



January 17, 2024

Project Manager, RSFO RMP  
BLM Rock Springs Field Office  
280 Highway 191 North  
Rock Springs, WY 82901

To Whom It May Concern:

On behalf of the Motorcycle Industry Council<sup>1</sup> (MIC), Specialty Vehicle Institute of America<sup>2</sup> (SVIA), and Recreational Off-Highway Vehicle Association<sup>3</sup> (ROHVA) – together referenced as the Associations, thank you for the opportunity to provide comments on *The Rock Springs RMP Revision Draft EIS*.

The powersports industry (motorcycles, all-terrain vehicles (ATVs), and recreational off-highway vehicles (ROVs or side-by-sides) are a \$47.7 billion/year industry in the United States with a significant majority of the vehicles being utilized off-road. This includes dual sport and adventure touring motorcycles which are the quickest growing segment of motorcycle sales.

The Associations, off-highway vehicle enthusiasts, and other recreationists strive to support collaborative processes to develop consensus on management of shared public lands. This holds true in Wyoming where public lands provide significant recreation opportunities. We were pleased that following the release of the Draft RMP, Wyoming Governor Mark Gordon "...assembled a task force representing diverse Wyoming interests—Wyoming House of Representatives, Wyoming Senate, conservation, economic development and tourism, livestock, local government, mining, motorized access, oil and gas, renewable energy and utilities, and sportsmen and hunting—and charged the task force with developing [consensus recommendations](#) for revising the Draft RMP to meet the needs of Wyoming stakeholders."

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<sup>1</sup> The Motorcycle Industry Council (MIC) is a not-for-profit, national trade association representing several hundred manufacturers, distributors, dealers and retailers of motorcycles, scooters, motorcycle parts, accessories and related goods, and allied trades.

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The Task Force noted that “Because the task force needed to finalize its recommendation before the end of the public comment period on January 17, 2024, the collaborative process was greatly accelerated and the task force did not address every issue that they deemed important.” Despite that rush we are encouraged by the progress the Task Force made and strongly support many of its findings including number 22 of its Agreements in principle:

22: The majority of the task force has grave concerns about the adoption of new or expanded ACECs in Alternative B, because of the potential negative impacts these ACECs could have on the economy, customs, and culture in SW Wyoming. The task force did not have time to develop nuanced approaches to the management in these proposed ACECs or propose different management designations.

A major concern with the Draft EIS is the nebulous nature of ACEC designations – particularly sweeping and unprecedentedly large designations of ACECs in an RMP for a single Field Office (FO). Alternative B would designate more than 1.5 million acres of Rock Springs FO as ACEC potentially impacting access and usage of the public lands. Consider that ACEC areas currently comprise 286,000 acres of Rock Springs. Alternative B would be a massive increase – quintupling the ACEC area in Rock Springs and more than doubling the 688,491 acres of ACECs currently designated in all of Wyoming’s 10 Field Offices.

This even though nobody knows what the designation of over 1.5 million acres of FO lands as ACEC will mean in practice. Consider a common complaint about ACEC as described by Senator Barasso and his colleagues in a [letter to Director Stone-Manning](#):

... this designation creates more ambiguity around the BLM's use of ACECs. The BLM national office has no accurate database of ACECs. There is no standard format for reporting information about ACECs within the agency or to the public. The BLM in recent years has used ACECs to restrict recreational demands, obliterate grazing rights, and hinder economic development in lower-income communities. The absence of a standardized format of ACEC data, while the BLM pushes for more land to be designated as ACECs, is already leading to a growing delta of distrust of what this draft RMP could mean for future BLM land decisions.

Further concerns are raised when it is understood that BLM is in the process of implementing a rule that may dramatically redefine what an ACEC is and does. From the *Conservation Health Rule* (emphasis added):

As part of this rulemaking, the BLM proposes establishing procedures that require consideration of ecosystem resilience, landscape-level needs, and rapidly changing landscape conditions in designating and managing ACECs. *The BLM*

*may also revise the ACEC manual and develop an ACEC handbook to integrate the existing rule as well as the changes proposed in this rulemaking, if finalized, into policy. The BLM would thus provide additional guidance for how to incorporate ACECs into resource management decisions in a way that considers trade-offs among environmental, social, and economic values during land use planning.*

Since the release of the Draft EIS BLM officials have maintained that the designation of 1.5 million acres as ACEC would not impact any existing recreational opportunities. A [September 9, 2023, article in the Cowboy State Daily](#) includes a quote from Kimberlee Foster, field manager for the BLM's Rock Springs office that captures this sentiment, "The most frustrating thing for us is all of the misinformation out there. We're not closing any areas to all hunters or people walking their dogs or some of the other nonsense that has been out there."

We submit that while it may be the intention (however unlikely) that implementation of Alternative B will not limit recreational opportunities at this time, nobody, including BLM officials, can know what the designation of an area as an ACEC will mean in the coming years given that BLM plans to "...provide additional guidance for how to incorporate ACECs into resource management decisions in a way that considers trade-offs..." We know that BLM intends to rework which lands can be designated as ACEC and how those lands will be managed. What we don't know is what the outcomes will mean for recreation, or other multiple uses, as the proposed *Conservation and Landscape Health Rule* has received heavy pushback from the public and has yet to be finalized. We believe it would be an error to designate more than 1.5 million acres in the FO as ACEC when it is unknown what that designation will entail.

We also support the Task Force's agreement in principle number 20:

20: The task force supports responsible recreational use across the field office. Motorized and non-motorized access should be continued for both dispersed and developed recreation. We request that the field office invest more staffing and funding resources to support recreational use, wise management, monitoring, and mitigation as needed to address appropriate areas for expanded or concentrated use, necessary infrastructure improvements, and areas that need special protections. These efforts are necessary for both conservation special areas and special recreational places. The agency should work with local stakeholders, including state and local governments, to develop place-based plans that can address recreational needs while maintaining traditional uses within the Field Office area.

