



May 10, 2011

Mr. Joe Alexander
Shoshone National Forest
808 Meadow Lane Ave.
Cody, WY 82414

Dear Joe,

With the Shoshone's forest plan revision once again underway, I write to address an issue of particular importance to the Wyoming Outdoor Council—namely the significance of the vast backcountry areas and wildlife habitat the Shoshone provides. Founded in 1967, the Wyoming Outdoor Council is Wyoming's oldest, independent statewide conservation organization. We work to safeguard public lands, wildlife and environmental quality. The majority of our members live in Wyoming and most of them do so in large part for the many recreational opportunities our incredible public lands offer. We are an organization that works to find common ground where possible, knowing that issues facing public lands can be contentious. Wyoming is a small state, and the Outdoor Council values the professional relationships we have with citizens, elected officials, other conservation organizations, industries and businesses, and state and federal agency personnel.

Since the summer of 2005 when the plan revision process first began, the substantive goal of the Wyoming Outdoor Council has been to ensure a revised forest plan that respects the self-identified niche of the Shoshone as a wild, backcountry forest. We were actively involved in the initial plan revision process and attended public and cooperator meetings and submitted numerous comments. Because there are no additional public meetings prior to the release of the next draft plan, and because it is not clear whether the comments we submitted between 2005 and 2009 have been or will be considered before the release of the draft plan, we offer some general comments about backcountry areas at this time.

The Outdoor Council is aware that the Forest Service is tasked to manage the national forests in the system for multiple uses. Within the system, however, each forest has a niche. Early on in the initial revision process, the Shoshone identified its niche as that of a backcountry forest. With more than half its lands managed as wilderness, and some additional thirty percent that has wilderness potential, the Shoshone is unique. Future management decisions should celebrate and safeguard these qualities, not only for the benefit of wildlife and natural resources, but also to ensure local communities continue to benefit from the jobs and revenue created as a result of maintaining these backcountry characteristics.

In attending the mini-summits in Riverton on April 26th and 27th, I observed the coordinated lobbying effort of local elected officials and their paid consultant to prevent management designations that would retain or further safeguard backcountry values. It is our contention that these cooperators do not have a firm grasp on the economic drivers in their own communities, or they have simply chosen to ignore present-day economic realities. By targeting backcountry areas as suitable for uses such as oil and gas development, road building and commercial timber harvest, they are advocating against the best interests of many of their constituents.

There is simply no question that local communities around the Shoshone have experienced a marked shift in the sources of job and revenue creation since the adoption of the current forest plan in 1986. While extractive industries have played and do play a role in local economic development, and to some extent will continue to do so in the future, communities adjacent to the forest today rely far more on recreation, tourism, outfitter/guide opportunities and the amenities the forest provides than they have in the past. With the exception of tourism, these aspects of the economy have not been adequately represented in the Shoshone's prior economic analyses. I was happy to learn that Tex Taylor's updated economic analysis will consider these important contributions.

Although representatives from many of the following entities and user groups will undoubtedly submit comments in upcoming rounds of the forest plan revision process, and will offer more quantitative information, it is worth stating generally that numerous segments of the local economy rely on the vast backcountry the Shoshone provides. The National Outdoor Leadership School (NOLS), for example, whose international headquarters is located in Lander, is the second largest employer in Fremont County. In recent years both Central Wyoming College in Riverton and Wyoming Catholic College in Lander have established thriving outdoor adventure programs that rely on the backcountry lands the Shoshone provides. These schools are employing faculty and recruiting students at an impressive rate. Local outfitter and guide businesses generate substantial revenue for the forest and employ residents. The state of Wyoming benefits from hunting and fishing licenses generated as a result of thriving wildlife populations the Shoshone helps support. The Shoshone is also poised to initiate new relationships with mountain bike and ice climbing guides that will draw new visitors to the forest and create new jobs in local communities. Young families and retired couples alike choose to relocate to and stay in communities like Lander or Cody for the amenities like scenery, open space and recreational opportunities the nearby national forest lands provide. These are just a few examples of how retention of the backcountry qualities of the Shoshone is a boon for the local communities, not a threat.

