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United States Department of the Interior
Bureau of Land Management

Rawlins District Office

January 1990



**Whiskey Mountain-Dubois Badlands
Final Wilderness
Environmental Impact Statement**



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Whiskey Mountain and Dubois Badlands Wilderness Environmental Impact Statement

() Draft (X) Final Environmental Impact Statement

Type of Action: () Administrative (X) Legislative

Responsible Agencies:

Lead Agency: Department of the Interior, Bureau of Land Management

Cooperating Agencies: None

Abstract

The Whiskey Mountain and Dubois Badlands Final Wilderness Environmental Impact Statement analyzes two wilderness study areas (WSAs) in the Rawlins District to determine the resource impacts that could result from designation or nondesignation of those WSAs as wilderness. The following WSAs are recommended as nonsuitable for wilderness designation: Whiskey Mountain (487 acres) and Dubois Badlands (4,520 acres).

Comments have been requested and received from the following:

See the "Consultation" section.

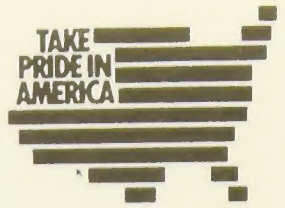
Date draft statement made available to the Environmental Protection Agency and the public.

Draft EIS: Filed 11/14/88

Final EIS:



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
WYOMING STATE OFFICE
P.O. BOX 1828
CHEYENNE, WYOMING 82003

Dear Reader:

Enclosed is the Final Environmental Impact Statement (EIS) prepared for the Whiskey Mountain and Dubois Badlands Wilderness Study Areas (WSAs) in the Lander Resource Area of our Rawlins District. You were sent this copy because of your past interest and participation in the review of the draft version of the EIS.

The two areas described in this EIS were studied for possible wilderness designation under the authority of Section 202 of the Federal Land Policy and Management Act of 1976 (FLPMA). The Bureau of Land Management's recommendations for the two WSAs will be forwarded to the Secretary of Interior who will then forward his recommendations to the President. The President, in turn, will forward his recommendations to Congress. Only Congress can designate an area as wilderness. The next opportunity for public comment regarding whether or not these areas should be added to the wilderness system will be during the legislative process.

Thank you for your interest in the Bureau's wilderness study. For further information, please contact: District Manager, Rawlins District Office, Bureau of Land Management, P.O. Box 670, Rawlins, Wyoming 82301.

Sincerely,

Ray Brubaker
Wyoming State Director

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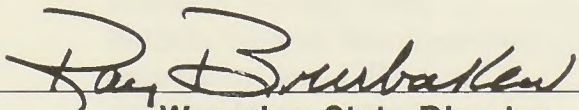
FINAL

**WHISKEY MOUNTAIN-DUBOIS BADLANDS
WILDERNESS ENVIRONMENTAL IMPACT STATEMENT**

Prepared by:

**U.S. Department of the Interior
Bureau of Land Management
Rawlins District
Rawlins, Wyoming**

1989



Wyoming State Director

12-8-89
Date

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SUMMARY

This Environmental Impact Statement (EIS) Supplement to the Lander RMP analyzes the impacts that would result from designating or not designating two wilderness study areas as wilderness. The Proposed Action is nondesignation as wilderness for both WSA 030-110, Whiskey Mountain (487 acres) and WSA 030-109, Dubois Badlands (4,520 acres).

Several environmental issues were developed during the study process. These include: (1) impacts on wilderness values; (2) impacts on bighorn sheep management; and (3) impacts on energy and mineral resources. These issues are common to both WSAs.

The alternatives for each WSA and the significant impacts are described below.

ALTERNATIVES AND SIGNIFICANT IMPACTS BY WSA

Whiskey Mountain

Proposed Action (No Wilderness)

Under the Proposed Action, none of the 487-acre area would be designated wilderness.

Wilderness values in the WSA would not be given special legislative protection. Management actions designed to improve bighorn sheep habitat would have short-term adverse effects on wilderness values but there are no anticipated management actions which would have long term adverse effects on wilderness values. The area would remain closed to oil and gas leasing and locatable mineral entry.

All Wilderness Alternative

Under this alternative, all 487 acres of the Whiskey Mountain WSA would be designated as wilderness, thus long-term protection of the WSA's wilderness values would be assured. However, management actions designed to improve bighorn sheep habitat would be restricted under wilderness management, affecting about 10% of the bighorn population.

Dubois Badlands

Proposed Action (No Wilderness)

Under the Proposed Action, none of the 4,520-acre Dubois Badlands WSA would be designated as wilderness. However, no management actions are anticipated that would adversely affect wilderness values in the WSA. The WSA would be open to oil and gas leasing only with a no surface occupancy stipulation. The WSA would be open for locatable mineral entry, but no activity is predicted because of the area's low potential for the occurrence of locatable minerals.

All Wilderness Alternative

Under this alternative, all 4,520 acres of the Dubois Badlands WSA would be designated as wilderness, thus assuring long-term protection to the WSA's wilderness values. The entire WSA would be withdrawn from all forms of mineral entry and leasing; thus, opportunities to gain subsurface geologic information regarding oil and gas would be forgone. There would be little impact to locatable minerals because the potential for their occurrence is low.

ABBREVIATIONS

AUM	Animal Unit Month
BLM	Bureau of Land Management
CFR	Code of Federal Regulations
EIS	Environmental Impact Statement
FLPMA	Federal Land Policy and Management Act (of 1976)
NEPA	National Environmental Policy Act (of 1969)
NHT	National Historic Trail
NSO	No Surface Occupancy (a stipulation on an oil and gas lease)
NWPS	National Wilderness Preservation System
ORV	Off-road Vehicle
RMP	Resource Management Plan (BLM land use plan under FLPMA)
SHPO	State Historic Preservation Officer
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
WGFD	Wyoming Game and Fish Department
WSA	Wilderness Study Area

CHAPTER 1

INTRODUCTION AND PLANNING PROCESS

PURPOSE AND NEED

The Federal Land Policy and Management Act of 1976 (FLPMA) mandates the Bureau of Land Management (BLM) to manage the public lands and their resources under the principles of multiple use and sustained yield. Wilderness values are identified as part of the spectrum of multiple land-use values to be considered in BLM inventory, planning, and management. The WSAs described in this document are being studied for consideration as wilderness under the authority of Section 202 of FLPMA. This section directs the BLM to prepare land-use plans to determine a multiple use framework for managing the public lands. Wilderness suitability determinations are an integral part of multiple-use planning.

Section 202 WSAs are studied as part of the BLM's resource management planning process. The WSAs being studied in this document are covered by the Lander Resource Management Plan (RMP). The Lander RMP is a comprehensive framework for managing about 2.5 million acres of federal land in the Lander Resource Area. The RMP identifies 13 management units in the resource area, two of which are the Whiskey Mountain Unit and the Dubois Badlands Unit. Management prescriptions for each of these units are outlined in the RMP.

Suitable or unsuitable recommendations for each WSA will be presented to the President by the Secretary of Interior. The President will then make recommendations to the Congress. Areas can be designated wilderness only by an act of the Congress. If designated as wilderness, an area would be managed in accordance with the Wilderness Act of 1964.

The purpose of this document is to discuss the environmental impacts of either designating or not designating 5,007 acres in two WSAs as wilderness. The WSAs include Whiskey Mountain (WSA WY-030-110, 487 acres) and Dubois Badlands (WSA WY-030-109, 4,520 acres). Although both of these WSAs are less than the 5,000 acre minimum required by Section 603 of FLPMA, they were kept in the Wyoming Wilderness Study Area Final Inventory because of the high public interest in these areas. The WSAs are listed in Table 1.

TABLE 1

LIST OF WILDERNESS STUDY AREAS

Name	Inventory Number	Public Land Acreage	RMP
Whiskey Mountain	WY-030-110	487	Lander
Dubois Badlands	WY-030-109	4,520	Lander

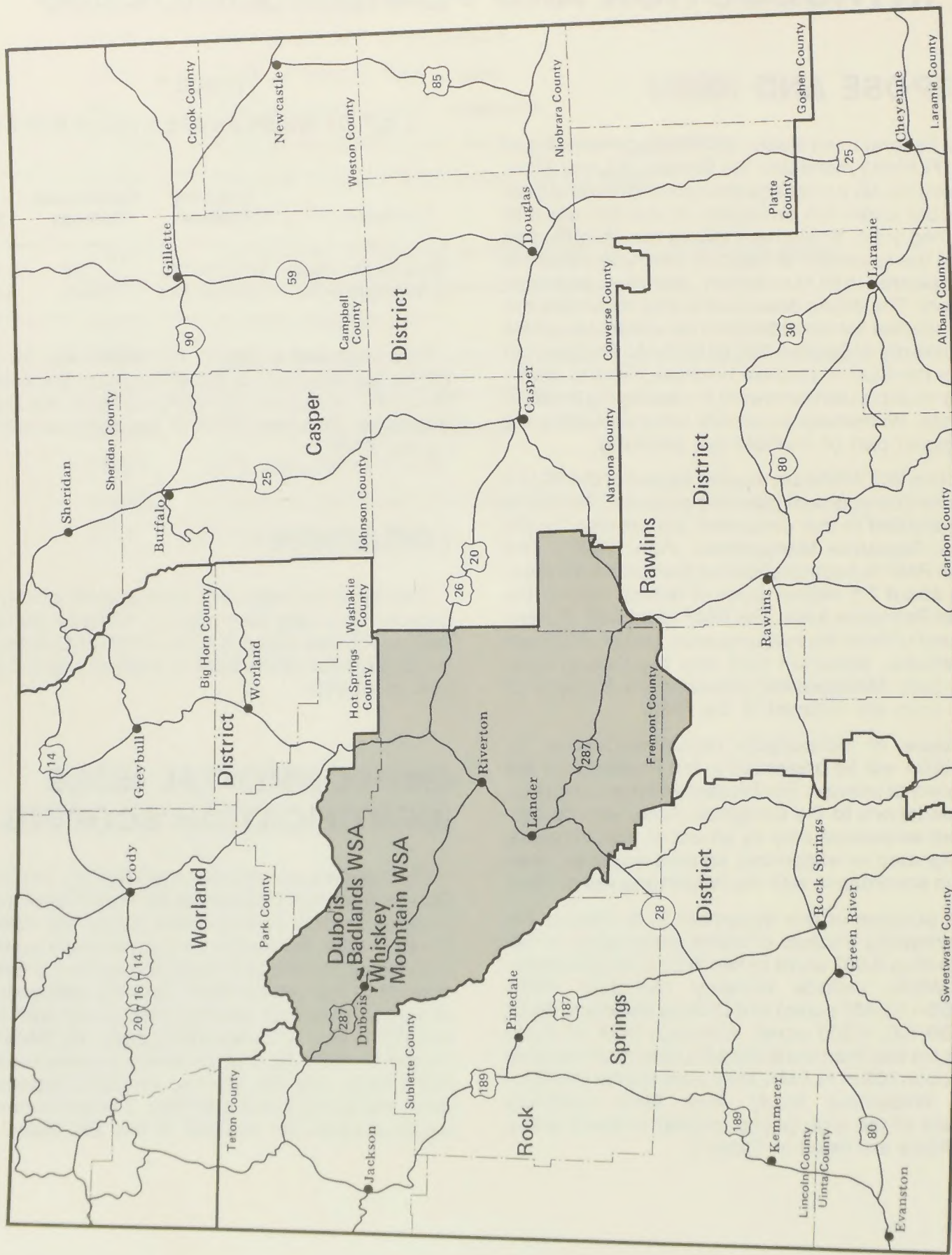
The proposed action is nonwilderness for both WSAs. Management of the 487 acres in the Whiskey Mountain WSA and the 4,520 acres in the Dubois Badlands WSA would be in accordance with the Lander RMP.

LOCATION

The WSAs are located in northwest Wyoming near Dubois, Wyoming (see map 1). Whiskey Mountain WSA is located about 5 miles south of Dubois, and the Dubois Badlands WSA is located about 2 miles east of Dubois.

ENVIRONMENTAL ISSUE IDENTIFICATION/SCOPING

The scoping process for the Whiskey Mountain/Dubois Badlands Wilderness Environmental Impact Statement (EIS) encompasses issues identified by the BLM staff, the public, and government agencies at all levels. Scoping occurred throughout the development of the Lander RMP. Scoping also occurred at special meetings dealing specifically with these two WSAs held in Dubois and Lander on December 11 and 12, 1985. Numerous meetings were held with individuals, interest groups, industry representatives, and government agencies. The environmental issues selected for analysis in this EIS follow.



Map 1
 General Location
 Wilderess Study Areas

INTRODUCTION AND PLANNING PROCESS

Issues Selected for Analysis

Impacts on Wilderness Values

The wilderness values of naturalness, solitude, and primitive recreation could benefit from wilderness designation. The same values may be adversely affected by uses and actions that would occur should the WSAs not be designated wilderness. The degree to which these values would or would not be preserved is an issue for analysis in the EIS.

Impacts on Opportunities for the Development of Energy and Mineral Resources

Wilderness designation would affect the ability to explore for and develop mineral resources by withdrawing designated lands from mineral entry and leasing. The effect of wilderness designation on opportunities for the development of mineral resources is an issue for analysis in the EIS.

Impacts on Bighorn Sheep Management

Both WSAs contain populations of bighorn sheep. Whiskey Mountain is part of a larger area in which intensive management of bighorn sheep habitat is occurring. This management includes vehicle use for trapping operations and chemical or mechanical vegetative manipulations. Wilderness designation could preclude such activities in both WSAs. On the other hand, wilderness designation may prevent other uses from occurring which might be detrimental to the sheep population. Therefore, the impact of wilderness designation or nondesignation on bighorn sheep is an issue for analysis in the EIS.

Issues Not Selected for Analysis

The following issues were identified in scoping, but were not selected for detailed analysis in the EIS. The reasons are discussed below.

Impacts on Livestock Operations

Concerns were raised that livestock operators in the WSAs could be required to modify their operations within designated wilderness in a manner that would have significant adverse economic impacts on their business. This issue was considered but not

analyzed in detail because the BLM's Wilderness Management Policy provides for the continued use of wilderness areas for livestock operations at historic levels. Although the management practices of livestock operators in the WSAs would be more closely regulated, they would continue as they did prior to wilderness designations subject to reasonable regulations. However, because livestock grazing occurs in each of the WSAs, livestock management will be described for each alternative in chapter 2 and again in chapter 3 (Affected Environment).

Impacts on Threatened or Endangered Species

Threatened or endangered species would not be affected under either alternative considered in this document. A BLM determination of "no effect" from implementation of the Lander RMP was concurred with by the U.S. Fish and Wildlife Service in December 1986. Of the four species of concern (bald eagle, peregrine falcon, whooping crane, and black-footed ferret), only the bald eagle is known to make use of either area. Bald eagles make occasional use of the Dubois Badlands area along the Wind River during the winter. However, no surface disturbing activities are expected in either WSA under either alternative, and other activities will remain the same or decrease in intensity. Therefore, the issue of threatened or endangered species was dropped from further consideration.

Impacts on Cultural Resources

Consultation with the State Historic Preservation Office during scoping and review of existing inventory information indicates that few archeological surveys have been conducted in the Whiskey Mountain WSA. While no sites are known to occur within the WSA, sites in its vicinity tend to occur near lakes and creeks. Sites are not known to occur on the mountain slopes such as those that characterize the WSA. Hence, the potential for cultural resources to occur within the WSA is considered low.

Current inventory information for the Dubois Badlands WSA similarly indicates that few surveys have been conducted in the WSA and no sites are known to occur within the WSA. Sites in the vicinity of this WSA tend to occur on flat areas near the Wind River and the major drainages that feed it. Sites do not tend to occur on slopes and in areas of exposed shale such as those that characterize much of the WSA. Consequently, the potential for cultural resources to occur within the WSA is considered low to moderate.

INTRODUCTION AND PLANNING PROCESS

If cultural resource sites do occur in either WSA, it is likely that they consist of lithic scatters and campsites. These will be managed and protected under current law with or without wilderness designation. Under the wilderness alternative, surface disturbing activities would be excluded from the WSAs. As discussed in Chapter 2, it is unlikely that surface disturbing activities would occur under the no wilderness alternative. However, prior to any surface disturbing activity, an on-site cultural resource survey would be conducted and adverse impacts to significant cultural resource sites would be mitigated. Procedures specified by Section 106 of the National Historic Preservation Act would be followed at that time.

Considering that cultural resources would be protected from the adverse effects of future developments involving surface disturbance under either the proposed action (no wilderness) or its alternative (all wilderness), selection of either constitutes a situation of no effect pursuant to 36 CFR 800. Because neither alternative would cause impacts to significant cultural resources, this issue was dropped from further analysis.

Impacts on Water Quality

Concerns were raised regarding how water quality would be affected by wilderness designation or non-designation. For Whiskey Mountain, there would be no timber sales, mineral exploration, or development of any kind which could potentially decrease the water quality in Jakey's Fork. For Dubois Badlands, a highly erosive area, oil and gas leases would not be issued under the All Wilderness Alternative. Under the No Wilderness Alternative, the leases would be subject to the No Surface Occupancy Stipulation (see Appendix A). Oil and gas wells would have to be located outside the WSA. The area would be open to mineral location, but because of its low potential, no activity is expected. Also, the area would be closed to off-road vehicle use even under the No Wilderness Alternative and livestock use would continue at historic levels under both alternatives. Thus, erosion and the resultant sediment loads delivered to the Wind River after heavy rains would not be changed by wilderness designation or non-designation. As a result, this issue did not receive further analysis.

Impacts on Recreation and ORV Use

Concerns were raised regarding how recreation and ORV use would be affected by wilderness designation or non-designation. The Lander RMP/Record of Decision designated the Dubois Badlands

WSA as closed to all vehicle use yearlong, regardless of whether or not the area is designated wilderness. Similarly, the Whiskey Mountain WSA is part of a larger area in which vehicles are limited to designated roads and trails, of which none within the WSA are available for vehicle use. The effect of this designation is the same as the elimination of vehicles through wilderness designation. Trends in recreation use over the past several years indicate that recreation uses (hunting, sightseeing, sheep viewing) are not expected to change in the foreseeable future. Because no change is expected and because vehicles are already eliminated from the WSAs by virtue of the Lander RMP, this issue was dropped from further analysis.

ALTERNATIVES CONSIDERED BUT NOT INCLUDED FOR DETAILED ANALYSIS

Partial Wilderness Alternatives

A partial wilderness alternative that would recommend for wilderness something less than the entire acreage of the WSAs was considered but not analyzed because of the WSAs' small size. Reducing their size further would not significantly reduce resource conflicts, improve the quality of the wilderness values, or improve the WSAs' manageability while maintaining essential wilderness values.

Management and Development by Other Organizations

An Alternative suggested by the Citizens for Multiple Use and Dubois Women in Timber for both WSAs during scoping was to consider management of these areas by other federal agencies, including agencies of the Departments of Interior and Agriculture, State of Wyoming agencies, and local governments. The concept behind this alternative would be to provide maximum opportunities for nonconsumptive use and uses that do not damage or deplete, but which would enhance and protect the tracts. These opportunities should, at the same time, be sensitive to the economy of Fremont County and provide incentive for increased tourism. The alternative suggested centers around the creation of wildlife and Indian culture parks or reserves to provide for public education, interpretation, recreation, and research. Developments in the general area could include

INTRODUCTION AND PLANNING PROCESS

construction of a visitor center(s) for viewing big-horn sheep and elk, construction of a museum/interpretive center for the Sheepeater Indian Culture, and provision for an art gallery or studio to be constructed by the private sector.

The existing RMP for this area states that proposals for sale or exchange, as well as Recreation and Public Purpose Act leases and patents will be considered on a case-by-case basis. This document analyzes the environmental impacts of either designating or not designating two WSAs consisting of 5,007 acres as wilderness. Therefore, specific plans such as the establishment of a visitor center or the creation of parks or reserves are not developed as part of this EIS. However, the No Wilderness Alternative would not preclude future consideration of any of these proposals. The All Wilderness alternative would not preclude consideration of any of these proposals outside the actual boundaries of the WSAs.

CHAPTER 2

ALTERNATIVES

INTRODUCTION

The BLM's wilderness study policy requires that a wilderness EIS address at a minimum "No Wilderness/No Action," and "All Wilderness" alternatives for each area under wilderness consideration. These were the only reasonable alternatives identified for the two WSAs described in this document. No other alternatives were identified through scoping Management actions under the Proposed Action (No Wilderness) are the same as those described in the Record of Decision for the Lander Resource Area RMP.

ALTERNATIVES CONSIDERED IN DETAIL - WHISKEY MOUNTAIN WSA

Proposed Action (No Wilderness)

Under this alternative, the Whiskey Mountain WSA (487 acres) would not be designated as wilderness (see map 2). Resource management would emphasize protection and enhancement of wildlife values while maintaining compatible uses of the area such as recreation. Management of the area would be consistent with cooperative management efforts of the Wyoming Game and Fish Department, U.S. Forest Service, and Bureau of Land Management to manage the Whiskey Mountain bighorn sheep winter range for the purpose of perpetuating the bighorn sheep herd for sport hunting, aesthetics, transplant stock, and educational and scientific values.

Minerals Management

The Whiskey Mountain WSA would continue to be closed to mineral leasing unless drainage of federal oil and gas reserves within the WSA occurred (see Chapter 3, Energy and Mineral Resources for a discussion of drainage). In the event drainage is determined, any oil and gas leases that may be issued within the WSA would include a No Surface Occupancy (NSO) Stipulation (see appendix A). There would be no exceptions to the NSO restriction. However drainage of federal oil and gas reserves is not anticipated.

The WSA has been segregated from locatable mineral entry since 1970 in order to protect bighorn sheep habitat. The area would continue to be closed to mineral entry. There are no mining claims existing at present. There is a low potential for the occurrence of locatable mineral resources (see Chapter 3). Therefore, no mining or mineral exploration activities are expected.

Wildlife Habitat Management

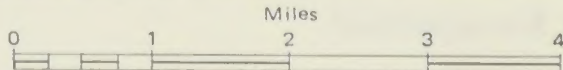
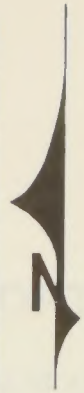
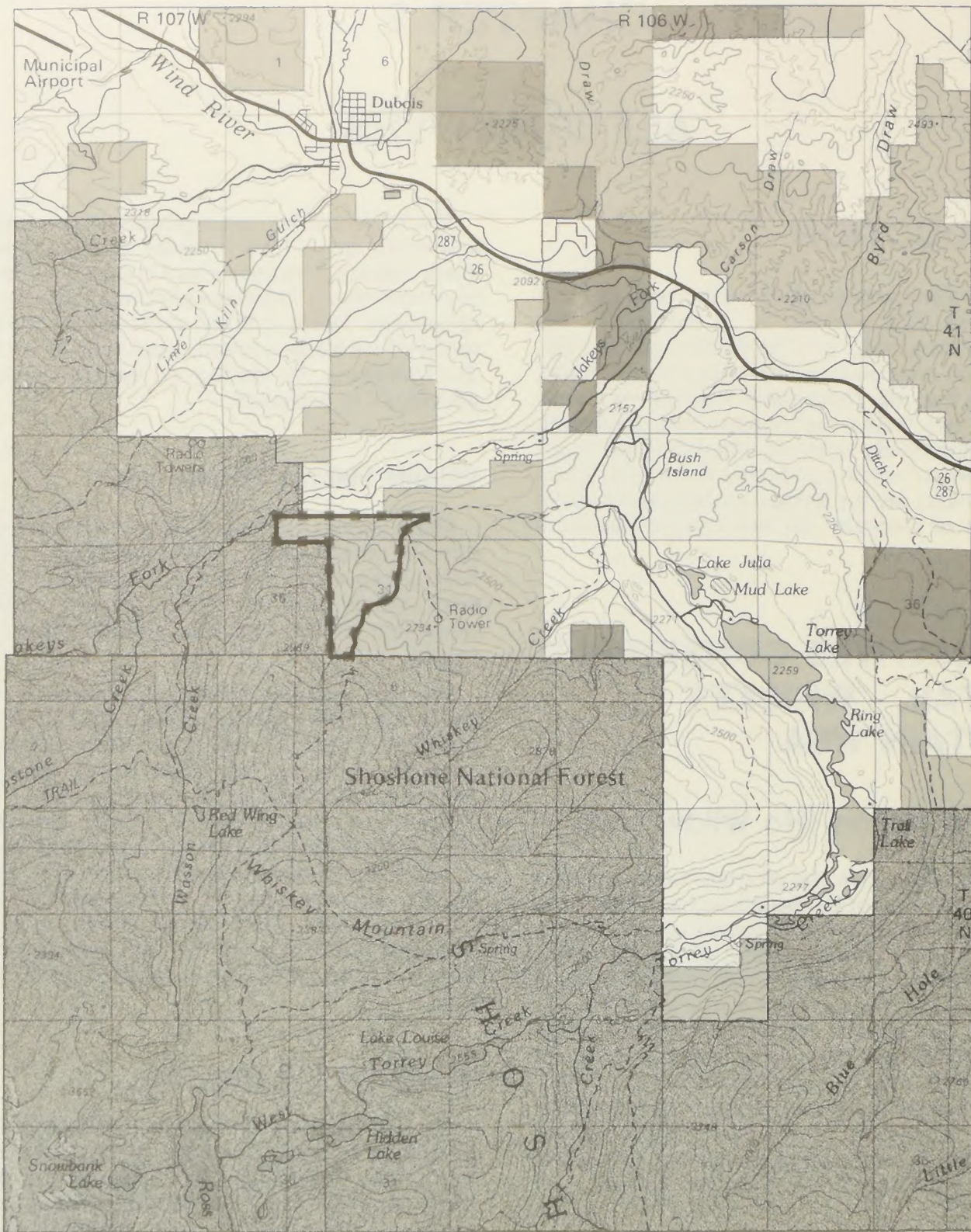
Management as described below would emphasize the maintenance and enhancement of the bighorn sheep winter range and perpetuating the bighorn sheep herd for sport hunting, aesthetics, transplant stock, and educational and scientific values.

