



*Barbara Dobos (Casper, WY) • Lesley Wischmann (Laramie, WY) • Mary Humstone (Fort Collins, CO) • Sarah Egolf (Lafayette, CO)
Misty Stoll (Laramie, WY) • Tom Rea (Casper, WY) • Edre Maier (Sheridan, WY) • Trish Ullery-Whitaker (Kaycee, WY)
Russ Kaldenberg (Cheyenne, WY)*

PO Box 51201 | Casper, WY 82605 | 307.333.3508 | ExecDirector@historicwyoming.org | www.historicwyoming.org

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Bureau of Land Management
Lander Field Office
P.O. Box 589
Lander, WY 82520
LRMP_WYMail@blm.gov

Comments on Lander Draft Resource Management Plan And Environmental Impact Statement

Thank you for allowing the Alliance for Historic Wyoming (AHW) the opportunity to provide suggestions to be considered in the Draft Lander Field Office RMP/EIS revision.

AHW was incorporated as a Wyoming nonprofit in 2005 to assist citizens concerned about preserving, protecting and enhancing Wyoming's irreplaceable historic and cultural resources by becoming more actively involved with the public process affecting these particular resources, especially those located on public lands.

In that capacity we represent a broad coalition of average citizens brought together by their deep appreciation for our resources—and especially for the opportunities those resources afford us to experience the past through treasures that remain embedded on our vast landscapes.

Identifying Our Concerns

AHW would like to specifically address the management of Historic and Cultural Areas with Special Values including:

- Congressionally Designated National Historic Trails
- Congressionally Designated National Scenic Trail
- Heritage Tourism
- South Pass Historic Mining Area
- Regional Historic Trails and Early Highways
- Historic and Cultural Properties with Special Values
- Native American Spiritual, Sacred and Traditional Cultural Properties

- BLM Management Challenges for Heritage and Visual Resources
- Recommendation for offsite mitigation to deal with adverse cultural impacts

Congressionally Designated National Historic Trail

The segment of the National Historic Trails in the Lander Field Office—from Horse Creek to Burnt Ranch—is made up of braided segments of the Oregon/California/Mormon Pioneer/Pony Express trails that still look much like they did in the mid-1800s, when 500,000 emigrants crossed the continent on the same route.

The trail and visual landscape should be protected to maintain this state. Alternative B best supports AHW's position on management of these Congressionally Designated Trails. Alternatives A and C are the least acceptable. Alternative D, with some clarifications is in most cases also acceptable—if its protections are not weakened.

These trails are haunted by history. One example is the stretch along the Seminole Cutoff from Warm Springs to Alkali Creek. Another is the segment continuing up the long hill past the pioneer graves near Immigrant Spring to the pleasant spot where the trail rejoins the Sweetwater. Especially dramatic is where the trail pushes out into the sagebrush all the way to Burnt Ranch. All these places are so empty of human traffic and their skies so open, that it makes it simple to imagine westbound emigrants crowding these routes 160 years ago as well as the people who used them for thousands of years before that. *And, virtually all of these segments are on BLM land.*

BLM puts it succinctly in section 4.7.1 of the draft RMP, page 1036: “In the planning area, these NHTs are also significant for their good to excellent historic settings, which help visitors imagine what it was like along these trails in the 1800s.”

These trails are clearly a national treasure. Thanks to flukes of geology (they are near few minerals of commercial value) and geography (they are remote), combined with the BLM's management of them in recent decades, they have largely maintained their historic value. AHW applauds the BLM in its efforts toward more proactive management to preserve the trails' historic qualities, for these are important steps in ensuring that visitors may enjoy and learn from the trails for generations to come.

Within the Lander Field Office management area there are approximately 168 miles of National Historic Trails corridor. A Park Service study from the early 1980s declared the section of the Oregon Trail from Independence Rock to the True Parting of the Ways as the most pristine of section of the entire 5,565 miles of the entire National Historic Trails System.

A recent BLM survey in the Lander jurisdiction indicated that 134 miles of the trail (81%) are rated by the Oregon-California Trails Association's trail classification as Class I and Class 2, indicating the trail is in extraordinary good shape. The National Park Service's assessment of these trails, completed in 1999 and included in 4.10.7, pp. 1246 and following in the draft Lander RMP has reached similar conclusions.

As the NPS assessment also notes, most of the best stretches of National Historic Trail are on BLM-administered public land—and the reason they are in such good shape is that the agency has done such a good job protecting them for decades. But the warning is also quite clear (p. 1251): “It is generally true that the NHTs are best protected by entities who have laws encouraging protection of trails, and it is also true that entities with other priorities do not tend to protect historic trails as well.”