Although tourism was considered in previous analyses, because there will be even more demand for recreational access to national forests as our population increases, it is worth highlighting. Few people visit the greater Yellowstone area in the hope of seeing a clear cut or an oil rig. The majority of a regional, national and international public visits Yellowstone and Grand Teton national parks and the surrounding forests to recreate and enjoy large tracts of wild land that support an array of native wildlife and offer the opportunity for solitude and adventure. Gateway and pass-through communities to Yellowstone and Grand Teton National Parks—towns

like Cody, Lander and Dubois—benefit from this tourism revenue. It is in the best interest of adjacent communities to protect the wild, backcountry values of the forest.

Last, although ecosystem services are difficult to quantify, there is widespread agreement that these services are priceless. In an ever changing and challenged landscape that is experiencing drought, climate change, beetle kill and habitat fragmentation, the Forest Service has the opportunity in this plan revision process to set a framework that will not add further stress to this ecosystem that encompasses the Shoshone National Forest. Its decisions about future suitable uses should consider the value of a relatively intact ecosystem to a local, but also regional and national public. To the extent that the revised forest plan can consider either qualitatively or quantitatively the value of all aspects the role the Shoshone National Forest plays in the present-day economy, the better informed the Forest Service will be to make future management decisions.

In the spring of 2009, the Forest Service released a draft plan that contained a proposed action. We were disappointed because we did not believe it was nearly as protective as it could have been of the forest's unique backcountry qualities. Prior to this draft, the Forest Service had circulated a range of three options: Option 1 was the most protective of backcountry qualities. It would have recommended more than 100,000 acres of new wilderness and safeguarded most of the potential wilderness areas as "backcountry non-motorized." Option 3 opened up many potential wilderness areas to logging and road building under a "general forest" heading and recommended no new wilderness. Option 2 was a compromise of sorts and recommended only the Dunoir—an important and deserving area, but one that is already designated a special management unit—as new wilderness. We were told that the 2009 proposed action was "shaded more towards Option 3," after the Forest Service had received substantial input from some of the cooperators. We were particularly disappointed to see that several of the areas of highest quality wilderness potential had whole segments carved out that would have become "general forest," leaving them open to mechanical treatment and road building. This "all or nothing" approach was puzzling.¹

In the prior rounds of forest planning, we encouraged the Forest Service to consider the Dunoir and its additions, as well as Francs Peak, Wood River, South Fork and Trout Creek, all of which have high quality wilderness capability evidenced by the Forest Service's own August 2008 evaluation, as areas worthy of wilderness recommendation. We still believe these areas warrant consideration.

If the Forest Service ultimately decides not to recommend some of these areas as new wilderness, we urge it nevertheless to retain a backcountry non-motorized setting and an unsuitability designation for oil and gas in these and other areas that received high ratings in the potential wilderness evaluation. A general forest setting fails to adequately protect the outstanding backcountry resource niche the Shoshone National Forest fills in the national forest system and detracts from the important goal of protecting large tracts of secure habitat. In contrast, a backcountry setting (whether non-motorized or allowing some motorized use by season) is appropriate for most potential wilderness areas. In the absence of a national roadless

¹ In the prior draft plan 1,213 acres of Trout Creek IRA, 2,941 acres of South Fork IRA, 10,798 acres of Francs Peak IRA and 10,217 acres of Wood River IRA were designated "general forest" rather than a backcountry setting.

rule, such a setting would not limit the Forest Service's ability to administer vegetation treatments, but it would ensure that these projects are planned with the goal of protecting backcountry qualities and in such a way so as to avoid the construction of new roads. A great deal of habitat improvement and aspen regeneration can be done by people accessing areas on foot and utilizing fire to improve forest health.