The two existing habitat improvement projects within the WSA, a guzzler and a 6,000-foot buck and pole fence, would be maintained. Approximately 300 acres of coniferous trees would be cut over a several year period to maintain the existing bighorn sheep range and to open forested areas to allow ease of movement to preferred areas. The trees would be cut as low to the ground as practical, and then piled and burned. No new roads would be necessary to facilitate this action. Although no sheep trapping has occurred in this WSA in the past, trapping is anticipated to occur under the Proposed Action in the future.

Recreation and ORV Use

The Lander RMP limits ORV use in the Whiskey Mountain Management Unit to designated roads and trails. This designation includes the Whiskey Mountain WSA under the No Wilderness Alternative and there are no roads or trails designated for ORV use within the WSA.

The entire WSA would be open for other recreation activities including hunting, horseback riding, camping, photography, fishing, hiking, and backpacking. No recreation facilities exist in the WSA and none are planned. The area would continue to be used as access to the USFS Fitzpatrick Wilderness to the south. Recreation use for these activities is estimated to be 300 visitor days annually. It is reasonable to expect modest increases in recreation use over time, but projections beyond existing planning estimates (15 to 20 years) indicate that use would remain below 500 visitor days annually in the foreseeable future.



- WSA Boundary
- Federal Land
- State Land
- Private Land
- National Forest Land
- ■ ■ Proposed for Nonwilderness

Map 2
Proposed Action (Nonwilderness)
Whiskey Mountain

ALTERNATIVES

Grazing Management

Approximately 215 acres of the WSA are under grazing lease. Within these 215 acres, about 115 acres are suitable for grazing and produce 8 AUMs of forage. The remaining 100 acres under lease are unsuitable for grazing due to steep, rocky terrain. No changes in livestock grazing are anticipated. No new improvement projects are planned. The remaining 272 acres will continue to be allocated for wildlife uses.

Cultural Resource Management

Management of cultural resources would be custodial in nature. No management actions are projected under the Proposed Action that would require cultural resource investigations (inventory and evaluation of sites) or mitigation of adverse effects on sites.

All Wilderness Alternative

Under this alternative, the Whiskey Mountain WSA (487 acres) would be designated as wilderness. Management of the area would be guided by BLM's Wilderness Management Policy, issued September 24, 1981, and the enabling legislation. Management objectives would be to provide for protection and preservation of the area's natural conditions and wilderness character. Recreation, wildlife, livestock grazing, and mineral resources would be managed as described in the following paragraphs to ensure that wilderness values were not impaired.

Minerals Management

The WSA has been segregated from mineral leasing since 1970 under various authorities. No new mineral leasing would be allowed. There are no existing oil and gas leases or other mineral leases; therefore, there would be no exploration or production activities.

The WSA has also been segregated from locatable mineral entry since 1970 in order to protect bighorn sheep habitat. The closure to mineral entry would continue. There are no mining claims existing at present. Therefore, no mining or mineral exploration activities are expected.

Wildlife Habitat Management

Wildlife habitat would be managed as described below to protect Rocky Mountain bighorn sheep winter range as much as possible. Habitat improvement techniques which depend upon mechanized equipment or chemical treatment would not be allowed under this alternative. The two existing habitat improvement projects, a guzzler and a buck and pole fence, would be maintained. No other improvement projects are planned. Vegetative manipulation would not occur on 487 acres. Bighorn sheep trapping for transplant operations would not be conducted within the WSA because it generally requires vehicles to support the trapping operations.

Recreation and ORV Use

The entire WSA would be closed to ORVs, but would remain open for other recreation activities including hunting, horseback riding, camping, photography, fishing, hiking, and backpacking. No recreation facilities exist in the WSA and none are planned. The jeep trail which forms the eastern boundary of the WSA would continue to be used as a foot and horse trail to access the USFS wilderness to the south. Recreation use for these activities is estimated to be 300 visitor days annually. It is reasonable to expect modest increases in recreation use over time, but projections beyond existing planning estimates (15 to 20 years) indicate that use would remain below 500 visitor days annually in the foreseeable future.

Grazing Management

Approximately 215 acres of the WSA are under grazing lease. Within these 215 acres, about 115 acres are suitable for grazing and produce 8 AUMs of forage. The remaining 100 acres under lease are unsuitable for grazing due to steep, rocky terrain. No changes in livestock grazing are anticipated. No new improvement projects are planned.

Cultural Resource Management

Management of cultural resources would be custodial in nature. No management actions are projected under this alternative that would require cultural resource investigations (inventory and evaluation of sites) or mitigation of adverse effects on sites.

ALTERNATIVES

ALTERNATIVES CONSIDERED IN DETAIL - DUBOIS BADLANDS WSA

Proposed Action (No Wilderness)

Under this alternative, the Dubois Badlands WSA (4,520 acres) would not be designated as wilderness (see map 3). Resource management would emphasize protection of wildlife values, scenic qualities, and watershed while maintaining compatible recreation, mineral, and grazing uses.

Minerals Management

The area would be open to mineral leasing. There are no oil and gas leases within the Dubois Badlands WSA. Future leasing would be subject to the No Surface Occupancy Stipulation (appendix A) to protect the area's wildlife habitat and fragile soils. Exploration by drilling would not be allowed on any future leases.

The area would be open to locatable mineral entry. The area was designated an ACEC in the Lander RMP; therefore, surface-disturbing activity except for casual use would require the approval of a Plan of Operation as set forth in 43 CFR 3809. No activity is anticipated due to low potential for the occurrence of locatable minerals resources.

Wildlife Habitat Management

No specific habitat improvement projects are planned for the Dubois Badlands WSA.

Recreation and ORV Use

The Lander RMP closed the WSA to vehicle use. This designation would be implemented under the No Wilderness Alternative. The following actions would be undertaken to help ensure that the vehicle closure in the WSA is maintained. Seven "Closed Area" signs would be installed and maintained at key access locations. Four would be located on the north side of the WSA and three would be located on the south side. Four short sections of buck and pole fence would be constructed at the key access points on the north side of the WSA. BLM patrols would occur twice monthly during the high use season to help enforce the ORV closure.

The entire WSA would be open for other recreation activities including hunting, horseback riding, camping, photography, fishing, hiking, and back-

packing. Recreation use for these activities is estimated to be 750 visitor days annually. No recreation facilities exist in the WSA and none are planned. It is reasonable to expect modest increases in recreation use over time, but projections beyond existing planning estimates (15 to 20 years) indicate that use would remain below 1,000 visitor days annually in the foreseeable future.

Grazing Management

Livestock grazing would continue to be managed the same as it is now. A total of 746 AUMs of forage are presently available in the WSA, encompassing portions of three allotments. Livestock grazing occurs in the spring/early summer and then again in the autumn. No adjustments are anticipated. No new improvement projects are planned.

Cultural Resource Management

Management of cultural resources would be custodial in nature. No management actions are projected under the Proposed Action that would require cultural resource investigations (inventory and evaluation of sites) or mitigation of adverse effects on sites.

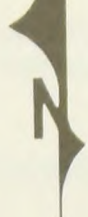
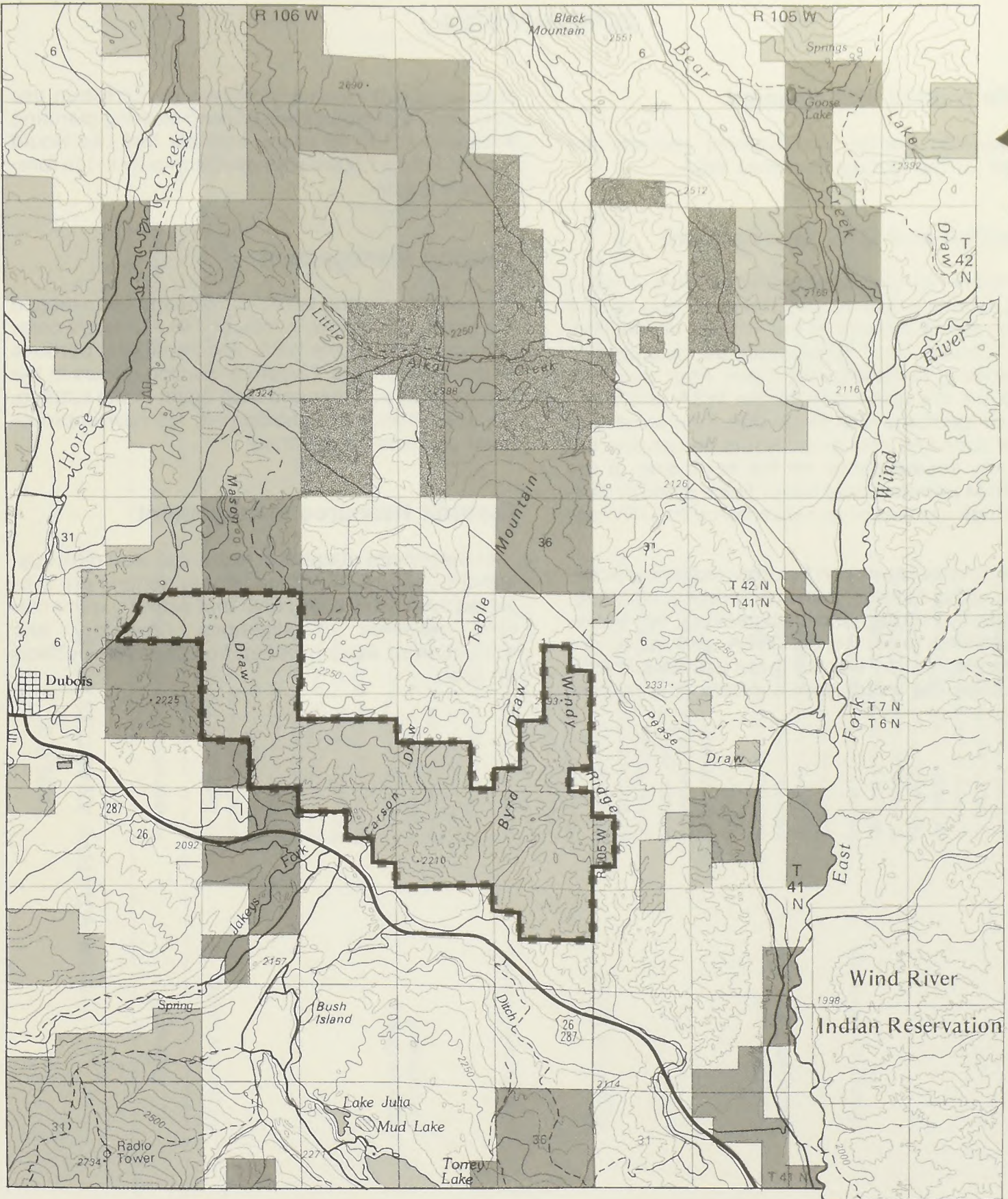
All Wilderness Alternative







Under this alternative, the Dubois Badlands WSA (4,520 acres) would be designated as wilderness. Management of the area would be guided by BLM's Wilderness Management Policy, issued September 24, 1981, and the enabling legislation. Management objectives would be to provide for protection and preservation of the area's natural conditions and wilderness character. Recreation, wildlife, livestock grazing, and mineral resources would be managed as described in the following paragraphs to ensure that wilderness values were not impaired.

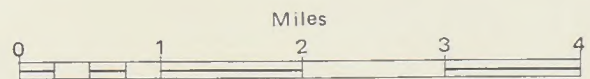
Minerals Management

No new mineral leasing would be allowed after designation as wilderness. There are no oil and gas leases in this WSA. No oil and gas activity is anticipated under this alternative.

The area would be closed to mineral entry. There are no mining claims existing at present. If any mining claims were located prior to designation as wilderness, only activities which do not impair wilderness values would be allowed. No mining or mineral exploration activities are anticipated due to low potential for the occurrence of these minerals.



-  WSA Boundary
-  Federal Land
-  State Land
-  Private Land
-  National Wildlife Refuge
-  Proposed for Nonwilderness



Map 3
 Proposed Action (Nonwilderness)
 Dubois Badlands

ALTERNATIVES

Wildlife Habitat Management

No specific habitat improvement projects are planned for the Dubois Badlands WSA.

Recreation and ORV Management

The entire WSA would be closed to ORVs. The following actions would be undertaken to help ensure that the vehicle closure in the WSA is maintained. Seven "Closed Area" signs would be installed and maintained at key access locations. Four would be located on the north side of the WSA and three would be located on the south side. Four short sections of buck and pole fence would be constructed at the key access points on the north side of the WSA. BLM patrols would occur twice monthly during the high use season to help enforce the ORV closure.

The WSA would be open for other recreation activities including hunting, horseback riding, camping, photography, hiking, and backpacking. No recreation facilities exist in the WSA and none are planned. Recreation use for these activities is estimated to be 750 visitor days annually. It is reason-

able to expect modest increases in recreation use over time, but projections beyond existing planning estimates (15 to 20 years) indicate that use would remain below 1,000 visitor days annually in the foreseeable future.

Grazing Management

Livestock grazing would continue to be managed the same as it is now. A total of 746 AUMs are presently available in the WSA, encompassing portions of three allotments. Livestock grazing occurs in the spring/early summer and then again in the autumn. No adjustments are anticipated. No new improvement projects are planned.

Cultural Resource Management

Management of cultural resources would be custodial in nature. No management actions are projected under this alternative that would require cultural resource investigations (inventory and evaluation of sites) or mitigation of adverse effects on sites.

ALTERNATIVES

**TABLE 2
COMPARATIVE ANALYSIS OF IMPACTS**

WSA	Resource	Proposed Action (No Wilderness)	All Wilderness
Whiskey Mountain	Wilderness Values	No legislative protection of wilderness values on 487 acres (entire WSA). Tree cutting and burning would have a short-term impact on naturalness on 60% of the WSA and for solitude the entire WSA, but there would be no long term effect.	Wilderness values on 487 acres given long-term protection.
	Bighorn Sheep Management	Conditions for bighorn sheep would improve over the short term and be maintained over the long term. Herd numbers maintained at 1,000 bighorn sheep.	Conditions for bighorn sheep would deteriorate over the long term resulting in a loss of 10% of the Whiskey Mountain herd (100 animals).
	Energy and Minerals	Entire WSA (487 acres) would continue to be closed to mineral leasing and entry. No significant impact.	Entire WSA (487 acres) would continue to be closed to mineral leasing and entry. No significant impact.
Dubois Badlands	Wilderness Values	No legislative protection of wilderness values on 4,520 acres (entire WSA); no management actions planned in the foreseeable future which would adversely affect wilderness values.	Wilderness values on 4,520 acres given long-term protection.
	Bighorn Sheep Management	Wildlife values would be maintained as a result of protection from surface disturbing uses.	Wildlife values would be maintained as a result of protection from surface disturbing uses.
	Energy and Minerals	Entire WSA (4,520 acres) open to oil and gas leasing subject to no surface occupancy restriction. No exploration or development is expected. Entire WSA open to mineral location, but no activity is expected because of low potential for locatable mineral resources. No significant impact.	Entire WSA closed to mineral leasing and entry. No significant impact.

CHAPTER 3

AFFECTED ENVIRONMENT

WHISKEY MOUNTAIN WSA

General Characteristics

The Whiskey Mountain WSA is about 5 miles south of the town of Dubois, Wyoming. The WSA consists of 487 acres bordering the USFS Fitzpatrick Wilderness Area. The WSA is on the north-facing slope of Whiskey Mountain in the Wind River Mountains. A fire in 1931 burned quite a large area, much larger than the WSA. The WSA is only a small part of a larger burnt over hillside. As a result, the WSA is not distinguishable from the remainder of the north slope of the Wind River Mountains. The terrain is rough and mountainous, and the dominant vegetation is limber pine and Douglas-fir, interspersed with burnt-over snags. The Whiskey Mountain WSA is bounded by the Ross Lake trail on the east, the Fitzpatrick Wilderness Area on the south and west, and private lands to the north.

Wilderness Values

Size

The WSA consists of 487 acres bordering the USFS Fitzpatrick Wilderness Area. Even though the WSA does not meet the 5,000-acre minimum normally required by the Wilderness Act, it does represent a logical extension of an existing designated wilderness.

Naturalness

There are a few faint vehicle ways within the WSA. An earlier fire blackened most of the timber on the south end of the area. Snags are still standing with some regeneration coming in. Past firewood cutting is evidenced by stumps in some areas. Overall, the area is in a near natural condition with the results of human activity substantially unnoticeable.

Opportunities for Solitude or Primitive and Unconfined Recreation

Solitude in the WSA is possible due to its topography and vegetative screening, but because of its small size, the opportunities for solitude are less than outstanding. However, in conjunction with the

Fitzpatrick Wilderness Area, opportunities for solitude would be outstanding. There is some influence of motorized traffic on the Ross Lake jeep trail, but it receives little traffic and its influence is only audible and visible close to the trail.

The WSA makes a contiguous extension of the Fitzpatrick Wilderness Area and would complement outstanding opportunities for primitive and unconfined recreation. The larger Whiskey Mountain area, including the WSA, is an exceptional hunting, viewing, and wintering area for Rocky Mountain bighorn sheep.

Special Features

Whiskey Mountain is within the primary winter range for the largest herd of Rocky Mountain bighorn sheep in the conterminous United States. The sheep population is of national significance.

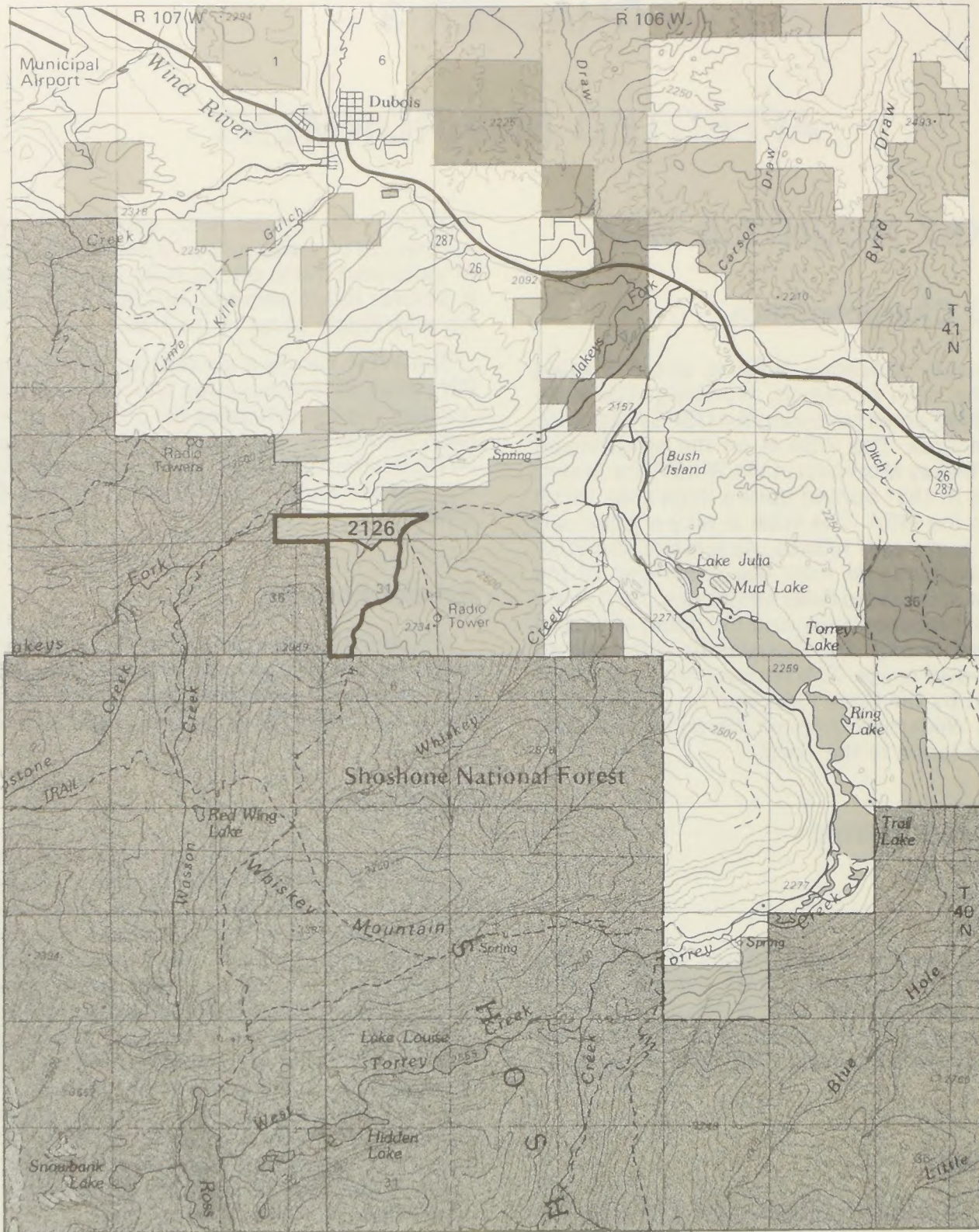
Recreation

The primary recreation activities in the Whiskey Mountain WSA include viewing sheep, hunting, hiking, and general sightseeing. Most sheep viewing is done along the lower Ross Lake road. The upper part of the road bordering the WSA is a rough 4-wheel drive trail and is used by hikers, backpackers, and horse packers to access the WSA and the Fitzpatrick Wilderness. There are two short two-track ways within the WSA that were used by hunters in the past. A pack trail runs up the bottom of Jakey's Fork Creek and crosses through a small portion of the WSA. An estimated 300 visitor days annually of non-ORV recreation use now occurs in the WSA. The general area in which the WSA lies is widely known as an exceptional bighorn sheep hunting area.

The Lander RMP, which was finalized in 1987, specified that vehicle traffic would be limited to designated roads and trails in this area.

Livestock Grazing

One livestock operator grazes horses within the boundaries of the Whiskey Mountain WSA. Approximately 215 acres of the WSA are within the CM Ranch No. 2126 Section 15 grazing lease (see map 4). The active grazing preference of this lease is listed below (see table 3).



Map 4
Grazing Allotments
Whiskey Mountain

AFFECTED ENVIRONMENT

TABLE 3
LIVESTOCK GRAZING LEASES IN THE
WHISKEY MOUNTAIN WSA

Number and Kind of Livestock	Season of Use	Percent Public Land	Number of AUMs
33 horses	06/01 to 06/30	100 PL	33
34 horses	11/10 to 12/09	100 PL	34

There are 996 acres of public land and 67 active AUMs on the CM Ranch No. 2126 grazing lease. Two hundred fifteen acres (21.6%) and eight AUMs (12%) of the lease are within the WSA. The approximate area grazed by horses within the WSA is 110 acres of public land; another 105 acres are unsuitable for grazing due to steep, rocky terrain along the south side of Jakey's Fork Canyon. The current erosion condition class is rated as slight. The CM Ranch lease was placed in the maintain management category in the Lander RMP.

