P.O. Box 10902
Jackson, WY 83002
May 2, 2003

Snake River RMP Leader
Pinedale Field Office: BLM
P.O. Box 768
Pinedale, WY 82941

As the BLM decides exactly how to deal lands along the Snake River in Jackson Hole, I hope that the need to maintain a semblance of the natural state of the area will be given top priority. As you know, there have been innumerable intrusions, threats and outright damages done in that important and sensitive lush corridor through the much dryer valley. I agree with many people who express concern about protecting animals that live in the riparian area, but the most effective way to do that is to concentrate on maintaining habitat. This area can then serve as a small but safe retreat for animals that encounter constant change through development that is occurring in so much of Teton County.

Protecting habitat here will serve the best interests of the local area and the entire State, since wildlife viewing and outdoor recreation can provide business for local residents that is sustainable indefinitely, and business that will preserve natural areas for generations of Americans in the decades and even centuries ahead. This area is unique in offering that opportunity, and once any "improvements" are implemented, part of the opportunity for saving these qualities will vanish.

Thank you for allowing members of the public to send you our comments.

Sincerely,

Richard R. Klene

Richard R. Klene
Richard.Klene@UC.edu

SNAKE RIVER RANCH, INC.
5700 N. Snake River Ranch Road
Wilson, Wyoming 83014-9680
(307) 733-2864
Fax (307) 734-9047

VIA EMAIL

Snake River RMP Team Leader
Pinedale Field Office
P.O. Box 768
Pinedale, WY 82941

Re: Comments on draft EIS for the Snake River Resource Management Plan

In the preferred alternative, it is proposed that livestock grazing end by August 31st of each year. This cut-off date may be useful to protect riparian shrubs from fall browsing. However, it could limit the ability to use cattle to promote grasses, especially in competition with exotic weeds such as spotted knapweed.

As you know, we graze our BLM allotment in conjunction with our own riparian lands. We try to time our grazing to avoid browsing of woody plants and to promote grass so that it can compete with exotic weeds. Since the rainfall and water levels vary each year and are critical to grazing in the river bottom areas, each year our situation is different. But often, by resting the pasture from mid July through mid September, we allow grasses to set seed. Then by grazing in September and October the cattle help incorporate the grass seed into the seedbed. We have found that this has allowed us to maintain native grasses, reduce spotted knapweed invasion, and still maintain woody riparian vegetation.

Instead of establishing a fixed grazing cut-off date, cattle grazing standards should be established that relate to the maintenance of woody vegetation and/or the reduction of exotic weeds. This flexibility should result in better land management.

Sincerely,
Bill Resor

P. O. Box 1288
Wilson, WY 83014
May 4, 2003

Ms. Kellie Roedifer
Snake River RMP Team Leader
U.S. Bureau of Land Management
Pinedale Office
P.O. Box 768
Pinedale, WY 82941

Dear Ms. Roedifer:

As a resident of Wilson, Wyoming, I have a first-hand appreciation of the fish and wildlife habitat in the Snake River Resource Area and want to urge you to manage these lands primarily for their protection.

1 My principal comment on the Draft Environmental Impact Statement for the Snake River Resource Management Plan is to maintain these lands in public ownership, perhaps by designating a Special Project Area, so as to avoid any damaging activities, such as energy development, mining or sand and gravel operations, off-highway vehicle use or livestock grazing in riparian areas. You should try to combine all these parcels into contiguous protected corridors along the Snake River, perhaps in collaboration with the local land trusts, which have already protected several parcels of private land.

Thank you,
Stephen Ambrisi

Patty Ewing
PO Box 429
Jackson, WY 83001

May 7, 2003

Snake River RMP Team Leader
Pinedale Field Office
PO Box 768
Pinedale, WY 82941

Dear Sir:

1 This letter is to support the BLM's continued public ownership of the 1073 riparian acres along the Snake River, and the BLM's proposal that it be administered for public access.

In reviewing the Comparison of Alternatives proposed in the Environmental Impact Statement for the Snake River Resource Management Plan, I support the **Preferred** Alternative with the following emphasis or exceptions:

Emphasis: The importance of the development of the South Park Bridge Access
Minerals Management - No mineral activities allowed.

2 **Exceptions:** Salable minerals - Alternative C

3 Off Highway Vehicle Management
Close to all motorized vehicles the following:
Levee road at the Walton Parcel
Levee road west of the Snake River & South of Wilson Bridge
Vehicle use (Alternative C) for levee maintenance and permitted vehicles on case by case basis.
Over the snow motorized vehicles (Alternative C) would be prohibited.

4 Landownership Adjustments: Parcels remain in public ownership. NO SALE of public lands (Alternative C)
Management of parcels may be retained by BLM or other public agencies.

5 Livestock Grazing management objective (Alternative C) otherwise the preferred alternative for all other actions.

6 Public access: a required public access fee program would be established (Alternative B)

7 Parcels would remain closed to camping (Alternative A)

8 Vegetation Management Maintain habitat as in Alternative C
Control Noxious weeds as in Alternative C

9 In several instances, the Preferred Alternative refers to the disposal or transfer of the public parcels. I oppose vehemently the sale of ANY PUBLIC LANDS! Perhaps the management of these parcels could be the Teton County Commissioners; a non-profit organization dedicated to the enhancement of the Snake River, such as: The Snake River Fund, Trout Unlimited, Ducks Unlimited or a board comprised of representatives of all of these.