Despite the fact that the roadless rule is enjoined on the national forests in Wyoming, the Forest Service is currently defending that rule in the Tenth Circuit Court of Appeals. This would suggest that even if the court does not uphold the rule, the Forest Service believes the rationale and policy that led to the creation of the rule is still valid. The Shoshone has every opportunity now and in the future to honor the spirit of the rule, which is to manage roadless areas (or potential wilderness areas) for their unroaded, backcountry characteristics when designating settings and suitable uses in the revised forest plan. We urge the Shoshone not to discount the spirit of the rule.

Road construction—as the Forest Service itself has documented time and again—causes habitat fragmentation, loss of secure habitat, erosion/water quality degradation and the introduction of invasive weeds. Even the construction of temporary roads can cause these problems. Construction of new road templates, whether permanent or temporary, opens areas to the threat of increased motorized traffic, resulting in a higher level of disturbance to wildlife. In addition, maintenance of roads is costly. Because the agency does not have the budget to fund the upkeep of even its existing road system, it should not allow the construction of new ones, particularly in some of the highest quality backcountry areas on the Shoshone.

In advocating that the Forest Service safeguard the wild, backcountry character of the Shoshone, we want to be clear that we do not oppose other uses on the forest. For example, we have participated in the public processes regarding various vegetation treatment or salvage timber projects on the Shoshone. We understand the desire, especially in wildland-urban interface areas, to thin or clear vegetation to protect human structures and ultimately human life. We support prescribed fire treatments and when appropriate, vegetation treatment to enhance habitat for certain species. Our concerns have typically addressed the creation of new roads to achieve these treatments or situations in which backcountry values would be threatened by management actions. We also recognize the benefit that ranching provides to our state, particularly with respect to preserving open space and wildlife habitat. This use is not typically in conflict with backcountry values, although there can be serious impacts especially to riparian areas if lands are overgrazed. Summer ATV and winter snowmobile recreation are also valid uses of the national forest when responsibly managed and relegated to appropriate areas.

One use that is particularly controversial on the national forests in the greater Yellowstone area is oil and gas development. Oil and gas development has its place within the national forest system, and it is undoubtedly an important segment of Wyoming's economy, but we would argue that not every acre capable of production in our state should be available, and that on a forest like the Shoshone, most areas should be unavailable for oil and gas leasing. Tourism is the second largest segment of Wyoming's economy and the greater Yellowstone area provides much of the draw for out of state visitors. We believe that a balanced economy and one that is sustainable for the long-term must adhere to the premise that that oil and gas development

is not appropriate on every last acre that has oil and gas potential. Protecting our most prized recreation areas and wildlife habitat is in everyone's best interest—particularly in a state that is inundated with oil and gas development. These backcountry areas and the easy access to them are some of the reasons so many of us in Wyoming choose to live here.

Although we realize there is currently no significant interest in new oil and gas leasing on the Shoshone at this time, the forest plan revision process presents an opportunity to set a framework that would diminish the likelihood of future development on some of the most sensitive parts of the forest by deeming them “unsuitable.” For this reason, the Forest Service should address oil and gas suitability in a thoughtful way during this forest plan revision.²

It is our understanding that when the Shoshone prepared its EIS for oil and gas leasing availability in the mid-1990s, many members of the public participated in that process and were concerned about future oil and gas development coming to this forest prized for its backcountry character and wildlife habitat. Nevertheless, most of the non-wilderness lands were made available for leasing. The Forest Service surely explained at that time that suitability and availability determinations are not “decisions” per se, and that they do not establish a framework in which the Forest Service must lease if a parcel is nominated. While that is true, such a framework certainly creates the potential for future leasing.

At the leasing stage, the public is rarely successful through protests or pleas in convincing the Forest Service to withdraw its consent to lease, or in convincing the BLM not to auction the leases at competitive lease sale. In the past, both agencies have downplayed the importance of the leasing stage. Invariably, the public has been told that the decision to lease doesn't mean drilling is a foregone conclusion, and “not to worry” because there will be additional site-specific analysis at the APD stage during which the public can provide input. Based on first-hand experience with controversial lease sales on the Bridger-Teton in past years, the public is now far more knowledgeable about the significance of the leasing decision. In turn, the Forest Service and BLM more readily acknowledge that the leasing stage is the most critical moment in the process.