“These segments” outside the Lander Field Office, notes the RMP on the bottom of p. 1255, “include the Prospect Hill segment, portions of the South Pass segment, Big Sandy to Green River segment, the North Piney Creek to Smith's Fork segment, and portions of the Bear River Divide segment.”

AHW finds this language encouraging, as it implies the BLM understands the unique nature of historic trails among the many resources the agency is tasked with protecting: Trails are linear. Compromising the historical integrity of *any* stretch of trail compromises integrity of the entire trail.

As BLM also notes, wind-power development along the NHTs and NSTs are the greatest threat to historic and scenic integrity. Industrial glades of 450-foot tall wind turbines and their accompanying transmission lines and towers permanently change landscapes. Again, BLM language is excellent on this point: “Like wind farms, transmission lines are highly visible and would result in major adverse impacts to the historical settings of the NHTs.” (p. 1255)

Therefore, for their 10-mile-wide protections against wind development along the NHTs and the NSTs, the Alliance for Historic Wyoming supports Alternatives B and D. We also find it encouraging that, as BLM states on p. 1256, “Alternative B or Alternative D could result in cumulative beneficial impacts to other trail segments in this region. Upcoming RMPs could look to this RMP for guidance and ideas about how to best manage the NHTs while still allowing development that would not adversely impact the NHTs.”

Development of industrial wind power also brings with it the need for huge transmission lines, which can be just as hard on the historic integrity of a landscape as the turbines themselves. For this reason, AHW supports Alternative B, with only one utility corridor crossing the trails in the relatively industrialized Jeffrey City area (see map 104). Alternative D (map 106), with three crossings of the trails also near Jeffrey City, would be acceptable, especially as one of those crossings is for an underground pipeline. Alternative C (MAP 105), with multiple corridors going all directions, would change that country forever and is unacceptable.

Similarly, on some of the landscapes along the trails, the 10-mile-wide proposed Heritage Tourism and Recreation Corridor, even with only weak visual contrasts prohibited beyond that width, may not be sufficient to preserve the historic trails' integrity. Ridgetops along Green and Crooks mountains and on Whiskey Peak, south of the trails corridor between Devil's Gate and Jeffrey City, are in some cases more than five miles south of the trails. Yet wind turbines on these high spots would still dominate the landscape, clearly visible even to casual observers.

For that reason, AHW recommends that the wind-energy development avoidance areas in Township 28 North and Ranges 89, 90, 91, 92 and 93 West, and a small section in T 29 N, R 93 W (map 100) all be changed to wind-energy development exclusion areas. That change could also further discourage development of wind energy on the private lands in those same areas, which would be beneficial for the long-term integrity of the trails.

The revised Rock Springs Field Office draft RMP/EIS will be available for comment in the fall of 2012. AHW very much hopes the Rock Springs BLM officials will find strong examples in the Lander RMP of how to protect the integrity of historic trails, especially from wind-power development.

Congressionally Designated National Scenic Trail

To fully protect the scenic values of the Continental Divide National Scenic Trail, AHW supports Alternative B, the designation of a 10-mile-wide corridor, five miles on each side of the CDNST as a 259,380-acre Area of Critical Environmental Concern, as detailed in the table on p. 159 of the draft RMP. This would include the stretch of CDNST from Unnamed Spring (out of view of Happy Springs oil field) all the way northwest to the Lander Field Office's western boundary (near South Pass City) as shown on map 121.

If necessary, and because of the scenic degradation already existing along the stretch of CDNST from the Happy Springs oil field east to the eastern Lander Field Office boundary, AHW would not object too strenuously to Alternative D, which protects a corridor only $\frac{1}{4}$ mile wide along that stretch, as shown on map 127. This is because the rest of the CDNST under Alternative D would receive similar protection to the ACEC protections of Alternative B, though designated a Heritage Tourism Recreation Corridor.

Heritage Tourism

We at AHW were surprised that though Alternative D calls for a heritage tourism and recreation buffer around the Congressionally Designated Trails, there is very little discussion in the entire RMP about the economic benefits to Wyoming in general and the areas in and near the Lander Field Office in particular (especially Fremont County) of attracting heritage-minded tourists in the coming decades to

well-maintained and well-protected historic trails, with their historically splendid vistas intact. Discussion of this kind would strengthen BLM's case for its alternative D proposal—designation of a 10-mile-wide buffer along the trails as a Heritage Tourism and Recreation Corridor.