Sincerely,
Patty Ewing

State of Wyoming
TETON COUNTY
www.tetonwyo.org

Commissioners

Bill Paddleford
Andy Schwartz
Jim Darwiche
John Carney
Larry Jorgenson

Director of Administrative Services

Jan Friedlund

May 8, 2003

Ms. Kellie M. Roadifer
Team Leader / Draft Environmental Impact Statement for the Snake River Resource Management Plan
Bureau of Land Management
P.O. Box 768
Pinedale, WY 82941-0768

RE: Draft Environmental Impact Statement for the Snake River Resource Management Plan Comments

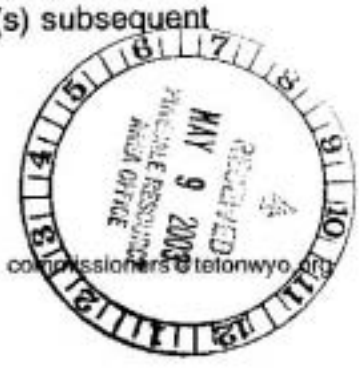
Dear Ms. Roadifer,

We are in receipt of the above referenced document dated January 2003. After reviewing the Draft EIS, we support the Preferred Alternative and find that this alternative generally addresses the need to preserve public access and recreational use while supporting open space preservation and protection of wildlife values. Assuming this alternative is approved, there are some minor concerns that we trust can be accommodated once the Management Plan is adopted and implemented by your agency. These include:

1 • Recognition that there are competing management objectives within the criterion. For example, allowing public access for recreational use on certain parcels may compromise wildlife habitat values.

2 • The need to reserve, to Teton County, the right for staging areas and / or gravel stockpiling associated with the Snake River Restoration Project if parcels are conveyed to entities other than Teton County.

3 • If the BLM transfers land to Teton County with an approved Project Plan, it is important to allow sufficient time for the funding and construction of proposed Project Plan improvements on the subject parcel(s) subsequent to the ownership transfer.



P.O. Box 3594, Jackson, WY 83001 • (307) 733-8094 • Fax: (307) 733-4451 • Email: commissioners@tetonwyo.org

On behalf of the citizens of Teton County, we appreciate your efforts in preparing this important document.

Sincerely,

William P. Paddleford
Chairman / Teton County Board of County Commissioners

Cc: Board of County Commissioners
Craig Jackson / County Engineer
Bill Collins / County Planning Director
Don Barney / County Road and Levee Superintendent
Steve Foster / Parks and Recreation Department Director

PHIBBS LAW OFFICE P.C.
330 E. Snow King Avenue
Jackson, Wyoming 83001
(307) 733-5004
Fax: 307-733-5019

HENRY C. PHIBBS II

Mailing Address:
P.O. Box 1082
Jackson, Wyoming 83001

May 8, 2003

Via Email: pinedale_wymail@blm.gov ***To Be Followed by U.S. Mail***
and
Via Telefax: 307-367-5329

To: Snake River RMP Team Leader
Pinedale Field Office
P.O. Box 768
Pinedale, WY 82941

From: Hank Phibbs

Re: Draft Environmental Impact Statement for the Snake River Resource Management

Dear People:

I am sending you this letter on behalf of a number of landowners along the Snake River, in Teton County. On their behalf I would like to correct some misinformation which is set forth in the draft environmental impact statement regarding the public's right to access riparian lands along the Snake River.

In chapter 1, on page 1 of the DEIS, in the second paragraph, you make a number of incorrect statements about land ownership along the Snake River. First, the lands located between the surveyed meander lines which define the Snake River are not "omitted lands". These lands are riparian lands. These lands belong to the owner of the adjacent uplands unless and until a federal court, in a final judgment, has found and determined that the original surveys were in error. This means that almost all of the riparian lands which are adjacent to patented uplands along the Snake River have always been and are still in private ownership. In this paragraph you state that "for most of the parcels that did go into private ownership". This language is fundamentally incorrect. None of the parcels went into private ownership", as they were always private from the beginning and that private ownership was not affected by any action taken by the federal court. True

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even when the owners of these lands granted a recreational easement as part of the settlement with the federal court.

2 In the last sentence of this paragraph you state that "for instance on the Snake River through the planning area, recreationists can anchor boats, wade, hike, picnic and fish on the river as it crosses private lands." This sentence clearly represents that the public has recreational rights of some kind on all of the riparian lands along the Snake River. For some of the riparian lands along the Snake River, the government never made any claim at all and these lands remain in private ownership not subject to any use rights. For other public lands, the government abandoned its claim and those lands also remain in private ownership not subject to any public recreational use rights. Please correct this fundamentally inaccurate language in the DEIS, everywhere it is present in the DEIS, so that there is not a false impression given to the public that they have a right to use all of the lands located between the meander lines of the Snake River for recreational purposes. This is definitely not true. Trespass on these lands is a growing problem for private landowners of these properties. The BLM should not make false statements to the public which may either cause and/or exacerbate these trespass problems.