Forage on the remaining 272 acres of unleased public land in the WSA have been allocated to wildlife uses.

The only BLM structural range improvement within the grazing lease in the WSA is the Jakey's Fork Fence Project No. 4974. Approximately 6,000 feet of buck and pole fence within the WSA was constructed in 1981 by the BLM under interim wilderness management guidelines, and is currently maintained by the Wyoming Game and Fish Department.

Minerals

The Whiskey Mountain WSA is located on the northeast flank of the Wind River Range. The range trends northwest for over 100 miles through west-central Wyoming. It is an asymmetrical anticline with a gently dipping northeast flank and a steeply dipping southwest flank.

The main rock types exposed within the WSA are massive to thin-bedded limestones, fine-to coarse-grained sandstones, and red shales of the Tensleep Sandstone and Amsden Formation. Also present are igneous and metamorphic rock fragments constituting several glacial moraines which transect the northern portion of the WSA and covers the older sedimentary rocks.

The Phosphoria Formation, Tensleep Sandstone, and Madison Limestone are exposed in or underlie the WSA and are known oil and gas producers in fields throughout the Wind River Basin. The closest

field to the WSA is the Dubois Field, located approximately 10 miles north of the WSA. Oil is produced from the Phosphoria Formation in a structural trap called the Dubois Anticline. The Tensleep Sandstone and Madison Limestone also produce from structural traps in other parts of the basin, but are not known to contain hydrocarbons in stratigraphic traps. The geologic structure and geologic processes in and adjacent to the Whiskey Mountain WSA are not suitable for the entrapment of hydrocarbons. The WSA, therefore, has low potential for the occurrence of oil and gas.

There may be a potential in the future for federal oil and gas reserves to be drained from the WSA by wells on adjacent lands. Therefore, it may become necessary to issue federal oil and gas leases within the WSA to avoid legal problems and loss of revenues. In the event drainage is determined, any oil and gas leases that may be issued within the WSA will include a no-surface-occupancy (NSO) stipulation. There will be no exceptions to the NSO restriction. The likelihood of drainage occurring is considered low.

No known mineralized zones exist within or immediately adjacent to the WSA. Known occurrences of uranium, fluorite, and barite are present in Section 12 and 13, T. 40 N. R. 107 W, approximately 1.5 miles south of the WSA. This undeveloped mineral occurrence has been determined to be a hydrothermal deposit in the Gallatin Formation (Harris and Hausel et al. 1979, 1985). An occurrence of pyrite, barium, and arsenic in a shear zone deposit has been reported in Section 23, T. 41 N., R. 107 W., about 1.5 miles northwest of the WSA. These undeveloped minerals occur in the Madison Limestone (Harris and Hausel, et al. 1979, 1985). The geologic environment, inferred geologic processes, and lack of mineral occurrences within and immediately adjacent to the WSA lands, indicate a low potential for the occurrence of locatable mineral resources.

The lands within the WSA were closed to mineral location and leasing in 1970 in order to protect big-horn sheep habitat. BLM records show the lands to contain no mining claims or mineral leases.

AFFECTED ENVIRONMENT

Wildlife Resources

The Whiskey Mountain WSA provides important winter range for Rocky Mountain bighorn sheep and seasonal and yearlong habitat for other big game and nongame wildlife species. There are no important fisheries resources or important habitats for candidate, proposed or designated threatened or endangered species in the WSA. Lists of both plant and animal species which may be found in the WSA are contained in the Whiskey Mountain Bighorn Sheep Comprehensive Management Plan. This plan is available at the Rawlins District and Lander Resource Area BLM offices.

The Whiskey Mountain WSA is contained entirely within a larger area which has been actively managed since the early 1970s primarily for the benefit of wintering bighorn sheep under the above-mentioned management plan. The WSA contains some of the preferred winter use areas for the largest Rocky Mountain bighorn sheep herd in North America. Approximately 1,000 bighorns are located in the entire Whiskey Mountain Bighorn Sheep Management Area. Sheep management under the plan has been cited by the North American Wild Sheep Council as "one of the most progressive sheep management programs in North America." The Whiskey Mountain bighorn herd is well-known as the primary source of sheep for transplant to other areas of the western United States, and the herd is of national importance.

The quality and quantity of winter range tends to be the primary limiting factor governing the size of big game herds in Wyoming, and therefore, the winter range within the WSA is important to the herd. Approximately a third of the most important, preferred winter-use areas for the herd is contained within the adjacent Fitzpatrick Wilderness Area. The Whiskey Mountain WSA contains approximately 3% of the preferred-use areas remaining outside currently designated wilderness. Although this percentage is small, the WSA for the most part contains lands where the climax community is coniferous forest, while the open, earlier successional stages producing more herbaceous forage are best for wintering bighorns. Lands within the WSA are in such an early successional stage. Related to this is the fact that bighorn sheep are known to avoid dense stands of timber. During migrations to their seasonal ranges, bighorns will attempt to avoid traversing such areas. Dense timber stands can even prevent bighorns from migrating because of their proclivity to avoid such areas.

Prior to 1931, this was the case on Whiskey Mountain. Historic accounts indicate that there were only about 75 bighorns utilizing the forage on BLM Ridge and Sheep Ridge. The timber stands within the WSA effectively prevented the sheep from migrating onto

these areas during the winter months. Then in 1931, a wildfire swept across the WSA, thus opening up the timber so that the sheep could easily reach BLM ridge without subjecting themselves to the stress of traversing the timber stands.

Since 1931, the timbered areas have been regenerating naturally. Although the migrations are continuing, the sheep are beginning to become reluctant to go through the thickest stands and there is no utilization of the herbaceous forage in those stands. The sheep are either avoiding these areas or they move through very rapidly.

Historical public uses of the area related to the bighorn sheep herd in the WSA include sheep viewing and hunting. Specific wildlife management activities which have occurred within the WSA include the installation of a water development (guzzler), a 60-acre prescribed burn to prevent conifers from reestablishing in an area which burned naturally in 1931, chain sawing of dead standing timber, and construction of a 6,000-foot segment of buck and pole fence to prevent unauthorized horse use of preferred bighorn sheep wintering sites. The existing management plan, which is a cooperative plan between the BLM, U.S. Forest Service, and the Wyoming Game and Fish Department, stresses the need to retain wildlife management flexibility and states "the Technical Committee ... favors any classification or declassification that provides for flexibility for habitat management for the sheep."

Cultural Resources

Cultural resources in the Whiskey Mountain WSA represents human occupation over many thousands of years. Cultural history in the area is generally believed to have begun at least 12,000 years ago, when the first human groups entered this region. Since that time, human occupation of the area appears to have continued basically uninterrupted up to the present time.

Within the postulated 12,000-year history of the area, there are three broad overlapping periods: the Prehistoric, Protohistoric, and Historic.

The Prehistoric Period dates from at least 12,000 years before the present (B.P.) to around 300 years B.P. The Prehistoric Period is characterized by a stable cultural phase, where the way of life appears to have changed very little throughout its time span. The peoples utilizing this region during the Prehistoric Period were Native American hunters and gatherers who adapted their lifestyle to the high-plains environment and roamed the region in search of food and shelter.

The Protohistoric Period is one of transition from the Prehistoric to the Historic Period. The Protohis-

AFFECTED ENVIRONMENT

toric Period is generally considered to have lasted about 100 years, beginning in the late 17th or 18th century and extending to the early 19th century.

The Historic Period is generally considered to be the time during which written documents were maintained of the events that occurred in the area. The Historic Period is generally considered to have begun in the early 19th century, with the arrival of large, well organized fur trading expeditions into the region. The fur traders were followed by explorers, missionaries, emigrants, miners, stockgrowers, and merchants.

Few archeological surveys have been conducted in the Whiskey Mountains WSA. While no sites are known to occur within the WSA, sites in its vicinity tend to occur near lakes and creeks. Sites are not known to occur on the mountain slopes such as those that characterize the WSA. Hence, the potential for cultural resources to occur within the WSA is considered low.

DUBOIS BADLANDS WSA

General Characteristics

The western boundary of the Dubois Badlands WSA lies about 2 miles east of the town of Dubois, Wyoming. The WSA is approximately 4 miles long and varies from 1 to 2 miles wide. The WSA lies just north of the Wind River, and can be seen by motorists on U.S. Highway 287 south of Dubois. The topography of the WSA consists of badlands—flat-topped hills which are extensively eroded and separated by numerous and intricate drainage patterns. The colors of the sedimentary rock bandings are reds and tans and are quite striking. Eroded pinnacles and spires rise above the Wind River. Total relief in the WSA is about 400 feet.

Vegetation in the WSA varies according to elevation. The upper slopes have widely scattered limber pines, while the lower slopes contain sagebrush. The flat tops of some of the ridges have low growing grass as the dominant plant life.

Wilderness Values

Size

The Dubois Badlands WSA is 4,520 acres which is less than the 5,000 acre minimum normally required by the Wilderness Act.

Naturalness

The area is essentially in a natural condition. Intrusions include four fences, and some faint two-track ways. The WSA appears to be affected by the forces of nature with the imprint of man's work substantially unnoticeable.

Outstanding Opportunities for Solitude or Primitive and Unconfined Recreation

The WSA has limited vegetative screening. Topographic screening would only be available in the eroded draws which dissect the WSA. While secluded spots could be found, opportunities for solitude in the WSA are not considered to be outstanding. Visitor overlap would occur if just a few people were in the WSA at any one time.

Opportunities for primitive and unconfined recreation in the Dubois Badlands WSA are limited and lack outstanding characteristics. Day hiking would be possible, but the WSA's size and lack of water limits its attraction for extended backpacking. While some primitive recreation activities are clearly possible in the WSA, the limited number and scope of such activities result in less than outstanding opportunities for primitive and unconfined recreation.

Special Features

The Dubois Badlands WSA contains several special features. The area's relatively unique geology and its scenery are major attractions. The WSA contains a herd of bighorn sheep, and it is also winter range for elk, mule deer, and antelope.

Recreation

The primary recreation activities that occur in the Dubois Badlands WSA include big game hunting, furbearer trapping, day hiking, and sightseeing. The Lander RMP closed this area to all off-road vehicle travel. Visitor use for the other activities is estimated to be 750 visitor days annually. There are no recreation facilities in the WSA and none are planned. Legal access to the WSA is limited to a short stretch of county road which abuts the WSA on its westernmost side.

Livestock Grazing

Three operators graze livestock within the boundaries of the Dubois Badlands WSA. The entire area

AFFECTED ENVIRONMENT

is leased for grazing cattle except for 40 acres of unleased land (see Map 5). The cattle only graze the level, more accessible areas within the WSA. The steep, broken terrain is unsuitable for livestock grazing. Cattle tend to concentrate along Mason Draw in the spring season on the western portion of the WSA. Livestock grazing occurs during the months of April through June and then again in October and November.

There are four range improvement fences within the WSA. These fences are not currently authorized as BLM projects and were probably constructed prior to 1970. The four fences include three allotment boundary fences and one drift fence.

There are three grazing leases in the area that are made up in part by lands in the Dubois Badlands WSA. Significant portions of each lease are contained within the boundaries of the WSA, both in terms of acreage and livestock forage. The current erosion condition class is rated as moderate to critical.

Table 4 lists and describes the grazing leases including a breakdown of federal acres and animal unit months in the WSA and in the grazing leases as a whole. The selective management category for each lease is also listed.

Minerals

The Dubois Badlands WSA is located in the northwestern part of the Wind River Basin, between the Wind River Range to the south and the Washakie and Absaroka Ranges to the north. The main surface formation is the Wind River Formation. It is composed of varicolored mudstones, sandstones, and conglomerates that erode to form the colorfully-banded badlands typical of the area. Less extensive surface material includes the heterogenous, unconsolidated rock fragments that fill the drainages and cover the open, gentle uplands; and red sandstones and conglomerates of the Indian Springs Formation.

The Wind Ridge Fault System transects the northeastern portion of the WSA. The system consists of a main, northwest-trending thrust fault to the south of several subsidiary faults. Displacement along each is no more than 150 feet.

There are no oil and gas leases in the Dubois Badlands WSA. The nearest producing oil field to the WSA is the Dubois Field, located approximately 6 miles to the northwest. The field is geologically similar to the WSA and produces oil from the Phosphoria Formation. The Phosphoria, plus several other formations that produce oil or gas in other parts of the Wind River Basin, occur in the subsurface of the WSA.

The Dubois Badlands has moderate potential for the accumulation of oil and gas. This designation is based upon the geologic similarity to the oil-producing Dubois Field, shows of oil in the Phosphoria Formation in the nearby wells discussed earlier and possible oil and gas traps created by the Wind Ridge Fault System.

No known locatable mineral resources occur within or adjacent to the Dubois Badlands WSA. The closest mineral occurrences to the WSA are the same as those described in the Whiskey Mountain WSA, Affected Environment section of this EIS. The Wind River Formation is a well known source for uranium deposits within the Wind River Basin, but prospecting and exploration activities of the past have not made any significant discoveries in this part of the basin. The geologic environment, inferred geologic processes, and lack of known mineral occurrences within the WSA and land adjacent to it, do not indicate a favorable potential for the occurrence of locatable mineral resources.

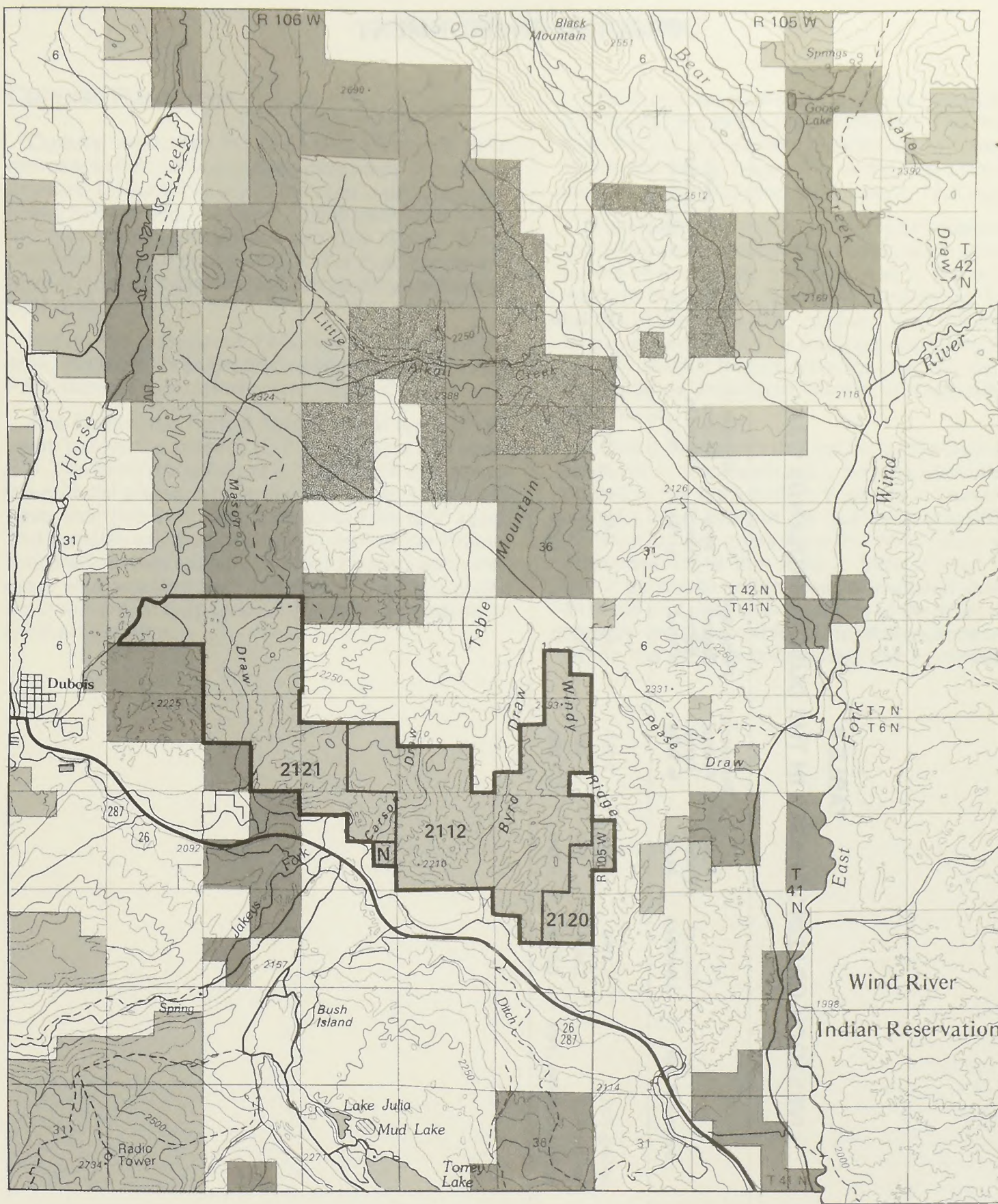
BLM records of January 1989 show the lands in the WSA to be free of mining claims.







Wildlife Resources

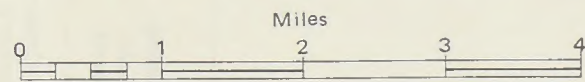
The Dubois Badlands WSA provides about one-half the winter-yearlong range for a small, isolated herd of about 50 Rocky Mountain bighorn sheep, including most of the preferred winter-use areas for the herd. Although this small area has low forage production and is periodically heavily grazed by other ungulates, it sustains a healthy bighorn herd. The Wyoming Game and Fish Department allows a limited hunt in the area and several trophy rams have been taken in recent years. The area is also crucial winter range for antelope and mule deer, and in severe winters some elk use the WSA area instead of winter ranges further to the north. The Dubois Badlands attract wintering big game because of the relatively low elevation and low snow depths resulting from their south-facing aspect. Areas with these qualities are in limited supply in the Wind River Valley and are the key areas responsible for the survival of the bighorn herd, a small herd of pronghorn, and much of the local mule deer population.

Endangered bald eagles use the WSA in the winter on an occasional basis to capture small game or to feed on winter-killed big game. Golden eagles use the area regularly. There is a trout fishery along approximately ½ mile of the Wind River within the WSA.

At present, there are no specific habitat management actions planned for the area and none have been undertaken in the past.



-  WSA Boundary
-  Federal Land
-  State Land
-  Private Land
-  National Wildlife Refuge
-  Allotment Boundary



- 2112 Bear Creek No. 2
- 2120 Parker 32
- 2121 R.W. Miller
- N Not leased for grazing

Map 5
Grazing Allotments
Dubois Badlands

TABLE 4
LIVESTOCK GRAZING LEASES IN THE DUBOIS BADLANDS WSA

Grazing Lease Number	Grazing Lease Name	Season of Use	Kind of Livestock	Total Federal Acres	Number of Federal Acres in WSA	Percent of Federal Acres in WSA	Total Federal AUMs	Number of Federal AUMs in WSA	Percent of Federal AUMs in WSA	Selective Management Category
2112	Bear Creek Number 2	Spring, Fall	Cattle	3,440	2,360	69	542	360	66	C
2120	Parker 32	Spring, Fall	Cattle	520	320	62	87	53	61	C
2121	R. W. Miller	Spring, Summer, Fall	Cattle	6,720	1,830	27	1,220	333	27	I

AFFECTED ENVIRONMENT

Cultural Resources

Cultural resources in the Dubois Badlands WSA represents human occupation over many thousands of years. Cultural history in the area is generally believed to have begun at least 12,000 years ago, when the first human groups entered this region. Since that time, human occupation of the area appears to have continued basically uninterrupted up to the present time.

Within the postulated 12,000-year history of the area, there are three broad overlapping periods: the Prehistoric, Protohistoric, and Historic.

The Prehistoric Period dates from at least 12,000 years before the present (B.P.) to around 300 years B.P. The Prehistoric Period is characterized by a stable cultural phase, where the way of life appears to have changed very little throughout its time span. The peoples utilizing this region during the Prehistoric Period were Native American hunters and gatherers who adapted their lifestyle to the high-plains environment and roamed the region in search of food and shelter.

The Protohistoric Period is one of transition from the Prehistoric to the Historic Period. The Protohistoric Period is generally considered to have lasted about 100 years, beginning in the late 17th or 18th century and extending to the early 19th century.

The Historic Period is generally considered to be the time during which written documents were maintained of the events that occurred in the area. The Historic Period is generally considered to have begun in the early 19th century, with the arrival of large, well organized fur trading expeditions into the region. The fur traders were followed by explorers, missionaries, emigrants, miners, stockgrowers, and merchants.

Current inventory information for the Dubois Badlands WSA indicates that few surveys have been conducted in the WSA and no sites are known to occur with the WSA. Sites in the vicinity of this WSA tend to occur on flat areas near the Wind River and the major drainages that feed it. Sites do not tend to occur on slopes and in areas of exposed shale such as those that characterize much of the WSA. Consequently, the potential for cultural resources to occur within the WSA is considered low to moderate.

CHAPTER 4

ENVIRONMENTAL CONSEQUENCES

WHISKEY MOUNTAIN WSA

Proposed Action (No Wilderness)

Impacts on Wilderness Values

Under the Proposed Action, none of the wilderness values in the WSA's 487 acres would receive the long-term legislative protection afforded to designated wilderness. The 300 acres of tree-cutting and burning for habitat improvement would result in impacts to the wilderness value of naturalness over the next five to ten years on about 60% of the WSA. The tree-cutting and subsequent burning would all be done by hand labor without the use of vehicles and is such that it would be essentially unnoticeable unless the viewer was amid the cutting area, where the stumps and felled trees could be seen. Away from the area, the activity would be essentially unnoticeable because the burning would blend in with the past evidence of wildfire in the area and the visual impact is not expected to be that great. After the burning occurred, the area would appear to have been subjected to a natural wildfire on the approximate 300 acres. In the long term to the average visitor, even at close proximity, the cut-over areas would simply appear as if a wildfire has swept through the WSA.

The wilderness value of solitude would be adversely affected during the actual cutting and burning operations. This would occur during the summer and early fall months for one to two years and is expected to affect the entire WSA. Beyond that time period, solitude would not be affected.

Primitive recreation (sheep viewing and hunting) would be maintained by burning because sheep use in the area would continue at present levels and it would be easier to spot them as they cross through the timbered areas.

The WSA's special feature of the bighorn sheep herd would also benefit from this action as described under "Impacts on Bighorn Sheep Management" below.

The area is segregated from mineral leasing and entry, so wilderness values would not be affected by any exploration or development activities. No other

management actions are likely to occur within the WSA which would adversely affect its wilderness values.

Conclusion: Tree cutting and burning would have a short-term impact on the wilderness values of naturalness on about 60% of the WSA and for solitude, the entire WSA, but there would be no long term effect.

Impacts on Bighorn Sheep Management

Under the Proposed Action, the WSA lands would continue to receive a high degree of protection and management actions would be directed at benefiting bighorn sheep. The WSA lands would be open to potential future use for sheep trapping, and the existing guzzler and fence would be maintained. Tree removal on 300 acres would ensure that the historic migration routes of the bighorns would be useable and that the sheep would continue to utilize their preferred winter-use areas. Herd numbers of about 1,000 animals would be maintained in the long term. The area would be closed to ORVs and vehicle related disturbance would be eliminated.

Conclusion: Conditions for bighorn sheep would improve over the short-term and be maintained over the long term. Herd numbers (about 1,000 animals) would be maintained over the long term.

Impacts on Energy and Mineral Resources

Under this alternative, the Whiskey Mountain WSA would remain closed to mineral leasing. Opportunities for leasing and development would continue to be forgone. the potential for oil and gas is low. Therefore, there would be no loss of resource production.

Although the WSA would remain closed to locatable mineral entry, location, exploration, and development, there would be no impact on the development of locatable mineral resources because the potential for occurrence is low.

Conclusion: There would be no significant impact on energy or mineral resources.

ENVIRONMENTAL CONSEQUENCES

Adverse Impacts Which Cannot Be Avoided

There are no projected management actions or surface-disturbing activities that will result in any significant unavoidable adverse impacts. The tree-cutting and burning will result in only negligible adverse impacts that will be temporary in nature.

