participating in public processes, supporting advocacy organizations like the Outdoor Council, and calling out our elected representatives when they have gone too far.

To contact Senators Enzi and Barrasso, as well as your state legislators, you can go to our website and click on “Contact Your Legislators.” It’s that easy!

wyomingoutdoorcouncil.org

Wyoming Outdoor Council
Established in 1967, the Wyoming Outdoor Council is the state’s oldest independent statewide conservation organization. Our mission is to protect Wyoming’s environment and quality of life for future generations.

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