3 Finally, I believe the parcel you identify as parcel 23 on map 8 and describe as a BLM parcel is actually a parcel which is privately owned by Robert J. and Mary Anna MacLean. I request that the ownership of the northern of the two parcels you have identified as parcel 23 be checked and corrected and deleted from the designation of public ownership when it is private status is confirmed.

Thank you for the opportunity to comment on this matter.

Very truly yours,

Henry C. Phibbs II

HCP/hm

PHIBBS LAW OFFICE P.C.
330 E. Snow King Avenue
Jackson, Wyoming 83001
(307) 733-5004
Fax: 307-733-5019

HENRY C. PHIBBS II

Mailing Address:
P.O. Box 1082
Jackson, Wyoming 83001

May 8, 2003

Via Email: pinedale_wymail@blm.gov ***To Be Followed by U.S. Mail***
and
Via Telefax: 307-367-5329

To: Snake River RMP Team Leader
Pinedale Field Office
P.O. Box 768
Pinedale, WY 82941

From: Hank Phibbs

Dear People:

I am sending you this letter on behalf of Walton Ranch Company to provide comment and correction with respect to a draft environmental impact statement your office has issued regarding the Snake River planning area and the legal status of certain property located adjacent to the west boundary of the Walton Ranch in Teton County, which the Walton Ranch has occupied and leased pursuant to the final judgment of the United States District Court for the District of Wyoming.

The property I refer to is identified as parcel 9 in your DEIS. The final judgment of the U.S. District Court of the District of Wyoming, which was stipulated to by the United States of America, gives the Walton Ranch Company the "right" as long as it is eligible under the laws and rules of the United States, to lease this parcel for grazing, agricultural or other authorized uses consistent with the maintenance of the property in its existing condition on the date of stipulation and entry of judgment. The right of the Walton Ranch Company to lease parcel 9 is subject to a determination by the Unites States in any legally mandated planning procedure that parcel 9 should be maintained in its existing condition as of the date of the stipulation and/or utilized for agricultural purposes. If it was determined in any legally mandated procedure that any part of parcel 9 should not be maintained in its existing condition on the date of the stipulation and/or utilized for agricultural purposes, the Walton Ranch Company has the right to lease the remainder of parcel 9.

The Walton Ranch Company has utilized parcel 9 for the grazing of ranch bulls for a month in the spring and a month in the fall. Parcel 9 has historically been divided into a north portion and a south portion.

1 There has never been any allegation whatsoever by the Bureau of Land Management, which has been communicated to Walton Ranch Company, that the north portion of parcel 9 did not meet the standards for healthy public range lands. The DEIS, on page 54, incorrectly asserts that the Walton allotment failed to meet standard number 4. The north portion of the Walton allotment has never been alleged to be out of compliance with all of the standards. The south portion of the Walton allotment has been alleged not to meet standard number 4, pertaining to alleged adverse impact on a particular shrub. Although the Walton Ranch Company has requested competent evidence from the Bureau of Land Management that the impact on the shrub in question was caused by the presence of the ranch bulls for one month in the fall, rather than the presence of browsing wildlife such as deer and moose, the BLM has failed to produce any such information or evidence whatsoever and its claim of noncompliance is without evidence or support in terms of causation. The Walton Ranch Company requests that the final DEIS reflect these facts.

2 The DEIS, on page 210, asserts that parcel 9, which the Walton Ranch Company has a right to lease by final judgment of the Unites States District Court, did not meet standard number 3 of the Healthy Public Range Land Standards. There has never been an allegation made at any time that any portion of parcel 9 failed to meet standard number 3 of the Healthy Range Land Standards.

3 The preferred alternative noted on page 26 of the DEIS proposes to eliminate fall grazing on parcels administered by the BLM. This will include parcel 9, which is leased by the Walton Ranch Company. There is no justification whatsoever given for this "preferred" alternative in terms of the north portion of the Walton allotment, and, as noted, there is no competent evidence to support the claim of the Pinedale office of the BLM that the fall grazing of the Walton Ranch bulls on the southern portion of this allotment for one month in the fall has adversely affected any shrub community.

4 The Walton Ranch Company requests that the BLM take the necessary actions to correct the misinformation set forth in the DEIS, and to conform the preferred alternative to the mandate and directive of the final judgment of the United States District Court. The preferred alternative for parcel 9 is and should be continued historic use of all of parcel 9 for both spring and fall grazing by the Walton Ranch Company.

Thank you very much for the opportunity to comment.

Very truly yours,

Henry C. Phibbs II

HCP/hm
cc: WRC

United States Department of the Interior

FISH AND WILDLIFE SERVICE
National Elk Refuge
P.O. Box 510
Jackson, Wyoming 83001

May 8, 2003

Snake River RMP Team Leader
Pinedale Field Office
P.O. Box 768
Pinedale, Wyoming 82941

To Whom it May Concern:

We have reviewed the *Draft* Snake River RMP EIS and have the following comments:

1 1. The lands covered under this document have enormous recreational, wildlife, scenic and cultural values and must be retained in some type of public ownership. Unfortunately, the Fish and Wildlife Service would be unwilling to assume management responsibilities for these lands because of severe ongoing funding and staffing shortages.