Relationship Between Short-term Use of the Environment and the Maintenance and Enhancement of Long-term Productivity

If this WSA is not designated wilderness, all present, short-term uses would continue. Existing activities would have no effect on long-term productivity and increases in these activities are not expected. If the area is designated wilderness, it would ensure the long-term productivity of ecosystems and would maintain or enhance present wilderness values.

Irreversible and Irretrievable Commitment of Resources

Oil and gas and locatable mineral activities would be precluded under the Proposed Action (No Wilderness) but this is not an irreversible action. No other management activities are projected in this WSA under the Proposed Action that could create an irreversible commitment of the wilderness resource. Similarly, wilderness designation would not create an irretrievable or irreversible commitment of resources within the WSA. Designation would restrict or stop development activities and maintain the area's natural conditions. If, in the future, Congress decided it would be in the national interest to develop certain resources within a wilderness, they can modify the law to allow it.

All Wilderness Alternative

Impacts on Wilderness Values

Wilderness values on the entire 487 acres of the Whiskey Mountain WSA would be given the special legislative protection afforded to designated wilderness. The wilderness values of naturalness and sol-

itude would be maintained because no management actions would be allowed which would impair wilderness values. Opportunities for primitive recreation would remain unchanged. The WSA's special feature of the bighorn sheep herd would be affected as described in "Impacts on Bighorn Sheep Management" below.

Conclusion: Under the All Wilderness Alternative, wilderness values would be assured on the entire Whiskey Mountain WSA (487 acres).

Impacts on Bighorn Sheep Management

Under wilderness designation, the WSA lands would continue to receive a high degree of protection, and bighorn sheep would be considered an important special feature and a primary value of the wilderness. The WSA would be closed to recreational traffic and thus, vehicle-related disturbance would be eliminated.

The existing guzzler and fence would be maintained, but tree removal on 300 acres would not be permitted. Thus, timber stands in the WSA would continue to regenerate and would eventually reach a climax stage of succession. Successional change to denser timber stands would inhibit traditional bighorn sheep movement around the west end and across the WSA to the bighorn's preferred winter-use sites on BLM Ridge. Bighorn use would shift to preferred sites on Sheep Ridge which are already used to capacity. Over the long term, there would be a gradual reduction of the herd by an estimated 10% (100 animals).

Conclusion: Under the All Wilderness Alternative, conditions for bighorn sheep would deteriorate over the long term, resulting in a loss of 10% of the Whiskey Mountain herd (100 animals).

Impacts on Energy and Mineral Resources

The Whiskey Mountain WSA would remain closed to mineral leasing and location. Opportunities for leasing and development would continue to be forgone. However, since the potential for the occurrence of oil and gas, other leasable minerals, and locatable minerals is considered low, this alternative would result in no loss of resource production.

Conclusion: There would be no significant impact on energy or mineral resources.

ENVIRONMENTAL CONSEQUENCES

DUBOIS BADLANDS

Proposed Action (No Wilderness)

Impacts on Wilderness Values

The entire WSA would be nonwilderness and none of the wilderness values on 4,520 acres would receive the special legislative protection provided by wilderness designation.

All oil and gas leases would be subject to the No Surface Occupancy Stipulation (see appendix A), so there would be no surface disturbance and no adverse effects to wilderness values from within the WSA.

No other management actions are anticipated which would affect wilderness values either in the short-term or in the long term and they would remain unchanged.

Conclusion: No management actions are planned which would adversely affect wilderness values.

Impacts on Bighorn Sheep Management

The area has been designated an ACEC in the Lander RMP in part to protect bighorn sheep habitat. No oil and gas activity is expected. No other activity is expected that would create habitat damage or animal disturbance.

Conclusion: Wildlife values would be maintained as a result of protection from surface disturbing uses.

Impacts on Energy and Mineral Resources

Under this alternative, the Dubois Badlands WSA would be open to mineral leasing subject to the no surface occupancy stipulation to protect surface resource values. However, no exploration or development is anticipated over the long term.

The WSA would be open to entry for locatable minerals with a plan of operations (43 CFR 3809) required on all exploration and development activities. Since the potential for the occurrence of locatable minerals is low to none, little exploration and no development activity is expected to occur.

Conclusion: There would be no significant impact on energy or mineral resources.

Adverse Impacts Which Cannot Be Avoided

There are no projected management actions or surface-disturbing activities that will result in any significant unavoidable adverse impacts.

Relationship Between Short Term Use of the Environment and the Maintenance and Enhancement of Long-term Productivity

If this WSA is not designated wilderness, all present, short-term uses would continue. Existing activities would have no effect on long-term productivity and increases in these activities are not expected. If the area is designated wilderness, it would ensure the long-term productivity of ecosystems and would maintain or enhance present wilderness values.

Irreversible and Irrecoverable Commitment of Resources

Activities such as mining and oil and gas leasing could create an irreversible commitment of wilderness resource in part or all of the WSA, if not designated wilderness. However, oil and gas leases would be issued only with a no surface occupancy stipulation and no locatable mineral activity is expected due to the area's low potential for such resources. As a result, no mining or oil and gas leasing activities are expected and there would be no irretrievable commitment of the wilderness resource. Wilderness designation would not create an irretrievable or irreversible commitment of resources within the WSA. Designation would restrict or stop development activities and maintain the area's natural condition. If, in the future, Congress decided it would be in the national interest to develop certain resources within a wilderness, they can modify the law to allow it.

All Wilderness Alternative

Impacts on Wilderness Values

Wilderness values on 4,520 acres (the entire WSA) would be given the special legislative protection afforded to designated wilderness. The entire area would be withdrawn from all forms of mineral entry and leasing. Therefore, no mineral activities of any kind would be allowed, and there would be no loss of wilderness values.

ENVIRONMENTAL CONSEQUENCES

Conclusion: Wilderness values would be assured on the entire 4,520-acre WSA.

Impacts on Bighorn Sheep Management

No mining claims would be allowed, there would be no oil and gas exploration, and ORV use would be eliminated. The result would be no habitat disturbance in the WSA, the same as under the Proposed Action.

Conclusion: Wildlife habitat would be maintained as a result of protection from surface disturbing uses.

Impacts on Energy and Mineral Resources

The Dubois Badlands WSA would be closed to mineral leasing and entry. Therefore, no new oil and gas leases or other mineral leases would be issued and no mining claims would be allowed. No activity is anticipated even under the Proposed Action (No Wilderness), so no production would be forgone.

The opportunity to gain subsurface geologic information would be diminished because of restrictions on drilling. There would be no impact to locatable mineral development since the potential for their occurrence is low.

Conclusion: There would be no significant impact on energy or mineral resources.

CHAPTER 5

CONSULTATION AND COORDINATION

COORDINATION AND PUBLIC INVOLVEMENT

The Whiskey Mountain-Dubois Badlands Wilderness Final EIS has been prepared by specialists from the BLM's Rawlins District Office, with assistance from the Lander Resource Area Office.

Public participation has been an ongoing process throughout the inventory and planning phases of the wilderness review required by FLPMA. The review process included inventories of resources, public participation, and coordination with individuals, organizations, and other agencies. Care has been exercised to inform the public throughout the wilderness review process.

A *Federal Register* notice and news releases in December 1987 announced the initiation of the Whiskey Mountain-Dubois Badlands Wilderness EIS, inviting comments and soliciting suggestions and input on issues to be analyzed in the wilderness EIS. In addition, a public scoping meeting was held in Dubois specifically to allow interested persons an opportunity to express their concerns and opinions regarding the two WSAs analyzed in this EIS. A summary of those comments is on file in the Lander Resource Area.

CONSISTENCY

Federal, state and local agencies, and organizations were consulted during the preparation of this EIS. Wilderness suitability recommendations resulting from this EIS were analyzed in relationship to consistency with the plans of these agencies and organizations. No inconsistencies with any existing state or other government plans were identified. Frequent contacts have been made with state, county, and Forest Service officials.

LIST OF PREPARERS

Bob Janssen, Chief, Division of Planning

Qualifications: Bureau of Land Management, 13 years. B.S. Earth Sciences, University of Wisconsin; M.S. Geology, Colorado State University.

Responsibility: Team Leader for Draft EIS

Rick Colvin, District Outdoor Recreation Planner

Qualifications: Bureau of Land Management, 8 years; B.S. Resource Recreation Management, M.A. Interdisciplinary Studies, Oregon State University.

Responsibility: Team Leader for Final EIS, Technical Coordination for Draft, Wilderness Resources, Recreation Resources

Mary Hanson, Environmental Coordinator

Qualifications: Bureau of Land Management, 10 years, U.S. Forest Service, 2 years; U.S. Information Agency, 3 years; B.S. Parks and Recreation Management, University of Wyoming.

Responsibility: Environmental Coordination

Fred Stabler, District Wildlife Biologist

Qualifications: Bureau of Land Management, 7 years; U.S. Fish and Wildlife Service, 1 year; B.S. Wildlife Biology, Washington State University, M.S. Fishery Resources, University of Idaho.

Responsibility: Wildlife Resources

Barbara Pitman, Geologist

Qualifications: Bureau of Land Management, 6 years; USGS, 1 year; B.S. Geology, Montana State University.

Responsibility: Oil and Gas Resources, Mineral Resources

Jan Macey, Clerk-Typist

Qualifications: Bureau of Land Management, 4 years; Bureau of Reclamation, 8 years; Business College.

Responsibility: Word Processing

Missy Cook, Clerk-Typist

Qualifications: Bureau of Land Management, 2 years; AAS, Retail Merchandising, Casper College.

Responsibility: Word Processing

COORDINATION, SUPPORT, AND REVIEW

Coordination, support, and review were provided by the Lander Resource Area staff, and from the Division of Lands and Renewable Resources at BLM's Wyoming State Office in Cheyenne. The maps and cover were designed by the Wyoming State Office, Division of Operations Technographics Section.

CONSULTATION AND COORDINATION

REVIEWERS AND RESPONSES

The following list identifies agencies, organizations, and individuals that have expressed an interest in the Whiskey Mountain-Dubois Badlands Wilderness EIS, and that have been contacted during the planning process. Those agencies, organizations, and individuals who returned written comments, are denoted by a comment letter number. The comments for which responses were prepared, are identified by vertical lines and consecutive numbers in the left margin of each letter. The corresponding responses are shown on the pages following each letter and are numbered to match the comments.

Federal Officials and Agencies

Senator Malcolm Wallop
Senator Alan Simpson
Congressman Richard Cheney

U.S. Department of the Interior
Bureau of Indian Affairs
Bureau of Mines, Comment Letter 1
Bureau of Reclamation
Fish and Wildlife Service, Comment Letter 2
Geological Survey
Minerals Management Service
National Park Service
Office of Surface Mining

U.S. Department of Agriculture
Forest Service

Department of Energy
Department of Health and Human Services, Comment Letter 3
Environmental Protection Agency, Comment Letter 4
Farm Home Administration
U.S. Air Force
U.S. Army
U.S. Army Corps of Engineers

State Officials and Agencies

Governor Mike Sullivan, Comment Letter 5

Senators

Frank Dusl
John Vinich

Representatives

Eli Bebout
Scott Ratliff
Dennis W. Tippetts
Harry B. Tipton
Mary Odde

Wyoming State Planning Coordinator
Wyoming Game and Fish Department, Comment Letter 6
Geological Survey of Wyoming, Comment Letter 7
Public Service Commission, Comment Letter 8
State Engineer's Office, Comment Letter 9
Wyoming State Archives, Museums and Historical Department,
Comment Letter 10

Wyoming Travel Commission, Comment Letter 11
University of Wyoming

Local

Mayor, Riverton
Town Administrator, Dubois
Fremont County Commission
Riverton Chamber of Commerce
Dubois Chamber of Commerce
Lander Chamber of Commerce

Organizations

National Environmental Education Center
National Audubon Society
Sierra Club, Comment Letter 15
National Wildlife Federation
The Wilderness Society
Continental Divide Trail Society
Greater Yellowstone Ecosystem
American Wilderness Alliance
American Humane Society
Wyoming Mining Corp.
Wyoming Stockgrowers Association
Wyoming Wildlife Federation
Wyoming Farm Bureau Federation, Comment Letter 30
The Nature Conservancy
Oregon-California Trail Association
Foundation for North American Wild Sheep
Wind River Multiple Use Advocates, Comment Letter 20
Citizens for Multiple Use
Dubois volunteers, Inc.
Dubois Women in Timber
Dubois Wildlife Association
Wyoming Outdoor Council
National Outdoor Leadership School
Friends of Wild Wyoming Deserts, Comment Letter 31
Fremont County Audubon Society
Whiskey Mountain Technical Committee
Wind River Off-Road Vehicle Association
Petroleum Association of Wyoming
Wyoming Heritage Foundation
Wyoming Association of Professional Archaeologists
Casper Dirt Riders Motorcycle Club
Lander Snowdrifters
Sweetwater County Snopokes
Sour Doughs Snowmobile Club
Powder River Basin Resource Council
Wyoming Trail Machine Association
Blue Ribbon Coalition, Inc., Comment Letter 23
Natural Resources Defense Council
Pacific Institute
Mountain States Legal Foundation

Industry

Thayer and Company
Middle South Services, Inc.
Utility Fuels, Inc.
Marathon Oil Company, Comment Letter 16
John Hancock Mutual Life Insurance Company
Trigg Drilling Company, Inc.
Chevron USA, Inc.
Exxon Company USA
Texaco, Inc.
Sun Exploration and Production Company, Comment Letter 26

CONSULTATION AND COORDINATION

Industry (continued)

AXEM Resources, Inc.
Phillips Petroleum Company
TMT Corporation
Rocky Mountain Oil and Gas Association
Homestead Mining Company
Coors Energy Company
Environmental Management Service Company
Colorado Interstate Gas Company
Unocal Corporation
Mule Shoe Forestry Service
Union Oil Company
AMOCO Production Company
U.S. Energy Corporation
Kerr McGee Corporation
Pacific Power and Light
Montex Drilling Company
Celcius Energy Company
Environmental Impact Services
Freeport-McMoran Gold Company
Frontier Archaeology, Comment Letter 12
True Oil Company, Comment Letter 13

Individuals

Nancy S. Stehle
Linda Reynolds, Comment Letter 24
Debra Davies
Peter Nause
Charles P. Van Epps
Larry DiBritto, Comment Letter 14
Stephen Kenney
Dean Prosser
Dennis H. Knight
Tom Thorne
John Wiener
Dr. G.W. Kearl
James D. Baker
Frank Erickson
Norman Palm
Candy Moulton
Harvey Duncan
Jim Welch
D.F. Anderson
G.W. Davison
Melvin Gustin, Comment Letter 17
Alice Gustin, Comment Letter 16
William G. King
Jay A. McFarland
Timothy Rockhold, Comment Letter 19
Larry Miller
Mary Allison
Mary Bach
Bob Baker
Robert B. Betts, Jr.
Cynthia Boyhan
Virginia Bucknam
Burton Crow
Gary R. Ebersbeyer
Andy Ellison
Bayard Fox
Mel Furman
Paul and Gladys Hawley
Duane L. Howe
Sharon Kahin
Felix and Mary Katarski
Michael Kenney

Gary Klimig
Walter J. Linsdau
Rick Lisenfeld
William L. Miller
Bert Milton
R. Phillips
Leslie E. Shoemaker
John Suda
George Abernathy
Tom Bell
Jacob Booth
Dick Loper
George Newbury
W.J. Nicolas
Raymond Price
Mrs. Paul Newman
Tony Malmberg
Ken Martinsen
Robert Moulton
Charles H. Nations
James Rutter
John Sherlock
Bob Thomsen
Ken Asay
William Hancock
homer R. Lathrop
Chris Peterson
Norman Park
James Hendry
Mary Shaffer
Douglas P. Fuller
John Borzea
Ford T. Bussart
Carl A. Gaensslen
S.B. Anpu
Pete Zwanewald
Ronald W. Miller
Chuck Schneegeck
Ina Baker
Harry Wilson, Comment Letter 25
Paul Meeham-Martin
E.V. Davis, Comment Letter 21
Jan and Gary Sharlik, Comment Letter 22
Martie Crone, Comment Letter 27
Mary C. Redmond, Comment Letter 28
Kip Wallace, Comment Letter 29

PUBLIC COMMENTS AND RESPONSES ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

Introduction

This section has been divided into two parts. The first part contains a summary of the public hearing held in Dubois, Wyoming, and the transcript from the public hearing held in Riverton, Wyoming. The second part contains the 31 comment letters from individuals, organizations, and government agencies regarding the draft EIS.

CONSULTATION AND COORDINATION

Hearing Transcripts

This section contains a transcript of the public hearing held in Riverton on December 15, 1988. A transcript is not available from the Dubois public hearing (held December 14, 1988) due to circum-

stances beyond the control of the BLM. In its place, a summary of the hearing is provided, along with written statements of two commentators. Responses to comments at each hearing immediately follow their respective summary or transcript. The Riverton hearing transcript is printed in its entirety.

DUBOIS PUBLIC HEARING SUMMARY
AND WRITTEN STATEMENTS

Jack Kelly, Lander Resource Area Manager, introduced the BLM representatives present: Gregg Berry, Associate District Manager of the Worland District and Hearing Officer; Dick Bastin, District Manager of the Rawlins District; Bob Janssen, EIS team leader; and Craig Sorenson, Outdoor Recreation Planner.

The Hearing was called to order at 7:15 p.m. by Gregg Berry. Craig Sorenson made a presentation on the preliminary findings of the Wilderness EIS. The court reporter was not present at the hearing so Jack Kelly, Bob Janssen, and Craig Sorenson took notes as the speakers presented their oral testimony. The following is taken from these notes and is a restatement of the main ideas presented by the speakers.

George Reynolds - President of the Wind River Multiple Use Advocates:

1 Mr. Reynolds agreed with the proposed action of "no wilderness" for both study areas and thought the EIS was well written. He questioned the need to close a couple of jeep trails in the northwest corner of the Dubois Badlands WSA and would like to see these remain open to vehicle use.

Mike Kenny - President of the Dubois Wildlife Association:

2 Mr. Kenny stated that the proposed action for Whiskey Mountain WSA is acceptable. He stated that the proposed action for Dubois Badlands WSA looks good "on paper" but he questions enforcement of its terms by the BLM. Specifically he questioned the enforcement of the ORV closure and was also concerned over possible waiver of NSO stipulations applied to oil and gas leases. The Dubois Badlands need stronger protection than provided for by the proposed action. A written copy of Mr. Kenny's statement is attached.

Hanna Hinchman - Dubois Resident:

Ms. Hinchman would like to see other management solutions or designations discussed. If that is not possible then she would support the proposed action if the conditions are enforced. She thought the closure of The Dubois Badlands WSA to ORVs was a wise decision. A written copy of Ms. Hinchman's statement is attached.

Pat Neary - Dubois Resident:

3 Mr. Neary spoke on the Dubois Badlands WSA and was in favor of the ORV closure. He stated that better enforcement of the closure was needed and suggested more signs plus local enforcement volunteers.

John Mionczynski - Atlantic City Resident:

4 Mr. Mionczynski conducts outdoor education classes, both commercial and non-profit, and stated the Dubois Badlands is an excellent place for this. He stated that the problem with the non-wilderness proposal is in enforcement of the ORV closure. He wants enforcement of this closure and favors wilderness because it would provide better roadless area protection. He would be in favor of non-wilderness only if BLM could enforce the ORV closure but does not feel this can be accomplished.

Response to Dubois Public Hearing (Including written testimony)

Vance Ponton - Mayor of Dubois:

5 Mayor Ponton relayed to the audience the general feelings of the Town Council of Dubois. The city supports non-wilderness for Whiskey Mountain and would like to see no ORV use in the area. In addition, the area should be managed for protection of the Bighorn Sheep Range. For the Dubois Badlands area the city also supports non-wilderness. In addition they would like to see more signing of the boundaries and an emphasis on enforcement of ORV designations. Mayor Ponton stated that certain existing roads that provide access for senior citizens and youth should remain open to vehicle use, however, he supported the ORV closure other than this. A \$25.00 fine is ineffective at deterring ORV use in closed areas and the fines should be made substantial. He also suggested using a cooperative effort involving local, state, and federal agencies for enforcement of ORV designations.

Sharon Kahin - Spring and Ring Lake Ranches:

Ms. Kahin favored wilderness designation for both study areas. Both areas should be protected from vehicle use and mineral development. In addition, the Ross Lake Jeep Trail should be closed to vehicles permanently.

Bob Baker - Dubois Town Councilman:

6 Mr. Baker supports non-wilderness for both study areas as wilderness can harm the local communities. He has explored the Dubois Badlands by jeep and has not seen changes in the roads in 20 years. Off-road vehicles generally have not harmed the country, but have only left tracks which are insignificant. Indiscriminate ORV use should be eliminated, however, existing road and trail access in the Dubois Badlands area should be maintained. Retired people deserve this.

Meredith Taylor - Dubois Resident:

7 Ms. Taylor would prefer wilderness designation because problems with enforcing ORV closures have not been resolved but could support the BLM preferred alternative if the ORV closure could be enforced. She challenged the BLM to develop an enforcement plan to protect both areas. Such an enforcement plan should include a major public education effort, citizen involvement and possible patrols for ORV control, and funding/personnel within the BLM. The Dubois Badlands area is a major scenic vista attraction in the Scenic Byways Program and we need to protect the area.

Joe Brandel - Dubois Resident:

8 Mr. Brandel favors the proposed action on Whiskey Mountain because of the need for Bighorn Sheep habitat management. In the Dubois Badlands area, Mr. Brandel stated that the biggest problem is with enforcing the ORV closure. He called on local citizens to push for the BLM to enforce the ORV closure and to emphasize the need for local enforcement people. The future of Dubois is in recreation and tourism and the Dubois Badlands provide good opportunities for both. He would be in favor of wilderness if that were the only way to get enforcement in the area.

Barbara Shoemaker - CM Ranch:

9 Ms. Shoemaker had no objections to non-wilderness for both areas as long as the provisions of the proposed action are enforced. She stressed enforcement of the ORV closure and also noted that the Bighorn Sheep are a great viewing opportunity and it is imperative to provide protection for them.

Jim Guenther - Dubois Businessman, Outdoor Education:

Mr. Guenther stated that we are not overrun with wilderness and in fact we do not have enough of it. The future is in tourism and in people visiting wild places. These areas should be used to attract more visitors and business.

Tory Taylor - Wyoming Wildlife Federation:

10 Mr. Taylor stated that poor enforcement of the ORV closure in the Dubois Badlands area had harmed wildlife and stressed the need for better enforcement of this closure. He also stated that wilderness was not an economic hardship.

De Lamb - Dubois Resident:

Ms. Lamb agreed with the BLM for proposing non-wilderness for both areas. She would like to see access provided for everyone. The BLM should use temporary closures or designations as a means to heal or rehabilitate damaged areas. Then the areas would again be ready for use. We do not need any more wilderness, roadless, or primitive designations.

Monty Baker - Dubois Resident:

Mr. Baker favored non-wilderness for both study areas. He stated that wilderness does not benefit most people and can in fact foster abuse. Mr. Baker was opposed to the ORV closure proposed and would like to keep designated vehicle routes open in the Dubois Badlands area.

Dan Thyer - Student Chapter of the Wind River Multiple Use Advocates

Mr. Thyer is in favor of non-wilderness for both study areas. He does not want to see roads closed to vehicle traffic.

1. The Lander RMP designated the Dubois Badlands as closed to all vehicle use. During the development of the RMP, there was broad public support for the closure. The area is highly erosive and is susceptible to damage by ORVs, even at low levels of use. It is felt that a total closure, and enforcement of the closure, is the only effective means of maintaining the resource values that exist in the area.
2. As shown in Chapter 2, the BLM has adopted an ORV enforcement plan to help eliminate the unauthorized use in the Dubois Badlands WSA. Actions included in that plan include placing "Closed Area" signs and fence barriers at strategic access points on the perimeter of the WSA. Additionally, BLM will schedule patrols for this area during its high-use season.

The Lander RMP designated the Dubois Badlands WSA as a "No Surface Occupancy" (NSO) leasing area with no exceptions. This stipulation was placed on the area because of its high resource values such as wildlife habitat and scenic quality. As noted in Appendix A, waiver of this stipulation would require a planning amendment to the Lander RMP. Such an amendment would require an environmental assessment or EIS, as appropriate, with full public involvement. The document would go through the same public planning process that resulted in the original "No Surface Occupancy" decision.