Fremont County and the State of Wyoming are only now beginning to realize how beneficial cultural tourism can be for our state's economy and future. History buffs around the nation and the world admire Wyoming for how similar it still looks to way it did 150 years ago. If the Lander Field Office commits to a 10-mile-wide Heritage Tourism and Recreation Corridor the length of the historic and scenic trails, and tourist-promotion groups in Cheyenne and Fremont counties take advantage of those protections to do a better job attracting tourists, everyone in Wyoming will be better off in the long run.

South Pass Historic Mining Area ACEC

AHW applauds the proposed expansion of the present South Pass Mining District ACEC (See Alternative A, map 130) protections into a much larger South Pass Historical Landscape ACEC (Alternative B, map 131 and Alternative D, map 132. Differences among the alternatives are detailed in the tables on pp. 191-192 of the draft RMP).

Miner's Delight was one of the first communities in the Wyoming Territory. The initial discovery of gold there in 1868 led to an era of gold mining and the establishment of Hamilton City. The Miner's Delight mine was located about a quarter mile west of the town, and boom and bust periods followed the operation of the mine until 1882 when it was shut down until after the turn of the century. Two brief boom periods in 1907 and 1910 came as a result of improvements in mining operation techniques.

Through historic preservation efforts by the BLM and various university programs, the ghost town at Miner's Delight presently provides historians and tourists alike with a look into early Wyoming life and gold mining culture. On the town site are 17 structures, many of which have been stabilized. (See section 4.7.5.3.9, pp. 1126-1127 in the RMP)

South Pass City was briefly Wyoming Territory's second-largest town in the late 1860s but quickly fell into decline. The state of Wyoming developed it as a heritage tourism destination in recent decades after a significant land transfer from the BLM. South Pass City and the Carissa Mine and Mill compose the South Pass Historic Site, Wyoming's largest state historic site.

Under all alternatives the BLM would work with the state's Abandoned Mine Lands Division to reclaim or stabilize abandoned mines and environmental hazards. Alternative B would increase proactive management, extending the existing protections by enlarging the South Pass Historical Mining Area ACEC to include

Miner's Delight, South Pass City and other historic sites along and between Rock Creek and Willow Creek historic sites with restrictions on surface disturbance.

Alternative D would manage the existing and extended ACEC under VRM Class II, which would substantially reduce adverse impacts from visual intrusions into the historical setting, as well as withdrawal from locatable minerals entry. Sage-grouse management would also reduce surface disturbance.

AHW finds that Alternative D affords the best opportunity for management of scenic, cultural, historic and outdoor recreational activity. Alternative D best encourages historic tourism and education by developing a cultural resource protection and management plan for a South Pass Historical Landscape ACEC that is, at 124,229 acres, much larger than the 12,576 acres comprising the existing South Pass Historic Mining Area ACEC (Alternative A) and proposed 23,439 acres in Alternative B (See maps 130, 131 and 132).

Regional Historic Trails and Early Highways

AHW supports Alternative B in management of regional historic trails and early highways, as detailed in the table on pp. 205-207 of the draft RMP. Although Congress does not officially protect these corridors it does not mean they should receive any less protection on BLM land than the CDTs.

As with management of the CDTs, the Lander Field Office is setting important precedents for the other BLM field offices in Wyoming and around the West as they revise their RMPs.

These trails and early highways will also attract history-minded tourists, once the state, Fremont County and other organizations start doing a better job telling their stories to the world.

Other Historic and Cultural Property with Special Values

Warm Springs Canyon Flume, Natural Bridge and Geyser

The Warm Springs Canyon Flume, Natural Bridge and Geyser area is a unique historical and natural area on the lower slopes of the northern Wind River Mountains near Dubois. The natural and historic elements of this area are closely related, and management must consider both aspects.

The historic element is a flume running down Warm Springs Canyon, which was completed in 1928 as part of an early system carrying hand-hewn railroad ties out of the mountains to the Wind River. During its active life it carried hundreds of thousands of ties. The flume was abandoned in 1942 when a haul road was completed and trucks became a more economical way to transport the ties.

The natural elements of this resource lie on BLM-administered land at the lower end of the canyon. It is here that the flume crosses the “Natural Bridge,” a limestone cavity through which Warm Springs Creek flows. Another nearby natural phenomenon unique to the area is an inactive geyser, located just above the canyon.

The Warm Springs Canyon Flume site is managed for historical and natural values and is protected from oil and gas development (NSO), and from other uses incompatible with its historic qualities. Though the site was the subject of an engineering and stabilization study, the resulting management plan and stabilization recommendations have not been completed. Warm Springs Canyon Flume has been nominated for ACEC designation and the Warm Springs Flume, Natural Bridge and geyser are considered eligible for listing on the National Register of Historic Places.