2 2. The Fish and Wildlife Service requests that Federal minerals under the surface of the National Elk Refuge be permanently withdrawn from mineral entry. Mineral extraction of just about any type would conflict with the purposes for which the refuge was established.

Sincerely,

Barry Reiswig
Refuge Manager

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MAY 12 2003
PINEDALE RESOURCE
AREA OFFICE

Brian Remlinger
PO Box 6376
Jackson, WY 83002

May 13, 2003

Snake River RMP Team Leader
PO Box 768
Pinedale, WY 82941

RE: DRAFT EIS for the Snake River RMP

Dear Team Leader,

I have reviewed the BLM's DRAFT EIS for the Snake River RMP. I am a year resident of Teton County and an avid user of the river and BLM Land here in Jackson Hole. I have many comments, but would like to concentrate on one. The Snake River Corridor provides recreational opportunities, wildlife habitat, and public benefit that cannot be matched. **It is my opinion that the public lands should stay in public ownership and free of structures.**

1

I understand the Pinedale Office management and budget roadblocks, but those are only challenges to be over come. Do not forget the BLM Mission Statement:

> It is the mission of the BLM to sustain the health, diversity, and productivity of the **public lands for the use and enjoyment of present and future generations.**

2 Gravel is a valuable commodity in Teton County. Mine it and sell it. Use the money for management of the Jackson Hole BLM lands and to improve the health of the Snake River. There are opportunities to partner with local agencies and non-profit organizations to address management issues. It would be a tragedy to see the adjacent landowners acquire more land on top of the many acres they already have. Public access, public use, and public ownership should not be compromised in the Snake River RMP.

3

Sincerely,

Brian Remlinger

"Rosanne F. Coppola" <frostbitefalls@blissnet.com>
04/04/03 11:02 AM

To: <pinedale_wymail@blm.gov>
cc:
Subject: BLM Land

Gentlemen;

1 With reference to your proposal to "dispose" of various BLM land in Wyoming, we prefer to leave this land in the hands of the government, except for specific parcels, depending upon proposed use. As an
2 example, BLM owns a parcel of land connected to the land on which the Jackson Hole Gun Club sits. It would be our request that this parcel be transferred over to the County for actual use by the Gun club for expansion of its sporting clays facility. This facility is a much used facility by locals as well as visitors, however, it is very limited in scope. With this extra land, it would be possible to expand the sporting clays from a five stand to a full course.

Thank you for your attention to this request. Regards, Ralph and Rosanne Coppola

PHIBBS LAW OFFICE P.C.
330 E. Snow King Avenue
Jackson, Wyoming 83001
(307) 733-5004
Fax: 307-733-5019

HENRY C. PHIBBS II

Mailing Address:
P.O. Box 1082
Jackson, Wyoming 83001

May 14, 2003

Via Email: pinedale_wymail@blm.gov *To Be Followed by U.S. Mail*
and
Via Telefax: 307-367-5329

To: Snake River RMP Team Leader
Pinedale Field Office
P.O. Box 768
Pinedale, WY 82941

From: Hank Phibbs

Re: Error in Ownership Designation in Draft Environmental Impact Statement for Snake River Resource Management Plan

Dear People:

I am writing to you once again regarding an error in ownership designations set forth in your Draft Environmental Impact Statement for Snake River Resource Management Plan. This letter is sent on behalf of Bob and Marna MacLean, who own real property along the Snake River in Teton County, Wyoming.

1 Map 7 in you DEIS designates certain property which appears to be identified as parcel 22. Although the labeling is not clear, you have identified as BLM parcels which appear to be labeled as 22, property located in Sections 14 and 15. All of this property is owned by Mr. and Mrs. MacLean and the BLM has no right, title or interest in and to this property, except for a recreational easement over those portions of the property line between the banks of the Snake River.

Please correct this misinformation in the final impact statement and take the time to confirm the ownership of the property is question. The incorrect designation of this ownership as public creates significant potential problems for private landowners.

Very truly yours,

Henry C. Phibbs II

HCP/hm
cc: MacLeans

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MAY 15 '03
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AREA OFFICE

PHIBBS LAW OFFICE P.C.
330 E. Snow King Avenue
Jackson, Wyoming 83001
(307) 733-5004
Fax: 307-733-5019

HENRY C. PHIBBS II

Mailing Address:
P.O. Box 1082
Jackson, Wyoming 83001

May 13, 2003

Via Telefax: 307-367-5329 ***To Be Followed by U.S. Mail***

To: Snake River RMP Team Leader
Pinedale Field Office
P.O. Box 768
Pinedale, WY 82941

From: Hank Phibbs

Re: Incorrect Identification of Property Ownership in Draft Environmental Impact Statement for the Snake River Resource Management Plan

Dear People:

I am sending you this letter on behalf of Circle L Partners, which owns property on the Snake River in Teton County, Wyoming.

I am sending you this letter because your Draft Environmental Impact Statement for the Snake River Resource Management Plan ("DEIS") incorrectly identified certain property which belongs to Circle L Partners as being the property of the Bureau of Land Management.