3. See Response 2 above.
4. See Response 2 above.
5. See Response 2 above.
6. See Response 1 above.
7. See Response 2 above.
8. See Response 2 above.
9. See Response 2 above.
10. See Response 2 above.
11. See Response 2 above.
12. See Response 2 above.



DUBOIS WILDLIFE
ASSOCIATION

BOX 1112 DUBOIS, WY 82513

COMMENT

PUBLIC HEARING

BUREAU OF LAND MANAGEMENT

WHISKEY MOUNTAIN-DUBOIS BADLANDS SUPPLEMENT

to the

LANDER RMP

DECEMBER 14, 1988

December 14, 1988

Comment: Whiskey Mountain-Dubois Badlands Wilderness Supplement

The Dubois Wildlife Association is an alliance of local citizens with a current paid membership of 74. An important and unifying concern among the membership is continuing efforts to understand as well as educate ourselves about the maintenance of Wyoming's abundant and diverse wildlife and habitat. Recognizing the mutual benefit of sound environmental stewardship to both the natural vitality and variety of human endeavors, the Wildlife Association strives to serve as a collective voice in all issues affecting wildlife and habitat.

The Dubois Wildlife Association, in its comment on the Lander Resource Area Management Plan back in February 1988, recommended an ACEC (Area of Critical Environmental Concern) or Outstanding Natural Area Designation for the Dubois Badlands. It was felt that these recommendations served as middle ground for those opposed to further wilderness designation or those who believed the status quo was not sufficient protection for the Badlands and Whiskey Mountain. This designation did not interfere with existing agricultural grazing uses and allowed the Gama and Fish future opportunities to work on wildlife habitat. A joint concern among some ranchers, sportsmen, recreationists, nearby residents, and game & fish was the increasing threat of ORV use and potential conflicts with oil and gas exploration.

In March of 1988, a general questionnaire was sent to Wildlife Association members asking for their feelings on various local issues. One of those issues was the status of the Dubois Badlands. It had become increasingly apparent that an ACEC designation and associated federal management responsibility was not adequately addressing concerns relative to certain issues, particularly increasing ORV encroachment. Members were asked how they felt about Wilderness designation, other designations, or "leave as is". 46 questionnaires were returned with the following response:

Wilderness Designation: 32
State Park Designation: 4
"Leave As is" or ACEC: 10

11

In August 1988, citing growing concern from area residents and other concerned individuals about increasing ORV encroachment in the Badlands, the BLM held a public meeting in Dubois to discuss how best to enforce the ORV closures. The response of the BLM was less than assuring. Aside from posting or signing the area as closed to motorized use, the BLM could not provide the manpower to enforce the ORV exclusion. Under current federal law the maximum fine for violation of the ORV exclusion, if caught, is only \$25.00. In other words, the fine system itself offers no incentive for individuals to respect the closure. The BLM entertained the notion of volunteer agreements with local groups to aid in the compliance with management objectives for the Badlands. This idea is potentially workable and should be more fully explored.

12

Another concern, Wildlife association members recognize is the potential conflict between the scenic, recreation and wildlife resource of the Badlands and mineral development. Although the NSO (No Surface Occupancy) stipulation in the preferred alternative is intended to mitigate against potential adverse effects from mineral exploration, it is not an iron-clad guarantee against the future possibility of roads and drill pad sites. As stated in Appendix A-Standard Mitigation Guidelines

of the Draft Wilderness Supplement document, "Waiver of or exceptions to the NSD requirement will be subject to the same test used to initially justify its imposition. If upon evaluation of a site-specific proposal, it is found that less restrictive mitigation would adequately protect the public interest or value of concern, then a waiver or exception to the NSD is possible...." NSD's have been waived in the past and there is no assurance given in the preferred alternative that a waiver couldn't happen in the Badlands.

Essentially, the No-Wilderness alternative looks good on paper. However, since there is no strong evidence that the BLM could enforce or implement their management objectives for the Badlands given budget and manpower constraints, and vague mineral development mitigation language, The Dubois Wildlife Association is reluctant to support the proposed No-Wilderness/No-Action alternative in its present form.

In summary, I would like to read some selected passages from the 1878 Geological and Geographical Survey (Hayden and others) of the territories of Wyoming and Idaho. The referenced area begins near DuNoir and Stoney Point and ends near Dinwoodie.

"...Just below the Du Noir, the north side terrace closely approaches the Wind River, which has cut a narrow gorge in the tilted Carboniferous sandstones.... (Stoney Point). On the North side of the expansion into which the valley opens below the narrows, the variegated deposits are exposed on an extensive scale in the deep recess which here penetrates the upland; the soft materials of which they are composed readily yielding to the elements, which have wrought with wonderfully intricate picturesque effects the sculpture of the barren bluffs that inclose this side of the valley.... Below Horse Creek the variegated Tertiary sediments skirt the river, forming beautifully eroded bluffs 300 feet or more in height. The coloring matter appears not to have been distributed with perfect regularity, the belts of red becoming locally intensified by the merging of several narrow bands in to one, which give rise to a great variety of monumental forms in the weather-sculpted bluff-face. These deposits continue thence along the north side of the Wind river to near the eastern boundary of the district...."

The visual impact alone of the Badlands must have been significant enough for the Geologist and Geographer of a century ago to depart from a normally disciplined scientific approach of observation and take a more prosaic and artistic bent to describe what they saw. A hundred years later, the visual impact still evokes similar reactions among many people. The Dubois Badlands are a wonderful example of what can best be termed an "artescape", an area where landscape and art seem to have merged. Even if Wilderness designation is unacceptable, the Badlands deserve stronger recognition and protection than what is provided for in the BLM preferred No-Wilderness alternative.

The Dubois Wildlife Association

Michael Kenney

December 14 • 1988

Comments on BLM Wilderness Study Areas (Badlands)
Dubois, Wyoming

I first want to say that I appreciate the efforts the BLM has made to accommodate both views on the issue of wilderness designation.

It does seem that the choices were somewhat limited. I'm hoping other possible solutions will be addressed tonight.

I am an artist with a special interest in natural history. To me, the badlands are endlessly fascinating, beautiful and mysterious. I value them as a haven for diverse animals & plants, and as an area of rare geologic & paleozoic richness. We are lucky to have them as part of our local landscape.

The impacts of too many people are the worst immediate threat to the badlands, so it seems like a wise decision to exclude ORVs from this portion of badlands. As the report states, there are many other areas open to their use. On the other hand, wilderness designation could one day generate problems with over-use.*

I would prefer that we discuss other possible designations. If that's not possible, I support the preferred alternative, as long as the conditions stated are enforced.

Thank you,
Hannah Hinchman

*I also hesitate to push for wilderness designation because so many residents of Dubois oppose it, and it seems time for some peace-making compromises.

RIVERTON PUBLIC HEARING

WHISKEY MOUNTAIN AND DUBOIS BADLANDS
WILDERNESS EIS PUBLIC HEARING

Fremont County School Administration Building
121 N. Fifth West
Riverton, Wyoming
Thursday, December 15, 1988
7:07 p.m.

APPEARANCES

- GREGG BERRY
- JACK KELLY
- CRAIG SORENSON
- BOB JANSSEN
- WILLIAM G. KING
- CAT URBIGKIT
- JAY A. McFARLAND
- MARVIN DEVISH
- ALLEN MOORE
- BILL HANCOCK
- MELVIN GUSTIN
- ALICE GUSTIN
- VAN PARKLUND
- CHAD BALDWIN
- GARY ALBRANDT
- CAL HANCOCK
- FULTON JAMESON
- TOM DUNCAN

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JOANN MILTNER, CSR, RPR
307-473-2716

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JOANN MILTNER, CSR, RPR
P. O. Box 1911
Casper, Wyoming 82602-1911
307-473-2716
EI No. 83-0287272

December 16, 1988

Bureau of Land Management
Rawlins District Office
P. O. Box 670
Rawlins, Wyoming 82301

RE: Whiskey Mountain and Dubois Badlands
Wilderness EIS Public Hearing

To Whom It May Concern:

Enclosed are the original and one copy of the transcripts of the public hearing taken on December 15, 1988. By request of Mr. Gregg Berry, the transcripts are being sent to you.

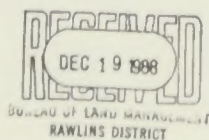
Thank you for the opportunity to work with you. Please call again if I can help in the future.

Cordially,

Joann Miltner

JoAnn Miltner, CSR, RPR

JM/bhs
cc: file



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I N D E X

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MS. CAT URBIGKIT	13
MR. JAY A. McFARLAND	14

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PROCEEDINGS

MR. GREGG BERRY: Just for the record, you want to do the introductions again?

MR. JACK KELLY: My name is Jack Kelly, and I am the area manager in the Lander Resource Area office.

And the hearings officer for tonight is Gregg Berry.

And we also have the district manager from Rawlins here, Dick Saatin, and the EIS team leader, who is Bob Janssen, also from the Rawlins office. And then Craig Sorenson is the recreation specialist from the Lander Area Resource office.

MR. GREGG BERRY: Good evening, ladies and gentlemen. I am Gregg Berry, the associate district manager in the Worland District, Worland, Wyoming.

I have been appointed by the Wyoming State Director of the BLM to conduct this public hearing under authority of the Secretary of the Interior.

This hearing is being conducted to comply with Section 3 (D) of the 1964 Wilderness Act.

The purpose of this hearing is to receive comments from all interested parties concerning the

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organizational purposes in the hearing transcripts, comments will be in the order in which they signed in. If you did not sign the register when you entered the room, please do so at this time. If you wish to testify during the hearing, you should so indicate on the register.

At this time, I would like to call upon Greg Sorenson, of the Bureau of Land Management, to summarize the preliminary findings of the Wilderness EIS.

MR. CRAIG SORENSON: Thank you.

I will be summarizing the findings in this document.

The areas that, of course, were being studied are shown on this map as the Whiskey Mountain Wilderness study area and the Dubois Badlands Wilderness study area.

The Whiskey Mountain area is bounded by the Fitzpatrick Wilderness area of the U.S. Forest Service on the south and west, and a road, the Ross Lake Jeep Trail, on the east, and private lands on the north.

The Dubois Badlands, located just a mile east of Dubois, is bounded by private and state lands.

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wilderness study recommendations and the draft Whiskey Mountain and Dubois Badlands Wilderness EIS.

In a moment, I will call upon a BLM representative to summarize the findings of the Wilderness EIS. The purpose of this hearing centers on two issues; first, are these wilderness study areas suitable or not suitable for designation as wilderness? Your views and any information you can offer with respect to this question will be greatly appreciated.

Second, is the Environmental Impact Statement adequate? Your substantive comments and suggestions for improvement with regard to this aspect of the study will also be appreciated.

I would now like to explain the procedures and ground rules which will be followed during the hearing.

The official reporter, seated on my left, is JoAnn Miltner. She will prepare a verbatim transcript of everything that is said in this hearing. If you wish to obtain a copy of the transcript, you should make your own arrangements with the reporter.

We will receive oral comments from those persons wishing to make a presentation. For

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The land ownership map shows the public lands in the vicinity in yellow, private lands in white, and state lands in blue.

The findings of the Environmental Impact Statement are for -- there were two alternatives considered, no wilderness and all wilderness. The acreage and the proposed action which are recommended in the document by BLM for Whiskey Mountain as suitable, zero acres, non-suitable, 487 acres, the entire unit.

For the Dubois Badlands, zero acres were recommended for suitable, and 4,520 acres recommended as non-suitable.

The proposed action for Whiskey Mountain no wilderness alternative will result in an emphasis of protection and enhancement of the bighorn sheep winter range.

The area will be closed to mineral leasing in that location, and it has been closed since 1970. It will continue to be so under the proposed action.

The ORV -- the off road vehicle use will be limited to designated roads and trails, such as the Ross Lake Jeep Trail.

The area will also be open for hunting,

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1 horaeback riding, camping, photography, hiking,
 2 backpacking and so forth.
 3 No recreation facility construction is
 4 plannad.
 5 And thara will be no changes in the
 6 presant livastock grazing or ranga improvements.
 7 For the Oubois Badlanda wildarness study
 8 area, the proposad action of no wildarness would
 9 result in the management would emphasize protection
 10 of wildlifa, natural snd scenic values.
 11 It will ba oan to minaral leasing
 12 subject to a no surfaca occupancy stipulation.
 13 It would be oan to locatable minaral
 14 entry, whera a plan of operation is required as part
 15 of a special protection designation, which is en area
 16 of critical environmental concern.
 17 The area would be closad to off road
 18 vehicle use.
 19 It would be oan for hunting, horsaback
 20 riding, camping, photography, hiking and backpacking.
 21 No racraation facility construction is
 22 planned.
 23 And there are no changas in the present
 24 livestock grazing or ranga improvements.
 25 MR. GREGG BERRY: Thank you, Mr.

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1 briefly?
 2 MR. JACK KELLY: In the Whiskey Mountain
 3 area, it would ba to designated roads and trails, for
 4 axampla, the Ross Lake Jeep Trail. Okay? So travel
 5 off of that road would be prohibited. But thare
 6 isn't any axisting roads other than the Ross Lake
 7 Jeep Trail anyway.
 8 MS. ALICE GUSTIN: Okay.
 9 MR. JACK KELLY: There is some two-track
 10 trails whera they have pulled off the road and whera
 11 it's gotten real bad and paralleled the Ross Lake
 12 Jeep Trail.
 13 In the Oubois Badlands area, that area is
 14 prasantly closed to off road vehicle usa.
 15 MS. ALICE GUSTIN: Okay.
 16 MR. GREGG BERRY: Since this hearing is
 17 being racordad, we cannot have more than one person
 18 talking at ona tima.
 19 This hearing is not tha only oppourtunity
 20 the public has to comment on the Whiskey Mountain and
 21 Dubois Badlands Wildarnas EIS. Writtan comments may
 22 ba submitted to the BLM, Rawlins Oistrict Office,
 23 P.O. Box 670, Rawlins, Wyoming, 82301. That address
 24 can also be found in the first paga of the
 25 supplemental EIS that we had on the tabla as you cama

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1 Sorenson.
 2 The presentation of oral statements will
 3 be limited to ten minutes. I urga you to please
 4 cooperate with this time limit. I will let you know
 5 when you have one minuta left so that you may have
 6 time to sum up your tastimony.
 7 Persons making a statement must first be
 8 recognized by me. They will then identify themselves
 9 and give their affiliation, if any. I ask that you
 10 spaak loudly and clearly for the reporter to properly
 11 hear your statement.
 12 Yas, ma'am?
 13 MS. ALICE GUSTIN: Could I ask for a
 14 clarification? On the closad to off road vehicle
 15 use, and that's on designatad roads, is there any
 16 plan to roed closures? Because I hvsen't found it in
 17 tha plan. Or sre you going to do what the Worland
 18 Grass Creek Resource Area did and mske a special --
 19 MR. GREGG BERRY: Ms. Gustin, during the
 20 formal hearing, we won't be entertaining any
 21 questions, but we would be glad to answer your
 22 questions after the hearing.
 23 MS. ALICE GUSTIN: Well, it just seems to
 24 me a clarification. You say closed, but --
 25 MR. GREGG BERRY: Can you answer that

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1 in. Written comments must be received at that
 2 address by February 22nd, 1989.
 3 If you want to receive a copy of the
 4 final EIS and ara not already on our mailing list,
 5 plaaae leave your name and address with me. If you
 6 have already received a copy of the draft EIS in the
 7 mail, you are already on our list snd will receive
 8 the final EIS.
 9 I would like to point out one other
 10 ground rule before we start. This hearing is not a
 11 debate, a trial or a question-and-answer session. It
 12 is an advisory hearing, and all intarested persons
 13 may present statements pertinent to the wildernass
 14 study we are considering today.
 15 There will be no cross-examination from
 16 tha audienca. A clarifying question may be directed
 17 to me by the two representatives seated on my right,
 18 and I will datetermine whether it is pertinent. These
 19 questions, if any, should not be intarprated as
 20 expressions of any predatarmind position of the
 21 panel members, the BLM or the Department of Interior.
 22 This hearing format may seem overly
 23 formal, but it is intended to give everyone a fair
 24 and reasonable oppourtunity to present his and her
 25 views.

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1 One final point. This is a public
2 meeting, and atate law prohibits smoking in a public
3 meeting, so please refrain.

4 At this time then I will call on the
5 speakara in the order they signed in. Again, aa a
6 raminder, please give your full name and affiliation,
7 if any.

8 Mr. William King?

9 MR. WILLIAM KING: I am William King. I
10 am with the Wind River Multiple Use Advocates.

11 Gentlemen, thank you for having this
12 hearing. We appreciata the opportunity to speak.

13 It is the opinion of 350 some odd memebra
14 of Wind River Multiple Use that your non-wilderness
15 designation is the correct one. However, we do have
16 a few comments to make in that regard.

17 Particularly with the Dubois Badlands,
18 there will be a problem on policing. We discussed
19 this laat night at the previous hearing.

20 I do not believe that there is any way in
21 which you can police an area such as that from the
22 fiva percent of the general public who will create a
23 disturbanca in those areas, no matter what we do.
24 Short of fencing the whole area, it would be
25 extremely difficult to do this.

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1 vehiclea within certain restricted areas and not all
2 over the Badlands, it ia quite possible that an
3 excellent tourism source can be maintained for the
4 Dubois area.

5 Thank you.

6 MR. GREGG BERRY: Thank you.

7 Cat Urbigkit? Did I blow that last name?

8 MS. CAT URBIGKIT: That's okay.

9 Everybody else does, too.

10 My name is Cat Urbigkit, firat name
11 C-a-t, laat name U-r-b-i-g-k-i-t. I am the field
12 director for the Wyoming Outdoor Council in Lander,
13 and I would lika to comment on the Badlanda area.

14 Wa are in support of a wilderness
15 designation for the Badlands mainly because of the
16 scenic values there, the unique geographical
17 features. And we feel that the wildlife values there
18 would not have adequate protection with the
19 non-wilderness designation. With the critical --
20 especially the mule deer winter range, we feel that
21 we should have a wilderness designation.

22 Another reason that we support the
23 wilderness designation is because of the no mineral
24 leasing in the area with the highly erodible surfacea
25 in that area. We feel that's another reason for that

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1 It will make no difference whether you
2 designata that area wilderness or non-wilderness.
3 Without the fence, there will be no way in which you
4 can adequately police that area.

5 We do support the non-wilderness
6 prerogative that you have selected; however, we do
7 not agree to the road closures that are likely to
8 extend into that area. As I understand it, there are
9 two small roads into the area. We feel that signs
10 and education rather than road closures are the way
11 to go.

12 In this particular regard, we do agree
13 that the area of the Badlands and the Whiskey Peak
14 area are scanic.

15 We do feel, however, and particularly in
16 the case of the Badlands, that additional roads or
17 closures of the small roads on the northwest side
18 shouldn't be accomplished and opened. Keep those
19 that are there open. Additional roads should be put
20 in where possible if it is nothing more than an aid
21 to tourism for the rather depressed Dubois economy.

22 This would make an ideal area for scenic
23 review by people who are not fully capable of walking
24 into wilderness areas. Therefore, if there were
25 paths that would support, say, golf carts or similar

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1 designation.

2 I guess that's about it Yep. Thank
3 you.

4 MR. GREGG BERRY: Thank you. Are there
5 any new namea on that sheet up there?

6 MR. BOB JANSSEN: No, there aren't any
7 more.

8 MR. GREGG BERRY: Jay McFarland?

9 MR. JAY McFARLAND: Thank you.

10 I am a member of the Wind River Multi-Use
11 Area, and I also represent myself and my family.

12 I have three boys who use this area and
13 11 grandkids who use this area, and we are really
14 engaged in preserving the area, much as it has been.

15 Now, we want to use the area ourselves in
16 the future as we have in the past, but we do want to
17 keep the roads pretty much as they are. We do not
18 want to open the area to everyone to come in and do
19 as they please. We think that you are right in your
20 idea that this is a multi-use area and should be
21 controlled that way.

22 In the Whiskey Mountain area, we have
23 gone up in that area fishing and hunting, hunting
24 sheep in that area, and done very well. But we want
25 to keep it so that we can go up, but we do not want

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1 to open the area to other roads and other sources of
2 getting in. We want to preserve it pretty much as it
3 is now.

4 In the Dubois Badlands area, we have
5 hunted and fished in that area, too. We have been in
6 this area for about 35 or 36 years. And we like to
7 use that area as much as anyone does.

8 And we thank you for presenting a program
9 that will keep it that way, pretty much as it is.
10 And I thank you for the opportunity to talk to you.
11 And I appreciate the way that you are prepared to go
12 ahead with it, but pretty much keep it like it is
13 now. Thank you.

14 MR. GREGG BERRY: Thank you.
15 Is there anyone who may have come in late
16 or who deferred their opportunity to make a statement
17 who wishes to do so now?

18 With that then, I thank all of you for
19 your attendance and input. The hearing is now
20 closed.

21 If anybody would like to discuss any
22 questions they may have regarding the proposals, the
23 SLM staff would be willing to stick around as long as
24 you are and discuss it with you. Thank you.

25 (Public hearing concluded at 7:25 p.m.,

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1 Decembar 15, 1988.)

3 C E R T I F I C A T E

4 State of Wyoming)
5 County of Natrona) ss

6 I, JoANN MILTNER, a Certified Shorthand
7 Reporter and Notary Public within and for the County
8 of Natrona, State of Wyoming, do hereby certify that
9 on the date and at the place hereinbefore set forth,
10 I reported stenographically the proceedings held in
11 the matter hereinbefore set forth, and that the
12 testimony so recorded was subsequently transcribed,
13 and that the foregoing transcript, consisting of 15
14 typewritten pages, is a full, true and accurate
15 transcript of my original stenotype notes.

16 IN WITNESS WHEREOF, I have hereunto set my
17 hand and affixed my Notarial Seal this 16th day of
18 December 1988.

19
20 *Joann Miltner*
21 JOANN MILTNER
22 Certified Shorthand Reporter
Registered Professional Reporter



23
24
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Comment Letters and Responses

All comments are printed verbatim. A few hand-written comments have been retyped verbatim for better readability and have been noted as such.



United States Department of the Interior

BUREAU OF MINES

P. O. BOX 25086
BUILDING 20, DENVER FEDERAL CENTER
DENVER, COLORADO 80225

Intermountain Field Operations Center



January 5, 1989

Memorandum

To: EIS Team Leader, Rawlins District Office, Bureau of Land Management,
P.O. Box 670, Rawlins, Wyoming 82301

From: Chief, Intermountain Field Operations Center

Subject: Review of the draft of the Whiskey Mountain-Dubois Badlands
Wilderness Supplement to the Lander Resource Management Plan,
Rawlins District, Wyoming

Bureau of Mines personnel have reviewed the draft of the Whiskey Mountain-Dubois Badlands Wilderness Supplement to the Lander Resource Management Plan, Rawlins District, Wyoming. The Bureau of Mines was not afforded an opportunity to review either the draft or final Lander Resource Management Plan, but is currently conducting a mineral investigation of the Whiskey Mountain and Dubois Badlands Wilderness Study Areas. Mineral resources and mineral-related industries are adequately considered; the Bureau of Mines has no objection to the wilderness supplement as written.

William Cochran
William Cochran

1	DM	OPR
2	ASSOC <i>7/9</i>	3 P & R <i>1/11/89</i>
	ADMIN	LRA
	PAO	GDRA
	MIN	LEADRESP
	RDG FILE	CF
	COMMENTS	

Response to Letter 1

Thank you for your comments.

2



UNITED STATES
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

Fish and Wildlife Enhancement
2120 Capitol Avenue, Room 7010
Cheyenne, Wyoming 82001

IN REPLY REFER TO:

W.D2 Whiskey Mountain/Dubois Badlands

February 6, 1989

MEMORANDUM

To: District Manager, Rawlins District, Bureau of Land Management,
Rawlins, WY

From: State Supervisor, Fish and Wildlife Enhancement, Cheyenne, WY *R. Hill*

Subject: Whiskey Mountain/Dubois Badlands Draft Wilderness Supplement

This responds to your January 19, 1989 memorandum on the subject draft wilderness supplement.