AHW finds that Alternative B best supports protection for the Warm Springs Canyon Flume and the surrounding 834 acres as it calls for managing the site as a category 6 restoration. Additionally, no new range improvement would be authorized within the surrounding area. Alternative B would develop a cultural resource plan for stabilizing selected sections of the flume and would manage the site in cooperation with the NFS and nearby landowners. (Alternative B management of the Warm Springs Canyon Flume is detailed in the tables on pp. 115-116 of the draft RMP and on and map 69)

Native American Spiritual, Sacred and Traditional Cultural Properties

Beaver Rim ACEC

Alternative B expands the ACEC to 20,532 acres (see p. 37 of the draft RMP) with additional management prescriptions. It provides the least surface disturbance as well as the most protection for raptors, greater sage-grouse and other wildlife. AHW finds that Alternative B offers the best protection and preservation of the cultural remains and natural features important to Native American values. In addition, Alternative B would limit motorized travel to the existing roads in the area around the Traditional Cultural Property.

Cedar Ridge Traditional Cultural Property (TCP)

This Native American Spiritual, Sacred and TCP Prehistoric/Historic site is eligible for the National Register of Historic Places and has been proposed for ACEC status.

Cedar Ridge Complex is a spiritual and sacred and Traditional Cultural Property (TCP) in the northeastern portion of the planning area. Most of Cedar Ridge lies within the Casper Field Office to the east, but its western limits extend into the Lander Field Office’s planning area. Cedar Ridge is protected by special management of the eastern portion of the Cedar Ridge TCP addressed by plans in the Casper Field

Office. In the Lander Field Office, Cedar Ridge is not part of any existing ACEC but has been nominated and proposed as an ACEC.

Cedar Ridge was used for more than 5,500 years as a ceremonial site for prayers and rituals and continues to be a sacred place for Eastern Shoshone to conduct religious observations. The site is considered integral to the proper function of the contemporary Shoshone way of life, a right that is specified in Executive Order 13007, Indian Sacred Sites (May 24, 1996) and AIRFA. Part of the ridge in the planning area has not experienced much modern development. The Cedar Ridge complex is also culturally important to the Crow and possibly other tribes. It was established as a TCP in 1997 after extensive consultation with the Eastern Shoshone and the Wyoming State Preservation Office (SHPO).

Negative impact on the site could come from erosion, looting and vandalism, but the most serious impact would be from industrial development that could not be reversed. The BLM is legally mandated to identify, evaluate and manage cultural resources under at least three federal laws and four Presidential Executive Orders, most prominently the Antiquities Act of 1906, the NEPA of 1969, the FLPMA of 1976, as amended, and Executive Order 11593, Protection and Enhancement of the Cultural Environment (1971).

AHW supports Alternative B because it would designate the Cedar Ridge site and surrounding 3-mile radius as an ACEC with protective prescriptions for 7,039 acres, as detailed in the tables on p. 176 of the draft RMP. Alternative B would also result in greater beneficial impact to the TCP than the other alternatives by managing the TCP and periphery areas as VRM Class II, as detailed on p. 197-198 of the draft RMP. It would also protect Cedar Ridge from large energy development ROWs, which are the most likely intruders on the TCP setting.

Castle Gardens Rock Art Site

The site is a well-known rock art area located in the eastern part of the planning area. The site contains a large number of prehistoric figures etched in and/or painted on sandstone. These Plains-style pictographs and petroglyphs are regionally known as classic examples of the best in the Wyoming region.

Several styles of art are evident, and many excellent shield motif representations are present. The prehistoric rock art is estimated to date from the Late Prehistoric Period (about 1,800 to 250 years BP), and the drawings are assumed to be concerned mostly with spiritual beliefs or important events.

The rock art can be found over a large portion of the Castle Gardens uplift, which covers an area 6 miles long by 1 mile wide. The majority of the rock art is, however, located at the far eastern end of the Castle Gardens area. Considered a spiritual site of the Eastern Shoshone, Northern Arapaho and other tribes, modern traditional use of the site has been documented as well.

The site was first studied and recorded in the early 1940s (Sowers 1941). Since then, it has become well known to the general public and has suffered from vandalism and weathering. In the 1970s the BLM constructed a road into the site –it was thought that increased access, fencing and signs would slow the damage. However the opposite occurred. Today the site is damaged but retains much of its character and spiritual value in spite of adverse erosion, looting and increased access. Long-term management includes expanding and stabilizing the site, reconfiguring the fence and removing graffiti from the artwork.