On map 7 in the DEIS, you have marked a parcel you identify as parcel 20 as being the property of the BLM. Both the upland and riparian portions of the property you have identified as BLM parcel 20 are owned by Circle L Partners.

The final judgment entered by the United States District Court for the District of Wyoming in Civil Action No. C 79-113K, which quiets title in this property in favor of the upland owner against the claim asserted by the United States, is recorded in Book 206, pages 1009-1031.

I have enclosed a copy of the deed conveying title to the property to Circle L Partners.

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PINEDALE RESOURCE
AREA OFFICE

I There is a recreational easement reserved in the judgment which allows limited recreational access to certain portions of this property which are located within and between the banks of the Snake River. There are no other public rights whatsoever in the property, and no public rights at all in the upland portion of this property.

Your identification of this property as publicly owned in the DEIS creates the potential for serious mischief and trespass problems for the landowner. Demand is hereby made that you correct this error when the final environmental impact statement is prepared, both in terms of the map and in the language of the final environmental impact statement.

My client regrets that you have created the potential for such serious problems as a result of this error which should not have been made since the record ownership of this property is not in doubt.

Very truly yours,

Henry C. Phibbs II

HCP/hm
cc: Circle L Partners

DESCRIPTION OF

RIPARIAN PARCEL "D"

FOR DONALD ALBRECHT

TO WIT:

The riparian lands of the Snake River appurtenant to Lot 4 of Section 10, and Lot 2 of Section 15, T40N, R117W, 6th P.M., Teton County, Wyoming which are bounded as follows:

on the west by the meander line of the right bank of the Snake River;

on the north by the easterly prolongation of the north line of Unit 2, Rivermeadows First Filing, a subdivision of record in the Office of the Clerk of Teton County, Wyoming as Plat No. 218;

on the east by the Thread of the Snake River;

on the south by a line normal to the Thread of the Snake River from the northeast corner of said Lot 2;

ENCOMPASSING an area of 81 acres, more or less, said acreage varying as the Thread of the Snake River varies;

said Riparian Parcel "D" is shown on that "**MAP OF SURVEY DONALD H. ALBRECHT MOSQUITO CREEK PARCELS**" filed in said Office.

Jorgensen Engineering and Land Surveying, P.C.
March 19, 1992

Project No. 89065.00

C:\WP51\DES\ALBRRIPA.MAR

EXHIBIT A

(15)

WARRANTY DEED

DONALD H. ALBRECHT, a married man, of Teton County, Wyoming, Grantor, for and in consideration of Ten Dollars ($10.00) and other good and valuable consideration in hand paid, the receipt and sufficiency of which are hereby acknowledged, CONVEYS AND WARRANTS to CIRCLE L PARTNERS, a Wyoming general partnership composed of Karl G. Otzen and George M. Lammers, whose mailing address is Circle L. Partners, Landmark Center, P.O. Box 1056, Lake Geneva, Wisconsin 53147, Grantee, the following described real property located in Teton County, State of Wyoming, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State, to-wit:

The real property described in Exhibit A attached hereto and made a part hereof,

Including and together with all improvements and appurtenances thereon and thereunto belonging, but subject to taxes, assessments, reservations, restrictions, encroachments, covenants, conditions, rights-of-way and easements of sight and record, if any, and,

Subject to the Reservation of Right in Grantor to grant limited recreational use licenses to third parties as described in Exhibit B attached hereto and made a part hereof.

Joanne H. Albrecht, wife of Donald H. Albrecht, joins in the execution of this Warranty Deed to release and convey any rights she may have in and to the above described property under the laws of the State of Wyoming.

DATED effective this 29 day of April, 1992.

Grantor: ALBRECHT, DONALD H
Grantee: CIRCLE L PARTNERS
Doc 325202 bk 251 pg 0210-0212 Filed at 04:55 on 04/29/92
M Julynn Coonce, Teton County Clerk fees: 12.00
By VIRGINIA BLAIR Deputy

Scott E. Albrecht, attorney-in-fact for Donald H. Albrecht and Joanne H. Albrecht

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

The foregoing Warranty Deed [illegible] Albrecht [illegible]

United States Department of the Interior
NATIONAL PARK SERVICE
GRAND TETON NATIONAL PARK
P.O. DRAWER 170
MOOSE, WYOMING 83012

IN REPLY REFER TO:

L76 (GRTE)

MAY 14 '97

Snake River RMP Team Leader
Bureau of Land Management
Pinedale Field Office
P.O. Box 768
Pinedale, WY 82941

Dear Snake River RMP Team Leader:

Grand Teton National Park would like to submit the following formal comments on the Bureau of Land Management's Draft Environmental Impact Statement for the Snake River Management Plan.

Grand Teton National Park supports the Preferred Alternative allowing land disposition to a non-profit or government agency. We support this approach which conserves the land in its current status, protects public access to the river and benefits the recreating public by preserving these vital lands within this world renown riparian habitat. We encourage the BLM to support the partnership efforts with Teton County, Grand Teton National Park and non-profit organizations by implementing the preferred alternative through this innovative and cooperative plan.