Based upon the information and project stipulations provided in your memorandum, we concur with your conclusion that the proposed action will not affect the endangered bald eagle (*Haliaeetus leucocephalus*). Your efforts to ensure the conservation of endangered species as a part of our joint responsibilities under the Endangered Species Act of 1973 as amended, are appreciated.

If you have any questions, please contact Richard Hill of my staff at (307) 772-2374.

cc:
Field Supervisor, MT/WY, FWE, Helena, MT. (FWE-61125)
Director, WGFD, Cheyenne, WY
Bob Oakleaf, WGFD, Lander, WY

RLH/RGS/skc (RLH\A0289MEM,RLH:2/3/89)

Response to Letter 2

Thank you for your comments. The final EIS has been revised according to the memorandum referenced.

"Take Pride In America"



Centers for Disease Control
Atlanta GA 30333
November 22, 1988

Response to Letter 3

Thank you for your comments.

Mr. Bob Janssen
EIS Team Leader
Rawlins District Office
P.O. Box 670
1300 North 3rd Street
Rawlins, Wyoming 82301

Dear Mr. Janssen:

We have learned that your office is developing documentation under the National Environmental Protection Act (NEPA) entitled "Draft Wilderness Environmental Impact Statement, Wyoming." While we have no specific comments to offer on your project at this time we are writing to urge your consideration of any perceived safety and health impacts posed by this project. As a guide, we have enclosed a list of potential health impacts for your review. We hope these suggestions may be helpful in developing a comprehensive analysis of potential environmental impacts associated with your proposed project.

Please insure that we are included on your mailing list for further documents which are developed under the National Environmental Policy Act (NEPA).

Sincerely yours,

DEClapp
David E. Clepp, Ph.D., P.E.
Environmental Health Scientist
Special Programs Group
Center for Environmental Health
and Injury Control

Enclosure

I. AIR QUALITY:

- A. Dust control measures during construction.
- B. Open burning.
- C. Indoor Air Quality.
- D. Compliance with air quality standards.

II. WATER QUALITY:

- A. Potable water (chemical, microbiological, and radiological quality).
- B. Body contact recreation.
- C. Compliance with waste water treatment standards.

III. NON-HAZARDOUS SOLID WASTE:

- A. Any unusual or suspected health effects associated with solid waste disposal.
- B. Effects of littering and provisions for cleanup, particularly conditions which might lead to vector harborage.

IV. NOISE:

- A. Ambient noise levels during construction, implementation, etc.
- B. Effectiveness of any proposed noise reduction measures following construction, implementation, etc.

V. RADIATION:

- A. Exposures to ionizing and non-ionizing radiation which may adversely affect human health.

VI. HAZARDOUS WASTES:

- A. Solid, liquid, or gaseous wastes which because of their physical, chemical or infectious characteristics pose a substantial threat to human health.

VII. WETLANDS AND FLOODPLAINS:

- A. Contamination of the food chain.
- B. Construction in floodplain which may endanger human health.

VIII. OCCUPATIONAL HEALTH AND SAFETY:

- A. Evaluation of the occupational and public health hazards associated with the construction and operation of the proposed project.
- B. Evaluation of any occupational and public health hazards associated with the operation of a proposed program (e.g., pesticide application, disposal of toxic chemicals, etc.).
- C. General worker safety/injury control provisions.

VIII. LAND USE AND HOUSING:

- A. The provision of adequate ventilation, heating, insulation and lighting.
- B. Vector control provisions.
- C. Impacts of a project upon the displacement and/or relocation of persons.

4



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VIII
999 18th STREET - SUITE 500
DENVER, COLORADO 80202-2405

FEB 22 1989

Ref: 8PM-EP

ATTN: EIS Team Leader
Rawlins District Office
Bureau of Land Management
P.O. Box 670
Rawlins, Wyoming 82301



Dear EIS Review Team:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the Region VIII office of the Environmental Protection Agency (EPA) has reviewed the Draft Whiskey Mountain-Dubois Badlands Wilderness Supplement to the Lander Resource Management Plan (RMP).

This supplement analyzes the impacts of the Bureau of Land Management's (BLM's) reassignment of both Whiskey Mountain and Dubois Badlands WSAs to either wilderness or non-wilderness status. The draft supplement clearly indicates anticipated impacts for each option, and in general the document is concise and comprehensive. The EPA is particularly pleased to see that the preferred alternative includes a provision to preclude off-road vehicle use, and that wilderness values will be supported. A good job, thanks for making it easy.

Using the EPA project evaluation rating system for rating draft EISs, the Whiskey Mountain-Dubois Badlands Draft Wilderness Supplement is rated LO. This indicates that the EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal, and that the draft EIS adequately sets forth the environmental impacts of the preferred alternative, non-wilderness designations, for both WSAs.

Sincerely,

Robert R. DeSpain, Chief
Environmental Policy Branch
Policy and Management Division

cc: Hillary A. Oden, Wyoming State Director, BLM
William Dickerson, OFA-104

Response to Letter 4

Thank you for your comments.



STATE OF WYOMING
OFFICE OF THE GOVERNOR
CHEYENNE 82002

MIKE SULLIVAN
GOVERNOR

February 2, 1989

Mr. Bob Janssen
EIS Team Leader
Rawlins District Office
Bureau of Land Management
P.O. Box 670
Rawlins, WY 82301

Dear Mr. Janssen:

We have completed our review of the draft Whiskey Mountain-Dubois Badlands Wilderness Supplement to the Lander Resource Management Plan. Copies of agency comments are enclosed for your consideration and use.

In general, the draft Supplement appears to have adequately addressed the relevant wilderness issues for both study areas. Please note, however, that agency comments raise a number of questions which should be addressed in the final report.

Regarding the proposed non-wilderness designations for both areas, I concur with the Bureau's conclusions. The rationale for maintaining these as non-wilderness appears sound.

Thank you for the opportunity to review and comment on this plan.

With best regards, I am

Very truly yours,


Mike Sullivan

U.S. DEPT. OF THE INTERIOR
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MS:res

Enclosures

Response to Letter 5

Thank you for your comments.



THE STATE OF WYOMING

MIKE SULLIVAN
GOVERNOR

Game and Fish Department

BILL MORRIS
DIRECTOR

December 20, 1988

DEC 23 1988

EIS 5196/L2
U.S. Department of the Interior
Bureau of Land Management
Rawlins District
Draft Wilderness Supplement
to the Lander Resource
Management Plan
Whiskey Mountain and
Dubois Badlands
SLN 84-1383
Fremont County

Alan Edwards
State Planning Coordinator's Office
Herschler Building, 2nd Floor East
Cheyenne, WY 82002

Dear Mr. Edwards:

The staff of the Wyoming Game and Fish Department has reviewed the Draft Wilderness Supplement to the Lander Resource Management Plan. We offer the following comments for your consideration.

The Department previously provided input during the scoping process of this Wilderness Supplement in a letter dated December 29, 1987. One tract consists of 487 acres of land adjacent to the Whiskey Mountain bighorn sheep winter habitat unit. The other tract comprises 4,520 acres of highly eroded badland topography beginning approximately 2 miles east of the Town of Dubois.

After review of this draft supplement, we concur with the BLM's preferred alternative to withdraw the Whiskey Mountain tract from wilderness consideration. The existing Lander RMP has designated Whiskey Mountain Habitat Unit (which includes this tract) as a no-leasing area for oil and gas and has closed it to locatable mineral exploration and development. In addition, the Lander RMP specified that vehicle traffic would be limited to designated roads and trails in this area. With these provisions in effect, we feel the integrity of crucial bighorn sheep winter ranges is being adequately maintained. Placing this tract in wilderness designation would unnecessarily restrict projects designed to improve bighorn sheep habitats and impair winter trapping and transplanting operations.

Response to Letter 6

1. It is true that a decision in the Lander RMP was to close the Dubois Badlands WSA to all vehicle use. Although the WSA was so posted, unauthorized vehicle use continued. It became obvious through public testimony that enforcement of this closure was of great importance to a large segment of the public. As a result, we are planning to install additional signs and buck and pole fences at key access points to deter unauthorized use. In addition, we plan to increase our patrols of this WSA during its high use season. The final EIS has been revised to reflect this new emphasis.
2. These four fences include three allotment boundary fences and one drift fence. We agree that the fences should be re-examined to determine their usefulness and the need for modification to meet current standards. This will be done as time and personnel are available.

The Dubois Badlands WSA provides habitat for deer and highhorn sheep, and it borders crucial elk winter range. Since this WSA will retain its status as an Area of Crucial Environmental Concern (ACEC), we concur with the BLM's preferred alternative of non-wilderness designation. However, after reviewing this Draft Wilderness Supplement, two discrepancies were discovered in the enforcement of ACEC stipulations. Under the Affected Environmental-Recreation Section (page 17), the Draft states, "An estimated 100 visitor days of recreation DRV use occurs annually in the WSA, but the Lander RMP closed this area to all off-road vehicle travel." Based on this statement, it appears unauthorized vehicle use is occurring within the WSA. We strongly recommend DRV enforcement activities be increased to reduce disturbances to wintering big game animals and fragile wildlife habitats. Additionally, the badlands area contributes large amounts of sediment to the Wind River which adversely affects the trout fishery in that stream. Enforcement of the vehicular closure would help control erosion and be beneficial to the Wind River fishery. If existing Resource Area personnel cannot adequately enforce DRV restrictions, we recommend that BLM consider utilizing a compliance specialist.

The Draft Supplement also states on Page 17 (Livestock Grazing Section), "There are four range improvement fences within the Dubois Badlands WSA. These fences are not currently authorized as BLM projects and were probably constructed prior to 1970." If these fences were not authorized by the BLM, they should be removed or modified to existing BLM big game fencing specifications as soon as possible.

Thank you for the opportunity to comment.

Douglas H. Crane
DOUGLAS H. CRANE
ASSISTANT DIRECTOR
SERVICES

DMC:SCT:es
cc: Game Div.
Fish Div.
HATS Div.
USF&WS-Cheyenne

DIRECTOR AND
STATE GEOLOGIST
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THE GEOLOGICAL SURVEY OF WYOMING
BOX 3008, UNIVERSITY STATION
LARAMIE, WYOMING 82071
(307) 786-2286

MEMORANDUM

TO: Alan Edwards, State Planning Coordinator's Office
FROM: Gary B. Glass, State Geologist
SUBJECT: Whiskey Mountain and Dubois Badlands Draft Wilderness Supplement to the Lander RMP (State Identifier #84-1388)
DATE: December 1, 1988

While we agree with BLM's "No Wilderness" designation for both the Whiskey Mountain and Dubois Badlands WSAs, we still do not see why BLM feels it needs so many stipulations on mineral and energy resources. For example, both WSAs will be managed with "no surface occupancy (NSO)" stipulations and "no exceptions will be made" for the Whiskey Mountain WSA (page 7, Minerals Management section). In addition, the Whiskey Mountain area will remain closed to mineral entry as it has since 1970.

Since the BLM feels both WSAs have low potential for mineral or energy resource development (pages 23 and 25), why not remove all the NSO stipulations and open both areas to leasing and mineral entry if they are designated "non-wilderness" areas? The BLM can handle leasing and other mineral entries on a case-by-case basis. With the stipulations as proposed, the BLM is simply guaranteeing there will be no interest in either leasing or mineral entry.

As one final comment, we want to note that we still feel that the Whiskey Mountain WSA has "moderate" rather than "low" potential for oil and gas. We made this rating back in 1982.

File 7

DEC 2 1988

DEPUTY DIRECTOR AND DIVISION HEAD
-MINERAL (HARD ROCK)
D. GAN HAUSEL
DIVISION HEADS
JAMES C. CASE -NATURAL
ROBERT W. DE BRUIN -PETROLEUM
RAY E. HARRIS -INDUSTRIAL
MINERAL
RICHARD W. JONES -COAL
ALAN J. VAN FLOED -GEOGRAPHY
LABORATORY TECHNICIAN
JAY T. ROBERTS

Response to Letter 7

1. The limitations placed on mineral entry and leasing in the WSAs provide assurance that the most important resource values in these areas would be maintained over the long term. To handle leasing and mineral entries on a case-by-case basis would not provide the same level of assurance, and would be misleading to the public.
2. The best information available at this time indicates that the Whiskey Mountain WSA has a low potential for the occurrence of oil and gas. The Bureau of Mines is preparing a mineral assessment of this WSA; if their research indicates a higher potential, we will update our information for the Wilderness Study Report that goes to the Secretary of the Interior.

MIKE SULLIVAN
GOVERNOR

Public Service Commission

HERSCHLER BUILDING
122 W. 28TH STREET (307) 777-7427 CHEYENNE, WYOMING 82002

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ADMINISTRATIVE SECRETARY
STEPHEN D. OXLEY
MANAGEMENT SERVICES
ADMINISTRATOR

M E M O R A N D U M

DEC 8 1988

TO: ALAN EDWARDS
NATURAL RESOURCES ANALYST
STATE PLANNING COORDINATOR'S OFFICE

FROM: JON JACQUOT
CHIEF ENGINEER
PUBLIC SERVICE COMMISSION *Jon J. Jacquot*

DATE: DECEMBER 8, 1988

RE: BLM WHISKEY MOUNTAIN AND DUBOIS BADLANDS DRAFT
WILDERNESS SUPPLEMENT TO THE LANDER RESOURCE MANAGEMENT
PLAN, STATE IDENTIFIER NO. 84-138B

Thank you for the opportunity to comment on this matter.

This is to request that no unreasonable restrictions be placed on the provision of utility service and/or the construction of the utility and pipeline facilities in the study area.

If you should have any questions regarding this request please let me know.

/aa

Response to Letter 8

1. The Lander RMP identified both WSAs as areas that should be avoided by utility systems. This provision would continue under the Proposed Action.

JAN 27 1989

MIKE SULLIVAN
GOVERNOR
GORDON W. FASSETT
STATE ENGINEER

State Engineer's Office

HERSCHLER BUILDING January 25, 1989 CHEYENNE, WYOMING 82002

Mr. Alan Edwards
State Planning Coordinator's Office
Herschler Building, 2E
Cheyenne, Wyoming 82002

RE: Lander BLM RPM Wilderness Supplement - State ID B4-138B

Dear Alan:

We have reviewed the draft Wilderness Supplement to the Lander RMP and offer the following comments on that planning document. From a review of the maps presented in the supplement and our surface water rights records, it doesn't appear that there are any valid water rights within the boundaries of the Whiskey Mountain or Dubois Badlands Wilderness Study Areas (WSAs).

If either of these WSAs were to be designated wilderness at some future time, we believe that Solicitor Ralph Tarr's opinion that no reserved water rights are valid unless expressly provided by Congress. All water rights must be obtained as set forth under state water law. Any wilderness designation must not compromise the rights of existing water rights within the watershed, whether on Federally managed lands or private.

Any future water development, such as stock reservoirs, spring development, etc., conducted by the BLM requires permits from this office prior to construction or drilling of groundwater wells.

Thank you for the opportunity to comment on this draft supplement. If we can be of any further assistance, please contact me.

With best regards,

Gordon W. Fassett /kmc
GORDON W. FASSETT
State Engineer

GWF/SL/kmc

cc: Frank J. Trelease, Administrator
Surface Water and Engineering

Sue Lowry
Interstate Streams Engineer

Response to Letter 9

Thank you for your comments.

MIKE SULLIVAN
GOVERNOR



Wyoming State Archives, Museums & Historical Department

DAVID KATHKA, Ph.D.
DIRECTOR

BARRETT STATE OFFICE BUILDING • CHEYENNE, WY 82002 • (307) 777-7519

April 17, 1989

Mr. Tom Zale
Bureau of Land Management
P.O. Box 670
Rawlins, Wyoming 82301

RE: Whiskey Mountain and Dubois Badlands Wilderness Supplement
SHPO #0189RLB035

Dear Mr. Zale:

Richard Bryant of our staff has received information concerning the afore-mentioned project. Thank you for giving us the opportunity to comment.

We have reviewed the project report and find that no archaeological sites meeting the criteria of eligibility for the National Register of Historic Places will be affected by the project as planned. We recommend that the Bureau of Land Management allow the project to proceed in accordance with state and federal laws subject to the following stipulation: if any cultural materials are discovered during construction, work in the area should halt immediately and BLM staff and SHPO staff must be contacted. Work in the area may not resume until the materials have been evaluated and adequate measures for their protection have been taken.

This letter should be retained in your files as documentation of our determination of "no effect" for this project.

If you have any questions please contact Mr. Bryant at 777-6292.

Sincerely,

Thomas E. Marceau
Deputy SHPO

FOR:
Dave Kathka, Ph.D.
State Historic Preservation Officer

TEM:RLB:kim

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Wyoming Travel Commission
1-25 at College Drive
Cheyenne, Wyoming 82002

Phone (307) 777-7777
1-800-225-5996
Fax (307) 777-6904
Telex: 318039

November 27, 1988

WYOMING STATE CLEARINGHOUSE
Attn: Alan Edwards
State Planning Coordinator's Office
Herschler Building, Second Floor
Cheyenne, WY 82002

Dear Alan:

Re B4-138B: Whiskey Mountain and Dubois Badlands Wilderness
Supplement to Lander RMP

The Wyoming Travel Commission concurs with the proposed action of no wilderness designation for the Whiskey Mountain WSA and Dubois Badlands WSA so long as the BLM continues its management of the areas consistent with cooperative management agreements with the Wyoming Game & Fish Department and U.S. Forest Service and Fish and Wildlife Service.

The Whiskey Mountain area represents a valuable addition to the Game & Fish Department's non-consumptive use of wildlife program through the viewing and photographing of the bighorn sheep herd. The same can be said for the Dubois Badlands area, and it appears there is so little use of the areas by ORVs that the non-designation will not represent a threat to the areas.

Thanks for the opportunity to comment.

Sincerely,

Gene Bryan
Director

Response to Letter 10

Thank you for your comments.

Response to Letter 11

Thank you for your comments.

RECEIVED
 RAWLINS, WY November 7, 1988

Mr. Bob Janssen,
 EIS Team Leader
 Rawlins District Office
 Bureau of Land Management
 P.O. Box 670
 Rawlins, WY 82301

Dear Mr. Janssen:


The Whiskey Mountain and Dubois Badlands Draft Wilderness Supplement to the Lander Resource Management Plan was recently received from your office. I greatly appreciate the opportunity to comment on this document. As in the past, my comments will be limited to our firm's specific area of expertise: cultural resources.

In general, Frontier Archaeology does not object to the No Wilderness Proposed Action. However, it must be recognized that with a lesser degree of restrictions placed on public lands such as the No Wilderness Proposed Action, then the greater potential adverse impact to either known or unknown archaeological and historical sites. Providing that your office judiciously follows the legal requirements in terms of location and identification of cultural resources within a proposed area of impact, and that proper mitigation of adverse effect is undertaken, then the Proposed Action should not conflict with cultural resource values.

I would urge caution in placing undue emphasis on the fact there are currently no National Register of Historic Places eligible sites known within these two Wilderness Study Areas. Predominantly, this may simply be based upon a lack of previous inventories and not accurately reflect the unknown cultural resource values which may be present. Given that such a small percentage of the region has been subjected to professionally conducted archaeological/historical inspections, it would be erroneous to assume there are no significant sites within the Wilderness Study Areas based on our current level of understanding.

Thank you for your consideration of my comments.

Respectfully,


 James M. Welch
 Principal Investigator
 Worland Office

JMW/pet

Response to Letter 12

Thank you for your comments.

ROBERT O. BYRON
 ASST ASST
 TO W.A. TRUE JR.

DRAWER 2380
 CASPER, WYOMING
 82602

November 23, 1988

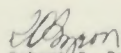
Mr. Bob Janssen
 EIS Team Leader
 Rawlins District Office
 Bureau of Land Management
 P.O. Box 670
 1300 North Third Street
 Rawlins, WY 82301

Dear Mr. Janssen:

Thank you for the opportunity of commenting on the Draft Wilderness Environmental Impact Statement on the Whiskey Mountain WSA and the Dubois Badlands.

We certainly concur and support entirely your recommendation for Whiskey Mountain and Dubois Badlands to both be nonwilderness.

Sincerely,


 Robert O. Byron

ROB/atx

Response to Letter 13

Thank you for your comments.

[Typed copy of a handwritten letter.]

Dear sir

the state of Wyoming must save and pass the Whiskey Mountain and Dubois and badlands wilderness plain. If not turn these wonders in to state parkes. we must save them befor it is to late

nex

the western red Desert is a real wonder with High sand Dunes 150 foot High and canyones badland old trails History and wild life. like mountain lion mule Deer elk antelope and golden eagle

nex the strip mine law

fine all energy business and mineing business that Does not fix up strip mine land after they finish using it. like gold mineing copper mineing gas oil and propane gas drilling

Larry DiBritto
5915 W 59th ST
Chicago, Ill
60638

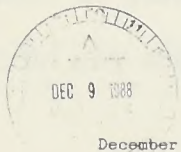
Response to Letter 14

Thank you for your comments.



Meredith Taylor
Route 31, Box 807
Dubois, WY 82513 435-2161

WYOMING CHAPTER SIERRA CLUB



December 7, 1988

Jack Kellay
BLM Office
Lander, WY 82520

5

Dear Jack,

Please accept the following Wyoming Chapter Sierra Club (WCSC) comment as part of the official record for the supplemental wilderness EIS for the Dubois area WSAs.

I am disappointed in your recommendation for "No Wilderness" for the Dubois area WSAs. While I understand the Wyoming Game and Fish Department concern for access to the Whiskey Mountain WSA for sheep management, the EIS explanation was somewhat misleading to the public. There are special allowances for grandfathering in management needs such as sheep trapping and habitat manipulation, but this wasn't mentioned in your document. Also suspect is the ten percent anticipated reduction in the bighorn sheep population should the area be designated as wilderness. No reference was provided for this unprecedented impact on the sheep numbers. I applaud your attempt to protect the area with the mineral leasing withdrawal. Certainly this sheep herd is more valuable to the country than the oil or gas that could be extracted from Whiskey Mountain. The Wyoming Game and Fish Dept. has managed the area well until this year when they left the habitat unit unoccupied. Without the habitat manager there to oversee the area, I am worried that abuse of the sheep habitat may go unnoticed as it did in the past. Biologists and wildlife managers will generally agree that the best habitat protection for wildlife is wilderness designation.

Of more concern to me is the lack of protection for the Dubois Badlands. With no wilderness protection and leasing with no surface occupancy (NSO) stipulations, the area will inevitably continue with the same lack of management it has seen to date. The ORV exclusion and NSO leasing are deceptive to the public, since neither of these stipulations have been enforced. Despite repeated requests to your office that the BLM start creating a presence in Dubois, nothing has been done to arrest the degradation of the resource.

The Dubois Badlands is a unique formation along the Wind River drainage which could offer a different type of wilderness experience to those interested. The Dubois Badlands WSA has long attracted groups from various educational institutions from the Museum of Natural History to Central Wyoming College and the Audubon Camp of the West. The fossils and geologic formations have offered an outdoor classroom that has provided an eye to the prehistoric past some 55 million years ago. Presently the area is home to numerous raptors which nest in the caves and cliffs along the steep draws. Coyotes, bobcats, bighorn sheep, mule deer and

Response to Letter 15

1. The history of wilderness designation has shown that special allowances have been granted by Congress under certain circumstances. However, in recommending an area for wilderness, we cannot hinge the recommendation of special provisions from Congress when such a provision conflicts with the BLM's wilderness management policy.
2. The WSA is part of an extremely important migration route used by the bighorn sheep to reach crucial winter range on BLM Ridge. To reach their winter range, the bighorns must cross through timbered areas within the WSA. If the timber becomes too dense, the bighorns would not attempt to traverse it. Thus, it would be expected that if the timbered stands were left to regenerate naturally, the bighorns would find their migration interrupted and they would not utilize a significant portion of their winter range. The long term result would be an eventual decrease in the herd size. BLM wildlife biologists, in consultation with the Whiskey Mountain Technical Committee, estimate that the herd would decrease by about 10% over time.
3. As shown in Chapter 2, the BLM has adopted an ORV enforcement plan to help eliminate the unauthorized use in the Dubois Badlands WSA.