At the APD stage, as illustrated in the case of the Scott Well outside of Dubois, the public hears from both the Forest Service and the BLM that “there's nothing we can do” and “we don't have the authority at this point to say, ‘no’” and “it's not a matter of ‘if’ but ‘how’ the project will be authorized.”³ The public has frequently experienced this moving target, or as some have appropriately called it, a “shell game” by federal agencies. In other words, the BLM and the Forest Service are often quick to say that none of the earlier stages of the decision making process (suitability, availability and leasing) are critical, and then at the drilling stage say that there is absolutely no ability to change direction and that authorization of drilling is a near certainty.

² It would be helpful to have a better sense of how the Forest Service defines suitability. Is suitability determined simply based on potential mineral reserves, or does it take into consideration sensitive surface resources? Could lands overlaying potential oil and gas reserves still be deemed “unsuitable” based on the desire to safeguard these other surface values? Do the criteria for availability decision differ from suitability?

³ This is particularly frustrating because the leasing of this Brent Creek area was highly controversial and even resulted in litigation. We were unsuccessful in urging the Forest Service and BLM not to lease, but it was not for lack of effort.

During a meeting with the Forest Service and BLM regarding the Scott Well, a BLM employee lectured the public about how it is most important to participate in forest plan revision if we don't want to see lands opened for oil and gas development. He stated in no uncertain terms that our desire to see the drilling not happen was irrelevant at the drilling stage—that we were too late and that we should either have been more vocal or more successful in our efforts during earlier stages in the process.

Now, faced with the opportunity in the forest plan revision process to review areas that are suitable for oil and gas development, it seems the Shoshone may be dismissing the importance of this issue and urging the public again “not to worry.” We understand that the Forest Service will wait to prepare an updated availability analysis, but suitability will be addressed at this time. We would ask for more clarity on how the Forest Service defines suitability, but contend at this point that this is a crucial topic in the revision process. We do not want to be faced with drilling proposals in years to come only to be told that we missed an important opportunity in this round of forest planning to address oil and gas suitability. We would welcome more discussion with you about this.

Backcountry areas are special. Every year, as a result of management decisions that incrementally chip away at backcountry areas, there are fewer and fewer places in this country where people can venture beyond roads. Backcountry areas have inherent value not only because they are increasingly rare and quickly diminishing, but also because of the powerful experiences people often have when they visit. Many of us value the Shoshone for its ability to offer backcountry experiences where we can appreciate stunning, quiet, natural landscapes. Backcountry experiences in roadless or primitive areas can also provide pivotal moments in people's lives. Whether it's getting your first elk, waiting out a lightning storm, encountering a mountain lion, or route finding when you've lost your way, these experiences are memorable and often character building. Backcountry areas also provide some of the best wildlife habitat and often encompass headwaters of major rivers, providing clean drinking water for downstream communities.

Even though backcountry areas are abundant on the Shoshone, we urge the Forest Service not to take these areas for granted. In contrast, we ask that to the greatest extent possible the Forest Service safeguard the wild, backcountry character of the Shoshone into the future. There is no downside to doing so. Protecting backcountry values is good for the forest, its wildlife, clean water and air, and the local economy.

Both Greater Yellowstone Coalition and The Wilderness Society share the sentiments expressed in this letter. On behalf of these organizations and the Wyoming Outdoor Council, I appreciate your consideration of these comments during this phase of forest plan revision and I look forward to continuing discussions with you, Carrie and the forest plan revision team.

Sincerely,

Lisa McGee
National Forests & Parks Program Director

And on behalf of:

Hilary Eisen
Greater Yellowstone Coalition

Stephanie Kessler
The Wilderness Society

cc: Carrie Christman