If we can be of any assistance to your staff in this matter, please call me at 307-739-3410.

Thank you,

Stephen P. Martin
Superintendent

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AREA OFFICE

36

Snake River RMP Team Leader
Pinedale Field Office
P.O. Box 768
Pinedale, WY 82941

FAX : 307-367-5329

May 14, 2003

Dear BLM Planners,

1 I am concerned that certain BLM lands adjacent to the Snake River in my area will soon pass out of public ownership. I see only continued public ownership as our community's best opportunity to protect these BLM lands for both their natural resources and for public access. One concern is for those river users who have studied their maps and know where this public land is will become "locked out" if the lands are privatized.

2 The boat launching/docking areas at the Wilson and South Park Bridges do need a lot of help. The usage has so increased in this past decade, with little effective joint planning having taken place. Instead of the BLM opting out and "disposing" of these lands, why doesn't your agency form a partnership with Teton County, the Bridger-Teton National Forest, The Snake River Fund and other interested parties to sort this all out? Besides the launch/dock areas, how much in administrative costs are you talking about for managing these lands "as is?" I prefer keeping public lands in public hands.

Sincerely,

Page McNeill

Page McNeill
P.O. Box 263
Jackson, WY 83001

Comments regarding Snake River Resource Management Plan DEIS dated January 2003

May 13, 2003

Submitted by:

Bruce A. Bugbee
American Public Land Exchange Co., Inc.
125 Bank Street, Suite 610
Missoula, MT 59802
Phone: (406) 728-4176
Fax: (406) 721-9049
E-Mail: aple@apleco.com

Comments regarding Snake River
Resource Management Plan DEIS dated January 2003

Summary Comment: The resource that threads together the BLM parcels is the Snake and Gros Ventre Rivers. Values related to these rivers are public recreation, riparian wildlife habitat, open space, and high quality scenery. These values are present to varying degrees on the present distribution of BLM parcels, but few parcels incorporate enough of these values to be determinative for management purposes. One other value present is real estate market value. Even if the land is restricted to protect public values, this value is probably still substantial and can be used to accomplish meaningful public resource objectives. Therefore, all management alternatives need to be supported by flexible land adjustment alternatives.

1 1. The total BLM land surface area should be adjusted to 1,061 acres, as parcel 3 was included in the total on Map 1, Appendix 4, page 209 states this parcel has been transferred to Grand Teton National Park.

2 2. Page 1, second paragraph, 10th line, Page 52 "Access" next to last paragraph, Page 62 "Recreation": "Some of these recreation easements on the river channel were granted to the United States." In these locations the draft EIS significantly overstates the extent of the recreational easements along the Snake River. First, there are significant areas of Snake River riparian lands that are still fully in private ownership where either the landowner won in the lawsuit or a lawsuit was never filed against the landowner. In these locations, the public has no access to islands or even the right to stand on the bed of the Snake River and fish. Where recreational easements were granted as part of various settlements, the recreational easements vary substantially. Also, in some cases the easements have metes and bounds descriptions while in other cases the location of the recreational easement depends on the location of the river. A further complication is the fact that the boundaries between landowners (either on one side of the river or landowners across the river from each other) move as the main channel of the Snake River moves. For example, two adjacent land owners on the west side of the Snake River would have a boundary that is perpendicular to the thread of the Snake River wherever it is from time to time. Therefore the boundary between these landowners continues to vary unless it has been established by private agreement. Therefore if one of these landowners has granted certain rights in a recreational easement and the other landowner has granted different rights, the boundary between these two different areas cannot be marked on the ground, since it varies from time to time. Due to all of these factors, the practical benefit to public recreation of these recreational easements is much less than it would at first appear. It would be helpful to clarify in the final EIS that these recreational easements vary significantly, only cover certain areas, and have boundaries that move as the river moves. On the other hand, there is a significant opportunity to increase the

potential for pubic recreation if these recreational easements could be standardized and their boundaries determined on the ground. But this will require further agreements with the private landowners.

3 3. Page 8, Alternative A: Consider expanding/clarifying that parcels could be transferred to other public agencies or entities for management as public open space, riparian wildlife habitat, recreation facilities, or parks. That is, lands might be traded for land interests serving other priority public purposes of open space, recreation and wildlife if the parcels are restricted by conservation easement and thereby preserve public values on the BLM parcels, as appropriate.

4 4. Pages 155, end of second paragraph: "...a layer bureaucracy would be added" suggests that ownership responsibilities would be inefficiently allocated. BLM's intent seems to allocate ownership to those entities most able to manage for specific public values. The assumption that this allocation would add another layer of bureaucracy is gratuitous.

5 5. Pages 154-158 "Cumulative Impacts" section: Generally, land adjustment choices among the alternatives are not distinctively defined. Land adjustment is a tool for implementing management policy. As such, flexibility should be maintained allowing the best ownership solution for the selected alternative. All of the alternatives share the ability to adjust ownership to different levels. The authority for land adjustments also requires public involvement and NEPA compliance on a case-by-case basis. Limiting adjustment options before specific opportunities can be evaluated seems unnecessarily restrictive. All alternatives should encourage outcomes that maximize public benefits for recreation, wildlife, open space and scenic values for the Jackson Hole Valley.