"Not blind opposition to progress, but opposition to blind progress."

fox also inhabit the area. The opportunities for desert ecology courses and geologic interpretation are unlimited in this small WSA. Unfortunately, the protection that has been authorized for this area has been unenforced due to lack of BLM management oversight. Motorcycles, four-wheelers, and other ORVs have regularly violated the vehicle exclusion imposed on the area. Their tracks traverse the steep canyon walls defacing the beauty of the badlands and increasing the erosion of the sandstone formations. If the BLM could truly enforce its own regulations, the area residents would inevitably come to accept these management boundaries as they have on other public lands. The NSO leasing stipulations have never been upheld yet on a federal lease when a lessee desires an application for permit to drill (APD). Without fail, the BLM has chosen to waive the NSO stipulations and allow surface occupancy to the drill rig.

Under the circumstances, WCSC recommends wilderness designation as a real management tool for full protection of this area. There is substantial multiple use of this area, since the WSA is accessible to anyone on foot or horseback and the area supports annual grazing leases to ranchers' livestock. Wilderness designation will continue to protect the area as it is now. No wilderness designation will guarantee its further deterioration through nonmanagement.

Respectfully submitted,

Meredith Taylor
WCSC BLM Chair

Actions included in that plan include placing "Closed Area" signs and fence barriers at strategic access points on the perimeter of the WSA. Additionally, BLM will schedule patrols for this area during its high-use season.

4. The Lander RMP designated the Dubois Badlands WSA as a "No Surface Occupancy" (NSO) leasing area with no exceptions. This stipulation was placed on the area because of its high resource values such as wildlife habitat and scenic quality. As noted in Appendix A, waiver of this stipulation would require a planning amendment to the Lander RMP. Such an amendment would require an environmental assessment or EIS, as appropriate, with full public involvement. The document would go through the same public planning process that resulted in the original "No Surface Occupancy" decision.

16

Domestic Exploration



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P.O. Box 3128
Houston, Texas 77253
Telephone 713/629-6600

RECEIVED
RAWLINS, WY.

December 13, 1988

Mr. Bob Janssen
Bureau of Land Management
P. O. Box 670
1300 N. Third Street
Rawlins, WY 82301

Dear Mr. Janssen:

Re: Wilderness Study/Environmental Impact Statement

My company concurs with the nonwilderness designation that is being recommended for the Whiskey Mountain and Dubois Badlands WSAs.

Thank you for the opportunity to respond on these proposals.

Sincerely,

J. H. Youngflesh

JHY/bh

Response to Letter 16

Thank you for your comments.



GUSTIN ENTERPRISES

Mining & Geologic Consulting
Gemological Appraisal

MELVIN E. GUSTIN ALICE L. GUSTIN
P. O. Box 468 - Riverton, WY 82501 - (307) 856-3699

17

Response to Letter 17

Thank you for your comment.

January 2, 1988

Rawlins District Office
Bureau of Land Management
Attn: EIS Team Leader
P.O. Box 670
Rawlins, WY 82301

Re: Whiskey Mountain and Dubois Badlands
Draft Wilderness Supplement to the Lander
Resource Management Plan.

Dear Team Leader,

Speaking for myself and freinds of Fremont County and the State of Wyoming, we are glad to see you have given these areas a nonwilderness recommendation. This helps preserve our freedom of movement on the lands and the ability of access to the game animals that we hunt in these areas. We thank you for listening to the common sense of the the people in the surrounding areas.

Thank you, Sincerely,

Melvin E. Gustin



GUSTIN APPRAISAL — Jewelry & Gemstones

P. O. BOX 468 - RIVERTON, WYOMING 82501 - PHONE (307) 856-3699

18

Response to Letter 18

Thank you for your comments.

Lander Resource Management Area
Bureau of Land Management
P.O. Box 670
Rawlins, WY 82301

December 31, 1988

Dear Wilderness Planner,

The Draft Wilderness Supplement to the Lander Resource Management Plan is a commendable study for taking into consideration all of the concerns that were expressed by the people in Fremont County. I have commented on your management plans since 1984. I find that many plans do little to consider the public that is closest to the situation.

The decision of not proposing these areas, Whiskey Mountain and Dubois Badlands is a sound one. There are several reasons I believe this, one of which is that Wyoming has more than enough lands removed from access to the general public. Others are less emotional. In one letter I wrote on these areas, I stated that no one group, public or private, should be allowed access (vehicular) to an areadesignated Wilderness. There were obvious problems when the actions of Wyoming Game and Fish habitat enhancement and Sig Horn Sheep herd control were taken into consideration. This positive enhancement of an area by humans is applauded by all recreationalists. We are glad that our Game and Fish will be able to continue the Sig Horn Sheep program without the restrictions of Wilderness.

Another problem is the maintaining of the integrity of the Dubois Badlands. I feel the BLM would eventually be in the position of POLICE, instead of managers, if this area had been proposed. This area is readily accessable and the maintenance could pose problems with the influx of "slobs" which a Wilderness Designation has been known to draw. The Non-Wilderness proposal is a correct one in this limited region that could offer unique possibilties to those who are handicapped or aged without the physical stamia that most Wilderness regions require. I feel with restricted vehicular access on the roads presently in place, and interesting and educational area could be provided. This would allow many uses and a majority of public to see interesting geology and erosional processes; while allowing uses to exist side by side. (vehicular and foot path use on current trails). I think too little thought is put into who may not be able to view, or access a "special area".

Thank you for the opportunity to comment.

Sincerely,

Alice L. Gustin

cc: The Honorable Al Simpson
The Honorable Malcolm Wallop
The Honorable Dick Cheney
The Honorable Mike Sullivan

Response to Letter 19

Thank you for your comments.

[Typed copy of a handwritten letter.]

EIS TEAM LEADER:

THIS IS MY COMMENT ON THE DRAFT EIS FOR WHISKEY MTN AND DUBOIS BADLANDS WSA'S.

I THINK THE WHISKEY MTN AREA SHOULD BE USED PRIMARILY FOR THE BENEFIT OF THE BIGHORN SHEEP HERD AND THEREFORE I DO NOT SUPPORT WILDERNESS DESIGNATION. I AM AGAINST LIVESTOCK GRAZING IN THE AREA AS THIS POSES A THREAT TO THE SHEEP BY BOTH REDUCING FORAGE AND BY TRANSMITTING DISEASE.

I DO PROPOSED WILDERNESS DESIGNATION FOR THE DUBOIS BADLANDS. THE PRIMARY VALUE BEING THE SCENIC INSPIRATION TO THE COMMUNITY OF DUBOIS AND OF COURSE TO TRAVELERS ALONG THE HIGHWAY. WITHOUT WILDERNESS PROTECTION THIS AREA COULD BE TO EASILY SQUANDERED. THE CONCEPT OF SOLITUDE DOES NOT APPLY IN THIS CASE.

THANK YOU

TIM ROCKHOLD
RT 2 BOX 544
RIVERTON, WY 82501

Wind River Multiple Use Advocates

January 5, 1988

P.O. Box 1126, Riverton, Wyoming 82501

Rawlins District Office
Bureau of Land Management
Attn: EIS Team Leader
P.O. Box 670
Rawlins, WY 82301

RE: Whiskey Mountain and Dubois Badlands Draft Wilderness Supplement to the Lander Resource Management Plan

Dear Team Leader,

The Wind River Multiple Use Advocates, approximately 250 users of federally controlled lands and resources in the Fremont County (Wyoming) area, basically support the finding of not recommending the Dubois Badlands and Whiskey Mountain study areas for wilderness designation.

We believe that the draft supplement adequately covers all valid concerns and supports the non-wilderness decision.

However, we do take exception to the recommendation that existing motorized vehicle access in or bordering these study areas be closed. What is needed, rather than closure, is better minimal maintenance and better signing to discourage vehicle usage off the established trails.

Under any management direction, "slob" users will always abuse access restrictions. However, even with the existing vehicular trails left open, abuses of the land can be kept to a minimum by

- a. better user education relying heavily on effective signing, and
- b. minimal trail maintenance to reduce erosion problems and to reduce the user tendency to leave the existing track to avoid bad spots in the trails.

We encourage the BLM to seek voluntary public help in both of these suggested mitigating activities (but not in active policing of access).

The existing vehicular trails should be left open to give access for the majority of the population. The majority -- including senior citizens, the young, the physically disabled, and those who just aren't inclined to foot or horse-back travel -- will be denied access by the closure of existing vehicular trails. The lands should be preserved for the reasonable use by the people -- not preserved by locking out the majority of the people.

The continued use of the limited number of existing vehicular trails will not block the use of these areas by those who are currently using them from foot or horse-back travel. After all, this non-motorized use is already existing side by side with the limited motorized use. But closing the trails will block the use of these areas by those who use motorized travel.

Leaving the existing vehicular trails open is a win-win solution. Both the motorized and non-motorized users will still be able to use the areas. Economically, it shouldn't be a contest between which type of users can provide the greatest economic support for the community. Rather, leaving the motorized trails open will allow both type of users as valid income sources for economic development. Closing the trails will leave only the non-motorized users as income sources, and alienate the motorized users.

Sincerely yours,
Wind River Multiple Use Advocates

George Reynolds
by George Reynolds, president

Response to Letter 20

1. The Lander RMP designated the Dubois Badlands as closed to all vehicle use. During the development of the RMP, there was broad public support of the closure. The area is highly erosive and is susceptible to damage by ORVs, even at low levels of use. It is felt that a total closure, and enforcement of the closure, is the only effective means of maintaining the resource values that exist in the area.

Jan. 17, 1989

Rawlins District Office B.L.M.

Gentlemen:

I am writing regarding the addition of more wilderness in Wyo. It is my opinion we already have far too much. I am one of a group who has paid a lot of taxes to support public lands and I resent the attempt to keep me and others off them. It is my contention that public land should be available to all and not a privileged few. Furthermore the restrictions already in force is impacting Wyo. in a bad way. Without full use of the public lands in Wyo. we cannot survive as a state where a working man can support his family. We have already lost too many people due to the restrictions placed on mineral, oil and lumber industries. Due to these losses our young people are leaving in large nos. and without the jobs and tax base furnished by such industries we will continue down hill. Very soon the full tax load will fall on home and property owners with disastrous results. Wyo. will soon become a spot too expensive for many. I would hate to see this happen but if we continue this insane trend of putting public land out of use, that is our future.

Yours Truly
E.V. Davis
E.V. Davis
Rt. 1, Box 7
Riverton Wyo. 82501

Response to Letter 21

Thank you for your comments.

January 24, 1989

To Whom It Concerns,

As a concerned citizen I am very interested in the care and future of the Badlands and Whiskey Mountain proposals around the Dubois area.

My husband and I have attended several meetings in Dubois in regard to the ORV and the wilderness proposals. We have listened to comments and opinions by many people in our area in this regard and have tried to maintain an open mind as to how we evaluate our position.

Our family has recently moved from in town Dubois to the Riverside Subdivision. Our back fence borders State Land on the Mason Draw. My husband and I are both native Fremont County residents and have deep roots and convictions about our county and state as did our parents. We hope to instill in our children a love and respect for this land as well.

However, we do not support any wilderness areas or road closures for the following reasons.

1. We feel there is enough wilderness already.
2. We do not feel that the Badlands is a good area for wilderness. It has existing roads that have been there for decades and should be kept available for people to go on and enjoy.
3. We have gone on many weekend or evening drives over the existing roads for many years and have seen very little, if any, erosion due to vehicles. We are not sure that many people understand that the dump area of Dubois is State land and the motorcycle erosion seen there is not in the BLM areas being addressed by this wilderness proposal.

At the first meeting we attended these reasons were presented as the reasons for ORV closures on the Badlands.

1. Motorcycles -- We do oppose excessive or abusive use of motorcycles erosion. However, shutting off land IS NOT the answer to solving the problem of motorcycle restrictions. Designated areas should be maintained and made available, stiff fines and legal actions for unlawful use or clubs and community involvement to provide positive enforcement. There must be other solutions than road closures that effect ORV use of the area. We don't want to be banished for some one elses abuse.

2. Vertical verses horizontal trails - Some are concerned about the vertical erosions left by motorcycles or other ORV use. We are equally concerned then about the horizontal trails and erosion by cattle and horses. Proclaiming this a wilderness area does not address this concern.

3. Teenage Parties - This problem, if there is one, should be addressed by the County Sheriff's Department. Illegal drinking is not a concern of the BLM. One or two telephone calls to the Sheriff's Dept. may not take care of the problem but there are other measures that can deal with problems

Response to Letter 22

1. See Response 1 to Letter 21.

effectively. NOT road closures.

4. BIG HORN SHEEP - I thought there was a very open and truthful discussion from people living along the Badland about the sheep in question. The area in Mason Draw might be only an area of travel from one area to another area as there is very little water or feed available. There were other comments about visual sightings of packs of dogs killing sheep when nothing was being done by State or Federal Agencies. On the whole no one at that meeting felt that the sheep were threatened or had statistics to show concern for road closures or a need for wilderness areas in this concern.

This land is for all of us--- of every age. Young children and old people as well as those in the middle. We have close family members who are retired and in their later years who enjoy the areas around Dubois very frequently. They are unable to ride a horse or walk long distances and are now restricted by travelling in motorized means. They are also restricted by wilderness areas as to WHERE they can go. So are many people for alot of various reasons. I find this exclusive and unfair to many who OWN this land but can not fully use or enjoy it. Th Badlands are now being enjoyed by many elderly and other people who do not abuse it.

My children are approaching their teenage years. They have experienced the out of doors and aspects of nature since a week after their birth. They are knowledagable in wildlife,vegetation, mountain ranges, lakes, streams, etc. They are asking --WHY-- "Why are lands being taken away from us for our use?" WHY should they be punished for someone elses abuse. Since their birth we have counted 12 Major roads that have been closed to us and accesses to public areas denied. There is a generation of young people coming up who are really going to question their parents and elders and their ability to plan and care for their lands when they are grown.

We do believe in conservation and multiple use. There are many intelligent people who are creative and can come up with practical and effective solutions rather than wilderness and road closures on established and existing roads.

I have been in education for 20 some years and there is really very little education offered through the schools to educate future generations in protecting and maintaining the beautiful areas we have. People have to "BUY INTO" ideas to make them effective and workable. Taking lands away from people causes mistrust, rebellion and further abuse.

People live longer, have more time for recreation, have modernized mechanical equipment and transportation. People want to see and experience more of our country and the world than ever before. Your job as managers of BLM land, the Fish and Game, and other State and Federal Agencies have a massive challenge to undertake to maintain and protect OUR lands. PLEASE rise to this challenge and come up with better alternative than wilderness and road closures so that our children and theirs for years to come can enjoy and experience what we and our parents did.

Thank you for this opportunity.

*Jan Sharik
Mary Sharik*

23



Area Manager
Rawlins District BLM
P.O. Box 670
Rawlins, WY 82301

1 DM *MC/1/20* OPR _____
2 ASSOC _____ 3 P & R _____
ADMIN _____ LRA _____
PAO _____ GORA _____
_____ LEADERSHIP _____
_____ CF _____

January 27, 1989

Dear Sir:

Concerning Wilderness recommendations for your district:

1 We are very concerned at the apparent lack of consideration given Off Highway Vehicle (OHV) recreation in your proposed Wilderness recommendations. Over and over the statement that "There would probably be no overall effect on recreation activities because there remains abundant opportunities for this type of recreation in other areas near the WSA," clearly illustrates a lack of knowledge of OHV recreation requirements. This attitude serves to concentrate motorized recreational use into ever smaller areas, where the concentration of use can then be used as justification for further restrictions due to unacceptable impacts. This negative management philosophy with regard to motorized recreation is counter productive. The best policy for the resource, and the users, is for all uses to be as widely dispersed as possible. Crowding more and more motorized users onto fewer and fewer acres assists the environmental extremists in their campaign to have our legitimate use of public lands eliminated.

2 The impact of your land management decisions on motorized recreation should be more carefully considered. We request that our member organizations in Wyoming and President be sent detailed information on the projected impact on motorized recreation of any decisions that are likely to effect that use. Enclosed is a copy of our organizational membership list, with the organizations underlined that should be kept informed on motorized recreation issues on your district. Please send us information on these decisions also, along with copies of any correspondence between your office and our member organizations. Thank you for the opportunity to comment on your Wilderness recommendations.

Sincerely,

Clark

Clark L. Collins, Executive Director

cc: Wind River Multiple Use Advocates
BlueRibbon Coalition President Henry Yake, Pinedale WY

Response to Letter 23

1. See Response 1 to Letter 21.
2. The draft EIS was sent to those groups as you requested.

Response to Letter 24

1. See Response 4 to Letter 15.

Jack Kelly
Lander Resource Area
PO Box 589
Lander, Wyo, 82520



Linda Raynolda
30 Field Station Rd
Lander, Wyo, 82520

Jan. 30, 1989

Dear Mr. Kelly,

I have recently learned that you are recommending against Wilderness designation for the Dubois Badlands. I am very disappointed to find out that this is the BLM position. I am a supporter of wilderness in general, although I'm not particular as to which agency manages it, so long as an area is protected. The Dubois Badlands are not only a beautiful natural feature, they are also situated in such a location that they are a magnet for tourists and locals alike.

Not living in Dubois itself, it has always been a great pleasure for me to be able to contemplate those strange eroded formations on my way between Lander and Jackson. When I have actually hiked in that area I've seen bighorn sheep, coyotes, deer, antelope and the tracks of many other creatures. But I've also seen the ATV trails beginning to proliferate, and the homesites encroaching on the base of the badlands. The very location that makes these hills so visually accessible to the passerby has been the cause of a growing level of defacement by thoughtless individuals. And yet the erodability of the slopes promises that if access to motor vehicles were strictly prohibited, in a few years these scars would be washed away. If the presence of these "roads" (one pass with a vehicle creates a road) is the reason why wilderness consideration is being denied, then I think this point should be brought up.

I'm also appalled at the thought of this area being opened to oil and gas leasing. Even in our down economy, one of the stipulations of mineral leasing is that the claim be worked in some way. I have yet to see any oil and gas exploration that was not destructive to wildlife, plant life, and the landscape in general.

Even with a no surface occupancy designation the result could be access roads, pipelines, rigs, platforms, etc., any one of which would destroy the delicate harmony of the hills and the creatures that inhabit them. I don't look forward to the day when my drive to Jackson includes the sight of contoured roads, pumps and lights across the Wind River.

I think it's a big mistake to sign away the future for one of the prettiest scenic views in Fremont County. The Dubois Badlands should be protected for future generations to enjoy as I have.

Sincerely,

Response to Letter 25

1. See Response 1 to Letter 6.

7 FEBRUARY 1989

RAWLINS DISTRICT OFFICE
BUREAU OF LAND MANAGEMENT
P.O. BOX 670
RAWLINS, WY 82301

ATTN: EIS TEAM LEADER

DEAR SIR

REPL WHISKEY MOUNTAIN AND DUBOIS BADLANDS DRAFT WILDERNESS
SUPPLEMENT TO THE LANDER RESOURCE MANAGEMENT PLAN

BOTH WHISKEY MOUNTAIN AND DUBOIS BADLANDS SHOULD BE CLASSIFIED
AS WILDERNESS. WHISKEY MOUNTAIN SHOULD BE ADDED TO THE FITZPATRICK
WILDERNESS UNDER THE FOREST SERVICE.

THE RANGE IMPROVEMENT FENCES IN THE DUBOIS BADLANDS WSA SHOULD BE
REMOVED EVEN IF THE AREA DOES NOT RECEIVE WILDERNESS STATUS.

ON PAGE 25 UNDER IMPACTS ON RECREATION IT IS STATED THE THE LANDER RMP
CLOSED THE DUBOIS BADLANDS TO RECREATIONAL ORV USE, YET IT IS STATED
THAT IT WOULD ELIMINATE 100 VISITOR DAYS OF RECREATIONAL ORV USE
WHICH IS ALREADY BANNED.

SINCERELY

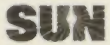
HARRY E WILSON
2120 N CALLOW AVE
BREMERTON, WA 98312-2908

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RAWLINS, WY.

Domestic Exploration
Northern Region

Response to Letter 26

Thank you for your comments.



Sun Exploration and
Production Company
Trinity Place Suite 1000
1801 Broadway
Denver CO 80202-3885
303 296 5000

February 7, 1989

Mr. Bob Janssen
EIS Team Leader
Rawlins District Office
Bureau of Land Management
P. D. Box 67D
1300 N. Third Street
Rawlins, WY 82301

Re: Wilderness Study/Environmental
Impact Study
Whiskey Mountain WSA
Dubois Badlands

Dear Mr. Janssen:

In keeping with the Bureau of Land Management's long standing support of
the multiple use concept, Sun Exoloration and Production Company as an
active independent energy company prospecting for oil and gas in
Wyoming, requests your support in designating both the Whiskey Mountain
Wilderness Study Area, and the Dubois Badlands as not suitable for
wilderness.

Due to the high potential for hydrocarbons as well as the closeness of
proximity to existing oil and gas production we urge you to grant
nonwilderness status to both Wilderness Study Areas.

Very truly yours,

Lynn A. Luhmann
Senior Professional Landman

LAL:gb

cc: Pat Biczynski

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Response to Letter 27

1. See Responses 3 and 4 to Letter 15.

[Typed copy of a handwritten letter.]

2030 S. Walnut
Casper, WY 82601
Feb. 1, 1989

Jack Kelly
Lander Resource Area BLM
P.O. Box 589
Lander, WY 82520

Dear Mr. Kelly:

I am writing to comment on your "Draft Wilderness Supplement to the Lander Resource Management Plan." I am very disappointed in your decision to recommend nonwilderness for both the Dubois Badlands and Whiskey Mountain WSA's.

Whiskey Mountain WSA is home to the largest herd of Rocky Mountain bighorn sheep in the nation - a resource that all of us in Wyoming should be proud of. Designating the WSA as Wilderness would ensure that the sheep's habitat would be protected.

The Dubois Badlands WSA is a fragile area of special interest because of its archeological resources and its scenic qualities. It is appreciated by thousands of tourists on their way to Yellowstone. BUT it is totally unprotected and has seen little or no responsible management. The BLM has an off-road vehicle exclusion there, but you have failed to enforce your own regulation. As a result, dozens of tracks deface the highly erodable slopes of the badlands. Under your preferred alternative, this degradation would continue. In addition, the area would be open to oil and gas leasing and the destruction that would accompany it. Although leasing would have No Surface Occupancy stipulations, this type of restriction is often waived when development begins. This scenic area deserves the protection that Wilderness designation would bring.

The Dubois Badlands contain cultural resources, such as Indian artifacts and Eocene fossils, which were not treated well in your Wilderness Supplement. The area also provides valuable habitat for many species of raptors and other wildlife. It is a special, ruggedly beautiful area, and I think your decision to recommend it, and the Whiskey Mountain WSA for nonwilderness, was an unfortunate one. I urge you to reconsider.

Sincerely,
Martie Crone

Response to Letter 28

Thank you for your comments.

[Typed copy of a handwritten letter.]

Jack Kelly
P.O. Box 589
Lander, WY 82520

I support wilderness designation for the Dubois Badlands. This beautiful area needs protection from off-road vehicles and mineral exploration. Permanent protection! When traveling through Dubois, I always look forward to seeing the Badlands. I think they are the most spectacular desert formations in Wyoming. Please give them Wilderness Status.

Sincerely,

Mary C. Redmond
P.O. Box 7126
Jackson, WY 83001

Box 203
Wilson, Wyoming 83014
February 14 1989



Jeck Kelly
Lander Resource Area
P.O. Box 589
Lander WY 82520

Dear Mr. Kelly:

I would like you to know that my husband and I strongly support a Wilderness designation for the Dubois Badlands. The existing protection is not strong enough: tracks do deface the slopes, and even a No Surface Occupancy stipulation is not an unworkable decree. The Dubois Badlands are spectacular in themselves, provide habitat for game and raptors, provide interesting fossil and Indian artifacts— in short are worth protecting.

Yours sincerely,


Kip Wallace

Kip Wallace

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Response to Letter 29

1. See Response 3 and 4 to Letter 15.


WYOMING FARM BUREAU FEDERATION
P.O. BOX 1348 • LARAMIE, WYOMING 82070

Phone (307) 745-4835
WY 1-800-442-8325

February 9, 1989

Rawlins District Office
Bureau of Land Management
P.O. Box 670
Rawlins, WY 82301
ATTN: EIS Team Leader

Dear Sirs:

Enclosed is the Wyoming Farm Bureau Federation's comments regarding the Whiskey Mountain and Dubois Badlands Draft Wilderness Supplement to the Lander Resource Management Plan. We ask you to consider these comments in drafting your final document.