Castle Gardens is listed on the National Register of Historic Places and is managed for cultural and recreational values. The immediate site vicinity is protected from oil and gas development, locatable mineral exploration (segregated from mining), grazing (fenced enclosure) and is closed to motorized travel. Castle Gardens has been nominated for ACEC designation.

Castle Gardens is within the Wyoming Government Greater Sage-Grouse Core Area. While there is potential for commercial wind-energy development, NHPA and Native American religious protection would preclude development within the 80 acres of the site. AHW prefers management of the site under Alternative B, as detailed on pp. 200-202 of the draft RMP, because it offers the greatest area and most proactive management, which would lead to more protection and restoration under ACEC designation.

The overall impact of Alternative D would be greater protection than Alternative B for lands closer to the site but would afford less protection for lands farther away. Alternative D would protect most of the sensitive lands from introduction of development that would be out of character with the area's historic and natural setting. However, Alternative B would restrict the most surface-disturbance activities and therefore best protect the site from development while offering the most opportunity for enhancement.

BLM Management Challenges for Heritage and Visual Resources

Nonrenewable resources—cultural resources in general and prehistoric resources in particular—are especially vulnerable to effects from use and other management actions. While the protection of cultural resources has some of the strongest regulatory basis of any of the multiple uses managed by the BLM, increasing development, particularly by oil, gas, mineral extraction and ROW development, presents a long-term threat to these fragile resources.

Over the last 20 years, effects from development on prehistoric resources have increased in the lands managed by the Lander Field Office. Undiscovered, buried sites are especially vulnerable to destruction during construction. Increased awareness of the potential for buried resources and improved data recovery

measures have increased the knowledge of the prehistoric resources present in the planning area.

AHW believes consultation prior to development and avoidance are the best management approach. Natural impacts to cultural resources such as weather and exposure amplify deterioration of cultural sites, as do public use, vandalism, and development. These resources require special and specific active management planning to reverse this trend.

The National Historic Preservation Act and Wyoming State Protocol Agreement provisions must be followed under all alternatives, and the BLM must continue to conduct government-to-government consultation with interested Native American tribes (See section 5.3.3, Native American Interests, of the draft RMP). Compared to the Alternatives A, C and D, Alternative B provides the best protection through proactive special management measures.

Need for Offsite Cultural Mitigation for Adverse Cultural Impacts

AHW also has serious concerns about the potential impacts of future natural gas developments in the northern end of the planning area around Moneta, Lost Cabin and Lysite. We believe that the projects that have been discussed for this region could have extremely negative impacts on the area's cultural resources. Much of our concern stems from the potential scale of these projects and the fact that, increasingly, Wyoming is seeing industrial-scale projects dominate a region and, in some cases, totally disrupt the iconic open spaces that define the Wyoming cultural landscape.

These projects have an impact well beyond their specific effects on discrete cultural resources. They change how we see Wyoming and the resources that we will pass on to our children and grandchildren. As more of these projects take shape, it has become clear that the Section 106 process of the National Historic Preservation Act is inadequate to address the cumulative adverse effects to our heritage. Since Section 106 is only designed to address impacts on sites and properties eligible for inclusion on the National Register of Historic Places, these big projects are often not being held to account for changing Wyoming's larger landscapes. And it is those threatened wide-open landscapes that are a huge draw for tourism in general and heritage tourism in particular.

AHW believes it is essential that BLM field offices recognize the impact that these potential projects could have on Wyoming's overall cultural landscape. Unfortunately, past analyses under the National Environmental Policy Act have often failed to adequately address these landscape-wide issues. Future NEPA documents must thoroughly consider these issues in the recreation and socio-economic analyses, giving due attention to how an industrialized landscape might impact heritage tourism as well as the ability of future generations of Wyomingites

to enjoy the wide-open space that citizens have always embraced as their cultural heritage.

AHW contends that NEPA is the only proper vehicle for addressing these issues. Should industrial-scale projects be proposed in this region in the future, we believe the BLM must insist on a fund for off-site, compensatory mitigation under NEPA to address the cumulative adverse effects on these iconic cultural resources and landscapes.

This compensation should be required ***in addition to*** the normal on-site solutions within any identified area of potential effect mandated and negotiated under Section 106. In addition, considering the unique qualities, historical significance and irreplaceable nature of the South Pass area, we at AHW would encourage the Lander BLM to incorporate a mandate for off-site compensatory mitigation funding, in addition to Section 106 remedies, for any project that could impact in any way the segments of the National Historic Trails overseen by the Lander BLM Field Office.