BAB:bjw

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May 15, 2003
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Good morning,

After recently surfacing from a several year long riverbank/golf course development ordeal involving Teton County, the U. S. Forest Service, U. S. Fish and Wildlife Service, a federal court and many other organizations, I was hoping for a rest. Such is not to be as I learned recently of well orchestrated, fast moving plans involving a large portion of the upper Snake River and the 27 BLM sites between Moose and the South Park Bridge.

By way of introduction, as the editor of the *Jackson Hole Guide* during 1973-74, the fate of the "Snake River Omitted Lands" was a constant subject of conversation and newspaper copy. That coupled with then U. S. Representative Teno Roncalio's gold mine leases on the Snake kept me very busy.

As the case eventually came to court and was dragged around and around, I had left the direct editorial management of the newspaper to become involved in taking float fishing trips. In fact, I can recall a number of early season, mosquito infested floats with BLM personnel and interesting botanists who spent the days using a Swedish designed drill to remove cores from cottonwoods for aging. Tree ages on "islands" omitted from early surveys were the key to the government vs. landowner property cases.

Little did I realize, some 30 years later, that I would be writing to the BLM asking that they not dispose of the land riches that were ultimately decided with that bit botanical and scientific study presented to the courts.

Very simply stated, I believe the value of over 1,000 acres of precious riparian land along Wyoming's largest Blue Ribbon Trout Stream is more valuable to Teton County, the State of Wyoming, the Federal Government and a growing recreation oriented public than it is being given credit for.

Regardless of the five alternatives listed in the *Draft Environmental Impact Statement for the Snake River Resource Management Plan*, the BLM has made no secret that the physical distance from its closest office, complexity and expense of "managing" this riparian property makes it a prime exchange target. Although this Draft EIS is the first attempt at managing this land that his been idle for dozens of years, I recognize it is now viewed as a burden.

1 As a frequent river user and small fly fishing float trip operator, I would welcome creative governmental management that could extend a brighter future to at least

some of these lands. Only a few miles downstream in Southeastern Idaho on this same South Fork stem of the Snake, the BLM does an impressive and responsible job of managing nearly 30 some overnight campsites along 27 miles of river. From the Yellowstone Park South Entrance to Palisades Reservoir in Wyoming, a distance of nearly 100 road miles, there is not a single camping or picnic spot dedicated to private river users.

Naturally I cannot dictate future budgets or departmental interests of federal agencies. An avalanche of extractive mineral activities occupy a majority of this agency's resources. And the current political climate makes the sale or these widely separated parcels an easy way out.

Yet, calculating the value of additional recreational opportunities, even at a fair price to the users in this area of Wyoming, would represent a greater return than simply letting the BLM lands filter back into private ownership.

Recently the University of Wyoming and the 50-member board of its Ruckelshaus Institude for Environmental Resolutions met in Jackson. Many future projects involving just such public agency/private use and management were discussed. This particular situation, if time constraints were relaxed, would be the perfect study for such a motivated and well positioned organization to study.

Sincerely,

Paul Bruun

Paul Bruun

Jackson Hole Conservation Alliance
Wyoming Outdoor Council

May 9, 2003

Kellie Roadifer
Snake River RMP Team Leader
U.S. Bureau of Land Management
Pinedale Field Office
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RE: Snake River Resource Management Plan

Dear Ms.Roadifer:

On behalf of the Jackson Hole Conservation Alliance and the Wyoming Outdoor Council, we would like to thank you for your thorough review and analysis of six alternatives for the Snake River Resource Management Plan. In particular, the Snake River Contingent Valuation Methodology study (CVM) was instrumental to the planning process to help determine the non-market values for resources and uses of the public land parcels in the Snake River planning area.

According to the DEIS for the Snake River RMP, Appendix 6 highlights the single theme dominating the results of the CVM: the public lands considered in the planning area represent a valuable resource that has a non-market component which greatly exceeds the private market value of the lands. This general conclusion is consistent with results presented in the executive summary:

Top Three Most Desirable Uses of the Lands along the Snake River:
- Fish and wildlife habitat, especially bald eagle nesting;
- Non-motorized recreation;
- Open space.

Top Three Most Undesirable Uses of the Lands along the Snake River:
- Sell for housing development;
- Motorized recreation;
- Sand/gravel mining.

Finally, the CVM confirms that the most popular management strategy emphasizes retention of public lands in public ownership, wildlife protection at the expense of slightly lower recreation use, elimination of livestock grazing, and the prohibition of sand and gravel mining.

The results of the CVM study, in concert with our collective missions, suggest that a blend of the alternatives will result in the best and most widely supported management plan for the Snake River planning area. Accordingly, we support and urge you to consider the following recommendations for incorporation into the BLM preferred alternative.

Summary

- Transfer of various parcels to well-suited public land-managing agencies with a demonstrated expertise in land management; or
- Retention of the land surface by the BLM while appropriate partners are found to take over management of the parcels;
- Prioritization of wildlife protection/open space and public access/recreation. Where natural resource and recreation values are in conflict, wildlife protection will be ensured at the expense of slightly lower recreation.