We support this agreement in principle both because BLM has a multiple use mission that includes providing for recreation and because we believe it better captures the current sentiment

of the local public and the opinions of the people who live, work, and recreate in the area than Alternative B.

The Draft EIS describes the scoping process for the development of the RMP revision:

The initial public scoping meetings for the Rock Springs RMP revision were held in Lander, Rock Springs, Lyman, and Farson, Wyoming, on February 28, and March 1, 2, and 3, 2011 respectively. During the four scoping meetings, 85 people registered their attendance. The public meetings for the CTTMP were held in Rock Springs, Lyman, and Farson, Wyoming on November 13, 14, and 15, 2012, respectively. During the three public meetings, 44 people registered their attendance. The public meetings for the consent decree for wild horses were held in Rock Springs and Rawlins, Wyoming on September 11 and 12, 2013, respectively.

Since the vast majority of public input took place nearly 10 years before the BLM issued its Conservation and Landscape Health proposed rule which indicates that dramatic changes are forthcoming to the management of ACECs, we ask – how could the Draft EIS adequately reflect the current comments and sentiment of the public? Even in the extremely unlikely event that comments urged the FO to designate more than 1.5 million acres as ACEC, they couldn't have known that the BLM would seek to change how ACEC are managed a decade later. Designation of the land as ACEC today may not come with an intent to close the lands to recreational access, but future field managers or Presidential Administrations may feel otherwise. Having the land in ACEC designation would only expedite efforts to close lands in the future.

In conclusion, the Associations urge BLM to rescind the Draft EIS and seek to develop consensus through the collaborative process that has been established by the Task Force assembled by Governor Gordon. It is clear that the effected public does not support the designation of more than 1.5 million acres as ACEC, and that lands in the FO can be sustainably managed for multiple uses, while providing for conservation of the lands for posterity.

Thank you for your consideration.

Sincerely,

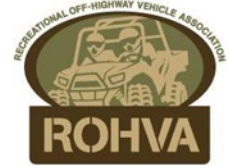
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Duane Taylor

Director of Safe and Responsible Use Programs



**MOTORCYCLE  
INDUSTRY  
COUNCIL**



March 18, 2024

The Honorable Mariannette Miller-Meeks  
U.S. House of Representatives  
1034 Longworth House Office Building  
Washington, DC 20515

Dear Representative Miller-Meeks:

On behalf of the Motorcycle Industry Council<sup>1</sup> (MIC), Specialty Vehicle Institute of America<sup>2</sup> (SVIA), and Recreational Off-Highway Vehicle Association<sup>3</sup> (ROHVA) – together referenced as the Associations, I write in support of HR 5499, the *Congressional Oversight of the Antiquities Act*. As you know, H.R. 5499 would require congressional approval of presidential declarations of National Monuments within six months or before the end of the last session of the Congress it was introduced, whichever comes first.

The Antiquities Act of 1906 grants the President the authority to designate “...historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments.” The Antiquities Act also holds that national monuments should be “...confined to the smallest area compatible with proper care and management of the objects to be protected...,” yet multiple Presidents have, in our view, inappropriately designated enormous swaths of public lands as national monuments.

The Associations, off-highway vehicle enthusiasts, and other recreationists strive to support collaborative processes to develop consensus on management of shared public lands. Too often when collaborative processes are complicated, or otherwise breakdown, some attempt to restrict recreational access by urging the current Administration to designate the area as a National

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Monument. It is no secret that those most affected by land use decisions are those who live, recreate, and make their livelihoods on or near the public lands in question, and they should have a say in the management of those lands. As a result, it is imperative that Congress enact National Monument reform like H.R. 5499 which would provide for maximum public input and local involvement.

Thank you for your consideration. Should you have any questions, please contact me at 703-582-1202.

Sincerely:

A handwritten signature in black ink, appearing to read "Duane Taylor". The signature is fluid and cursive, with a prominent initial "D" and a long, sweeping tail.

Duane Taylor

Director, Safe and Responsible Use Programs



MOTORCYCLE  
INDUSTRY  
COUNCIL®



March 18, 2024

The Honorable Harriet Hageman  
U.S. House of Representatives  
1531 Longworth House Office Building  
Washington, DC 20515

Dear Representative Hageman:

On behalf of the Motorcycle Industry Council<sup>1</sup> (MIC), Specialty Vehicle Institute of America<sup>2</sup> (SVIA), and Recreational Off-Highway Vehicle Association<sup>3</sup> (ROHVA) – together referenced as the Associations, I write in support of H.R. 6085, *To prohibit the implementation of the Draft Resource Management Plan and Environmental Impact Statement for the Rock Springs RMP Revision, Wyoming, and for other purposes*. As you know, H.R. 6085 would bar the Secretary of Interior from allowing BLM to “finalize, implement, administer, or enforce” the draft plan.

This is consistent with the Associations’ comments to the BLM on the draft RMP, which concluded:

...the Associations urge BLM to rescind the Draft EIS and seek to develop consensus through the collaborative process that has been established by the Task Force assembled by Governor Gordon. It is clear that the effected public does not support the designation of more than 1.5 million acres as ACEC, and that lands in the FO can be sustainably managed for multiple uses, while providing for conservation of the lands for posterity.

Please see the attached full comments from the Associations, which outline our concerns regarding the proposal in more detail.

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Duane Taylor  
Director, Safe and Responsible Use Programs