Sincerely,

Ken Hamilton

Ken Hamilton
Director of Field Services

Encl.

c.c. WyFB Board
NER Chairmen Fremont County

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Response to Letter 30

Thank you for your comments.

The Wyoming Farm Bureau Federation would like to take this opportunity to comment on the Whiskey Mountain & Dubois Badlands Draft Wilderness Supplement to the Lander Resource Management Plan.

The Wyoming Farm Bureau Federation is a nonprofit organization dedicated to helping agricultural interests in the State of Wyoming. Our membership consists of some seven thousand Wyoming residents, twenty five hundred of which are actively engaged in production agriculture. These members have set Farm Bureau policy regarding public lands and wilderness issues.

Farm Bureau has long supported the multiple use doctrine of management on the federal lands in Wyoming. Our members have felt that is the only real way the state of Wyoming can retain an economic base for the future of its citizens.

Because of this support for multiple use of the federal lands Wyoming Farm Bureau Federation would like to support the recommendation of no wilderness designation for Whiskey Mountain and Dubois Badlands.

Recent experience with fires in and around Yellowstone Park this summer has pointed to the tremendous problems light hand on the land techniques can cause. Management of federal lands cannot nor should not be allowed to remove the man portion of management.

Thank you.
Ken Hamilton
Director of Field Services

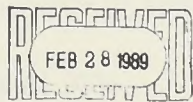
31



Route 62 Box 12-E
Atlantic City, Wyoming 82520

February 16, 1989

Bob Janssen
Rawlins District
Bureau of Land Management
P.O. Box 670
Rawlins, Wyoming 82301



Dear Mr. Janssen:

Thank you for this opportunity to comment in support of Wyoming's wildlands regarding the Draft Wilderness Supplement to the Lander Resource Management Plan. On behalf of the Friends of Wild Wyoming Deserts, I concur with BLM and the Wyoming Game and Fish Department on the proposed No Wilderness Alternative for Whiskey Mountain Wilderness Study Area. However, the draft gives no clear rationale for failing to recommend Dubois Badlands WSA for Wilderness. Desert Friends are calling on BLM to protect this unique site through Wilderness designation.

As a former BLM employee and current employee of another natural resource agency, I know well BLM's mandate for multiple-use management of public lands. Through the Federal Land Policy and Management Act of 1976, BLM is directed to provide this nation's citizens with a multitude of opportunities, including wildlife, mineral and timber production, livestock grazing, fisheries and watershed, and primitive and developed recreation. From my work experience in Wyoming, I find that BLM has more than adequately provided for the development and production end of the scale, while failing to protect our opportunities to enjoy wildlife and unspoiled scenery. For example, the Lander Resource Area managers have not provided effective safeguards for Dubois Badlands WSA, despite Interim Management Policy guidelines directing them to do so. The agency had not enforced its own Off Road Vehicle exclusion, and as a result, has allowed degradation of this fine area. It is clear that only Wilderness status will assure that BLM takes its legal mandate seriously.

Virtually all 2.5 million acres of public land in the Lander RA are open to grazing, oil and gas production, and motorized recreation, yet only 5,760 acres--less than 0.3 percent--are recommended for Wilderness. This shows the general bias against Wilderness in the Lander Resource Area--recommending only part of one WSA (Sweetwater Canyon), while disregarding the worth of six other exceptional areas (Dubois Badlands, Copper Mountain, and the four Sweetwater Rocks units.) As a whole, Wyoming has the lowest acreage of recommended

Response to Letter 31

1. See Response 3 to Letter 15. In addition, the NSO stipulation and the measures planned to control ORV use in the area show that BLM does take its legal mandate seriously.
2. The Dubois Badlands WSA is contained in the Wyoming Basin Province, Wheatgrass-needlegrass Shrubsteppe Ecosystem (Bailey and Kuchler, 1976). This ecosystem is not yet represented in the National Wilderness Preservation System. However, the Dubois Badlands WSA is one of seven WSAs in Wyoming containing this ecosystem.
3. The Lander RMP identified the WSA as an area that should be avoided by utility systems. This provision would continue under the Proposed Action. The area has low potential for locatable minerals; therefore no activity is expected. To the best of our knowledge, the only potentially adverse action which may take place in this WSA is unauthorized ORV use which is addressed in the ORV Enforcement Plan.

BLM Wilderness in the nation, yet many outstanding areas have been excluded.

I have hiked and climbed cliffs in the Dubois Badlands. While there, I found solitude, pristine landscapes, and striking natural beauty. This area deserves the protection that Wilderness provides for present and future generations. Also, although BLM does not address the issue in the draft, I believe this site contains unique habitat types or ecoregions not currently represented in the National Wilderness Preservation System.

2

According to the draft, it is unlikely that oil and gas or locatable mineral activity would occur in the area; livestock grazing would continue unchanged; and BLM would impose an ORV exclusion, regardless of the final recommendation. BLM states that bald eagle and bighorn sheep habitat, critical deer and antelope winter range, and important elk wintering areas would receive the greatest protection from Wilderness designation. Why, then, has BLM not recommended Wilderness for the WSA? What about powerlines and other unforeseen intrusions that would not be excluded under the current proposal? In light of these issues, we urge BLM managers to designate Dubois Badlands as Wilderness. By doing so, BLM would be providing a drawing card for the Dubois area, and assuring protection of this highly scenic site. Thank you for incorporating these comments in your Wilderness review process. I look forward to seeing the final EIS.

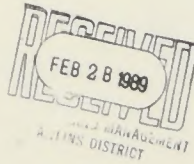
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Most sincerely,

Lynn Klinter

Lynn Klinter
Director

cc:
Senator Alan Simpson
Senator Malcolm Wallop
Congressman Richard Cheney
Governor Mike Sullivan
BLM State Director Brubaker



APPENDIX A

STANDARD MITIGATION GUIDELINES

Purpose

The primary purpose of these guidelines is to attain statewide consistency in determining requirements for avoiding and mitigating environmental impacts associated with surface-disturbing activities. The guidelines will be applied to surface-disturbing activities including oil and gas leases as necessary to achieve resource management objectives.

Application of the guidelines is intended to (1) reserve for the Bureau the right to modify the operations of all surface-disturbing activities as part of the statutory requirements for environmental protection, and (2) inform a potential lessee, permittee, or operator of the requirements that must be met when using public lands. They may be used directly as stipulations or they may be modified with specific or specialized mitigation following the submission of a detailed plan of development or other project proposal and an environmental analysis.

Surface Disturbance Mitigation Guideline

Surface disturbance will be restricted in any of the following areas or conditions. Modifications to this limitation may be approved in writing by the Authorized Officer.

1. Slopes in excess of 25%.
2. Within important scenic areas identified in a land use plan (Class I and II Visual Resource Management Areas).
3. Within 500 feet of surface water and/or riparian areas.
4. Within either one-quarter mile or the visual horizon (whichever is closer) of historic trails.
5. Construction with frozen material or during periods when the soil material is saturated, frozen, or when watershed damage is likely to occur.

Guidance

The intent of the Surface Disturbance Mitigation Guideline is to inform interested parties (potential lessees, permittees, or operators) that when one or more of the five (1a. through 1e.) conditions exists, surface disturbing activities will be restricted or pro-

hibited, unless or until the permittee or his designated representative and the surface management agency (SMA) arrive at an acceptable plan for mitigation of anticipated impacts. This negotiation will occur prior to development.

Specific criteria (e.g., 500 feet from water) have been established based upon the best information available. However, such items as geographical areas and seasons must be delineated at the field level.

Waiver or modification of requirements developed from this guideline must be based upon environmental analysis of proposals, such as, plans of development, plans of operation, Applications for Permit to Drill, etc., and, if necessary, must allow for other mitigation to be applied on a site specific basis.

Wildlife Mitigation Guideline

To protect important big game winter habitat, activities, or surface use will not be allowed during the period from November 15 to April 30 within certain areas encompassed by the authorization. The same criteria applies to defined big game birthing areas from the period of May 1 to June 30.

This limitation may or may not apply to extended long-term operation and maintenance of a developed project, pending environmental analysis of any operational or production aspects.

Modifications to this limitation in any year may be approved in writing by the Authorized Officer.

To protect important raptor and/or sage and sharp-tailed grouse nesting habitat, activities or surface use will not be allowed during the period from February 1 to July 31 within certain areas encompassed by the authorization. The same criteria applies to defined raptor and game bird winter concentration areas from the period of November 15 to April 30. This limitation may or may not apply to extended long-term operation and maintenance of a developed project, pending environmental analysis of any operational or production aspects.

Modification to this limitation in any year may be approved in writing by the Authorized Officer.

No activities or surface use will be allowed on that portion of the authorization area identified within (legal description) for the purpose of protecting (e.g., sage/sharp-tailed grouse breeding grounds and/or other species/activities) habitat.

APPENDIX A

Modifications to this limitation in any year may be approved in writing by the Authorized Officer.

Portions of the authorized use area legally described as (legal description) are known or suspected to be essential habitat for (name) which is a threatened/endangered species. Prior to conducting any on-site activities, the lessee/permittee will be required to conduct inventories or studies in accordance with BLM and Fish and Wildlife Service (FWS) guidelines to verify the presence or absence of this species. In the event that (name) occurrence is identified, the lessee/permittee will be required to modify operational plans to include the protection requirements of this species and its habitat (e.g., seasonal use restrictions, occupancy limitations, facility design modifications, etc.).

Guidance

The Wildlife Mitigation Guideline is intended to provide two basic types of protection, seasonal restriction 1. and 2. and prohibition of activities or surface use 3. Item 4. of course, is specific to situations involving threatened and endangered species. Legal descriptions will ultimately be required and should be measurable and legally definable. There are no minimum subdivision requirements at this time. The area delineated can and should be defined, as necessary, based upon current biological data prior to the time of processing an application and issuing the use authorization. The legal description must eventually become a condition for approval of the permit, plan of development, and/or other use authorization.

The seasonal restriction section identifies three example groups of species and delineates three similar timeframe restrictions. The big game species including elk, moose, deer, antelope, and bighorn sheep all require protection of crucial winter range between November 15 and April 30. Elk and bighorn sheep also require protection from disturbance during the period of May 1 to June 30, when they typically occupy distinct calving and lambing areas. Raptors include eagles, accipiters, falcons (peregrine, prairie, and merlin), buteos (ferruginous and swainson's hawks), osprey, and burrowing owls. The raptors and sage and sharp-tailed grouse all require nesting protection during periods between February 1 and July 31. The same birds often require protection from disturbance during the period of November 15 through April 30 while they occupy winter concentration areas.

Item 2, regarding the prohibition of activity or surface use is intended for protection of unique wildlife habitat areas or values within the use area. These

areas or values must be factors that limit life-cycle activities (e.g., sage grouse strutting grounds, known threatened and endangered species habitat, etc.) that cannot be protected using seasonal restrictions.

Waiver or modification of requirements developed from this guideline must be based upon environmental analysis of proposals, such as plans of development, plans of operation, Applications for Permit to Drill, etc., and, if necessary, must allow for other mitigation to be applied on a site specific basis.

Cultural Resource Mitigation Guideline

When a proposed discretionary land use has potential for affecting the characteristics which qualify a cultural property for the National Register of Historic Places, mitigation will be considered. In accordance with Section 106 of the Historic Preservation Act, procedures specified in 36 CFR 800 will be used in consultation with the State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation in arriving at determinations regarding the need and type of mitigation to be required.

Guidance

The preferred strategy for treating potential adverse effects on cultural properties is "avoidance." If avoidance involves project relocation, the new project area may also require cultural resource inventory. If avoidance is imprudent or unfeasible, appropriate mitigation may include excavation (data recovery), stabilization, monitoring, protection barriers and signs, or other physical and administrative measures.

Reports documenting results of cultural resource inventory, evaluation, and the establishment of mitigation alternatives (if necessary) shall be written according to standards contained in BLM Manuals, the cultural resource permit stipulations, and in other policy issued by the BLM. These reports must provide sufficient information for Section 106 consultation. Reports shall be reviewed for adequacy by the appropriate BLM archeologist. If cultural properties on or eligible for the National Register are located within these areas of potential impact and cannot be avoided, the Authorized Officer shall begin the Section 106 consultation process in accordance with the procedures contained in 36 CFR 800.

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Mitigation measures shall be implemented according to the mitigation plan approved by the BLM Authorized Officer. Such plans are usually prepared by the land use applicant's contract archeologist according to BLM specifications. Mitigation plans will be reviewed as part of Section 106 consultation for National Register eligible or listed properties. The extent and nature of recommended mitigation shall be commensurate with the significance of the cultural resource involved and the anticipated extent of damage. Reasonable costs for mitigation will be borne by the land use applicant. Mitigation must be cost effective and realistic. It must consider project requirements and limitations, input from concerned parties, and be BLM approved or BLM formulated.

Mitigation of paleontological and natural history sites will be treated on a case-by-case basis. Factors such as site significance, economics, safety, and project urgency must be taken into account when making a decision to mitigate. Authority to protect (through mitigation) such values is provided for in FLPMA, Section 102(8). When avoidance is not possible, appropriate mitigation may include excavation (data recovery), stabilization, monitoring, protection barriers and signs, or other physical and administrative protection measures.

Special Resource Mitigation Guideline

To protect (resource value), activities or surface use will not be allowed (i.e., within a specific distance of the resource value or between date-to-date) in (legal subdivision).

This limitation may or may not apply to extended long-term operation and maintenance of the project, pending environmental analysis of any operational or production aspects.

Modifications to this limitation in any year may be approved in writing by the Authorized Officer.

Example Resource Categories (Select or Identify Category and Specific Resource Value):

1. Recreation areas.
2. Special natural history or paleontological features.
3. Special management areas.
4. Sections of major rivers.
5. Prior existing rights-of-way.
6. Occupied dwellings.
7. Other (Specify).

Guidance

The Special Resource Mitigation Guideline is intended for use only in site-specific situations where one of the first three general mitigation guidelines will not adequately address the concern. The resource value, location, and specific restriction must be clearly identified. A detailed plan addressing specific mitigation and special restrictions on development will be required prior to development and will become a condition for approval of the permit, plan of development, or other use authorization.

Waiver or modification of requirements developed from this guideline must be based upon environmental analysis of proposals, such as plans of development, plans of operation, Applications for Permit to Drill, etc., and if necessary, must allow for other mitigation to be applied on a site specific basis.

No Surface Occupancy Guideline

No surface occupancy will be allowed on the following described lands (legal subdivision/area) because of (resource value).

Example Resource Categories (Select or Identify Category and Specific Resource Values):

1. Recreation areas, (e.g., campgrounds, historic trails, national monuments).
2. Major reservoirs/dams.
3. Special management areas (e.g., ACEC, known threatened and endangered species habitat, wild and scenic rivers).
4. Other (Specify).

Guidance

The No Surface Occupancy (NSO) Mitigation Guideline is intended for use only when other mitigation is determined insufficient to adequately protect the public interest, and is the only alternative to "no development" or "no leasing." The legal subdivision and resource value of concern must be identified and be tied to a NSO land use planning decision.

Waiver of or exception(s) to the NSO requirement will be subject to the same test used to initially justify its imposition. If upon evaluation of a site-specific proposal, it is found that less restrictive mitigation would adequately protect the public interest or value of concern, then a waiver or exception to the NSO requirement is possible. The record must show that because conditions or uses have changed, less

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restrictive requirements will protect the public interest. An environmental analysis must be conducted and documented (EA or EIS, as necessary) in order to provide the basis for a waiver or exception to a NSO planning decision. If the waiver or exception is found to be consistent with the intent of the planning decision, they may be granted. If found inconsistent with the intent of the planning decision, a plan amendment would be required before the waiver or exception could be granted.

When considering the "no development" or "no leasing" option, a rigorous test must be met and fully documented in the record. This test must be based upon stringent standards described in the land use planning document. Since rejection of all develop-

ment rights is more severe than the most restrictive mitigation requirement, the record must show that consideration was given to development subject to reasonable mitigation, including no surface occupancy. The record must also show that other mitigation was determined to be insufficient to adequately protect the public interest. A "no development" or "no leasing" decision should not be made solely because it appears that conventional methods of development would be unfeasible, especially where an NSO restriction may be acceptable to a potential permittee. In such cases, the potential permittee should have the opportunity to decide whether or not to go ahead with the proposal (or accept the use authorization), recognizing that an NSO restriction is involved.

GLOSSARY

- ALLUVIUM.** Unconsolidated material deposited relatively recently in geologic time by a stream or other body of running water.
- AMPHIBOLITE ROCKS.** Metamorphic rock consisting essentially of amphibole, a group of minerals with essentially like crystal structures involving a silicate chain, OH (Si_4O_{11}).
- ANTICLINE.** An upfold or arch of stratified rock in which the beds or layers bend downward in opposite directions from the crest or axis of the fold.
- AREA OF CRITICAL ENVIRONMENTAL CONCERN:** An area within the public lands designated for special management attention to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes, or to protect life and safety from natural hazards.
- ARGILLACEOUS.** Of, relating to, or containing clay or clay minerals.
- BIOTITE-CHLORITE SCHISTS.** Black or dark green metamorphic crystalline rock.
- CHANNERY LOAM.** Loam containing thin, flat coarse fragments of limestone, sandstone, or schist, having diameters as large as 6 inches.
- CHUKAR.** An Indian rock partridge that is gray with black and white bars on the sides and a red bill and legs.
- COLLUVIUM.** Loose incoherent deposits at the foot of a slope or cliff, brought there primarily by gravity.
- CROWNED AND DITCHED ROAD.** A constructed road graded to facilitate drainage.
- CRUCIAL WINTER RANGE.** An area of crucial importance to the survival of a local wildlife population during the periodic occurrence of severe winter conditions.
- CULTURAL RESOURCES.** Fragile and nonrenewable remains of human activity, occupation, or endeavor reflected in districts, sites, structures, buildings, objects, artifacts, ruins, works of art, architecture, and natural features that were of importance in human events. These resources consist of (1) physical remains; (2) areas where significant human events occurred, even though evidence of the event no longer remains; and (3) the environment immediately surrounding the actual resource. Cultural resources, including both prehistoric and historical remains, represent a part of the continuum of events from the earliest evidences of humans to the present day.
- DIKE.** A thin, sheet-like intrusion of igneous rock cutting across the bedding or foliation of the country rock.
- DIP.** The angle between the bedding plane or fault plane and the horizontal plane.
- DIRECTIONAL DRILLING.** A method of drilling in which the direction of the hole is planned before.
- DRILL-STEM TEST.** Bottom-hole pressure information obtained and used to determine formation productivity.
- ECOSYSTEM.** A functional system that includes the organisms of a natural community together with their environment.
- FORB.** An herb other than grass; a broadleaf herb.
- GNEISS.** A laminated or foliated metamorphic rock.
- GNEISSIC.** Referring to gneiss, a foliated metamorphic rock corresponding in composition to granite.
- HABITAT.** The place where a plant or animal species naturally lives and grows.
- HABITAT MANAGEMENT PLAN.** The BLM's plan for habitat maintenance and improvement. The primary vehicle used in the BLM to fund habitat projects.
- HEMATIFEROUS BIOTITE SCHISTS.** A schist containing mostly biotite mica with an unusually high content of hematite (iron oxide).
- HYDROTHERMAL.** Pertaining to the action of hot aqueous fluids or solutions on rocks or mineral deposits.
- IGNEOUS.** Rock formed by solidification of a molten magma.
- LITHIC WORKSHOP.** An area where stone tools were manufactured.
- LIVESTOCK GRAZING OPERATIONS.** Operations under permit where the primary purpose is the grazing of livestock for the production of food and fiber. Includes pack and saddle stock used in conjunction with such operations.
- LOAM.** A fertile and humus-rich soil consisting of a friable mixture of 7 to 27 percent clay, 28 to 50 percent silt, and less than 52 percent sand.
- MAFIC.** Containing abundant dark colored minerals such as amphiboles, pyroxenes, and certain feldspars.
- METASEDIMENTS.** A sediment of sedimentary rock which shows evidence of metamorphism.
- MINERAL WITHDRAWAL.** Removal of specific federal lands from availability for mineral development.
- NEPHRITE JADE.** Less valuable jade.
- NO SURFACE OCCUPANCY STIPULATION.** A stipulation placed on a lease that prohibits any surface-disturbing activities in the lease area. See appendix C.
- OFF-ROAD VEHICLE.** Any motorized tracked or wheeled vehicle designed for cross-country travel over any type of natural terrain. Exclusions (from Executive Order 11644, as amended by Executive Order 11989) are nonamphibious registered motorboats, any military, fire, emergency, or law enforcement vehicle while being used for emergency purposes, any vehicle whose use is expressly authorized by the authorizing officer or otherwise officially approved, vehicles in official use, and any combat support vehicle in times of national defense emergencies.
- PEGMATITE.** A very coarse-grained igneous rock with a composition similar to granite. It is usually found in veins or dikes.
- PERMEABILITY RATE.** The capacity of a porous rock, soil, or sediment for transmitting a fluid without damage to the structure of the medium.
- PRECAMBRAIN ROCKS.** Igneous and metamorphic rocks formed during Precambrian time, which ended approximately 570 million years before present.
- PREHISTORIC.** Pertaining to the period of time before written history. In North America, prehistoric usually refers to the pre-Columbian period (before 1492).
- PRIMITIVE AND UNCONFINED RECREATION.** Nonmotorized and nondeveloped types of outdoor recreational activities.

GLOSSARY

- PRODUCTION TEST.** Test of a well's productive capacity for hydrocarbons in a particular formation or reservoir that is performed after the casing is set and through perforations in that casing.
- PROSPECT.** To search for minerals or oil by looking for surface indications, by drilling boreholes, or both. Also, a plot of ground believed to be mineralized enough to be of economic importance.
- RADIOMETRIC SURVEY.** A survey conducted with a radiometer, an instrument that detects and measures the intensity of electromagnetic or acoustic radiation.
- REACH.** A straight, continuous, or extended part of a river stream or restricted waterway.
- RECREATION OPPORTUNITY SPECTRUM.** For management and conceptual convenience, possible mixes or combinations of activities, settings, and probable experience opportunities have been arranged along a spectrum or continuum.
- RESOURCE MANAGEMENT PLAN.** A comprehensive plan that establishes land-use decisions based on the principles of multiple use and sustained yield.
- RIPARIAN.** Of or relating to or living or located on the bank of a watercourse.
- SCENIC QUALITY CLASSES.** Classes that are assigned to the land for the purpose of rating an area by landform, vegetation, water, color, influence of adjacent scenery, scarcity, and cultural modification. There are three classes.
- SCHEELITE.** A calcium tungstate, CaWO_4 , which is a commercial source of tungsten and tungsten compounds.
- SCHIST.** A metamorphic rock consisting predominantly of mica minerals with a parallel orientation of the mica plates.
- SEEP.** A spot where a fluid contained in the ground oozes slowly to the surface and often forms a pool.
- SODIC.** Of, relating to or containing sodium.
- TUFF.** Rock composed of material formed from volcanic debris ejected into the air.
- URANIFEROUS.** Containing uranium.
- VISUAL MANAGEMENT CLASS.** A category describing the different degrees of modification allowed to the basic elements of the landscape. Class designations are derived from an overlay technique that combines the maps of scenic quality, sensitivity levels, and distance zones. There are five management classes.
- VISUAL RESOURCE MANAGEMENT.** The system by which the BLM classifies and manages scenic values and visual quality of public lands. The system is based on research that has produced ways of assessing aesthetic qualities of the landscape in objective terms. After inventory and evaluation, lands are given relative visual ratings (management classes), which determine the amount of modification allowed to the basic elements of the landscape.
- ZEOLITE.** A large group of hydro-aluminosilicate minerals formed especially in beds of tuff. Sometimes valuable for chemical properties allowing them to be used in ion exchange and adsorption.

References

Harris, R. E., Hausel, W. D. and Meyer, J. E.

1985 *Metallic and Industrial Minerals Map of Wyoming* (map).
Laramie, WY: Wyoming Geological Survey.

Hausel, W. D., Glass, G. B., Lageson, D. R., VorPloeg, A. J., and
DeBruin, R. H.

1979 *Wyoming Mines and Minerals Map* (map). Wyoming Geo-
logical Survey.