1 While the BLM preferred alternative identifies the values to be protected in a transfer ("public access, recreation uses, open space and wildlife habitat"), it fails to give clear direction to managing agencies when certain values are in conflict. In an attempt to clarify the responsibility of future managing agencies or partners, we recommend the BLM weight the four objectives to better reflect the results of the CVM. We urge you to adopt the following management objective:

> *The entities acquiring or taking over management responsibility of these parcels will be obligated under the terms of the transaction to apply management prescriptions to retain the lands, and maintain them first for wildlife habitat/open space and, second for recreation uses/public access.*

Objectives and Actions of the Preferred Alternative

The following list outlines management objectives and coinciding actions that are supported by our organizations and/or are supplemented by an alternative recommendation (italics). As proposed below, the objectives and actions aim to clarify management directives for the acquiring entities in order to maximize wildlife values, access for recreation, and public benefit. Most recommendations reflect a combination of alternatives (reflected in parentheses).

Lands and Realty Management

2 Objective: Maintain existing public access to the parcels. Provide for continuing public access and use of the parcels. Actual ownership and/or management of the parcels would be by other public agencies or entities (per Preferred Alternative, (PA)).

3 Actions: In general, opportunities for public access (primarily non-motorized) would be maintained as a condition of their transfer to other agencies. However, access to

specific areas may be closed or restricted to protect public health and safety and sensitive resources (e.g. bald eagles) (combination of PA and Alternative C).

4 • Any sale, exchange, or transfer of public land would include, where appropriate, the use of conservation easements to prohibit development and preserve scenic values, *wildlife and public access* (PA,JHCA,WOC).

5 • The Snake River corridor would be designated as a Special Project Area to allow the use of Land and Water Conservation Funds to acquire recreation and conservation easements (Alternative B).

6 • The following would be right-of-way exclusion areas: big game crucial winter habitat; raptor nesting and concentration areas; threatened, endangered, proposed, and candidate species habitat; aquatic and wetland sites; Wyoming BLM sensitive species habitat; important cultural resources that are listed or eligible for listing on the National Historic Register (Alternative C).

Livestock Grazing Management

7 Objective: *Where grazing is permitted*, land management should maintain or improve ecological conditions for the benefit of (*livestock use-omit*) wildlife habitat, watershed values, and riparian areas (PA, JHCA, WOC).

Actions:

8 • The current amounts, kinds and seasons of livestock grazing would continue to be authorized as long as the parcels are held by BLM, unless monitoring indicates a grazing use adjustment is necessary, or an environmental assessment indicates a change in grazing use is appropriate *(PA).*

9 • Adjustments in the levels, *location and timing* of livestock grazing would be made *if monitoring demonstrates a need to correct ecological degredation* (PA, JHCA, WOC).

10 • If the lessee's adjacent property for any existing grazing lease were converted to other uses to the extent that livestock grazing is substantially excluded, then that grazing lease would expire, and would not be available to other applicants (PA).

11 • No fall grazing would be permitted on parcels administered by BLM. The grazing season would end on August 31 annually (PA).

Minerals Management

12 Objective: A long-term protective withdrawal would be pursued for all public lands and federal mineral estate in the planning area (15,123 acres) to prohibit the staking and development of mining claims (PA). *The extraction of sand and gravel would only be considered to facilitate restoration efforts in the Snake River, in the active, unvegetated channel within the levees* (JHCA, WOC).

13 Actions: The mining of sand and gravel, and associated access across public lands for *recreation purposes* would be subject to seasonal requirements to protect fish spawning,

important wildlife habitat areas, and periods of high recreational use (PA, JHCA, WOC).

Off-Highway Vehicle Management

14 Objective: Minimize motorized vehicle use *where OHV use and sensitive resource values are not in conflict* (PA, JHCA, WOC). Maintain existing opportunities for non-motorized vehicle use (PA).

15 Actions: *Where OHV's are allowed, there should be strict enforcement in order to meet the BLM or other land management agencies' resource requirements. This should be a condition of transfer of the public land parcels* (JHCA, WOC).

Recreation Management

16 Objective: Increase opportunities for quality recreation use and provide improved visitor services while protecting other sensitive resources. Provide for responsible commercial recreation which provides for the protection of visitor/public health and safety, the protection of natural resources, and well-managed visitor use (PA). *Opportunities for recreation use would be reduced in favor of other resource values when it can be demonstrated that recreation use is negatively impacting the natural environment* (JHCA, WOC).

Actions:

17 •Public lands along the Snake and Gros Ventre rivers would be designated a Special Recreation Management Area to facilitate management of recreational activities such as floating, fishing, hiking, winter sports, and commercial, competitive and group activities (Alternative B).

18 • A Recreation Area Management Plan (RAMP) would be prepared. The RAMP would provide for the management of public recreation use and the provision of services *(e.g. sanitation)* needed to maintain public health and safety, while protecting natural resources. The RAMP would direct the types and level of recreation use, services, facilities development, and public information (Alternative B).

19 • Public access would be maintained at the Wilson Bridge boat and river access site for river floating; a boat and river access site could be developed near the South Park Bridge *(if determined through a public process)* by an agency or entity other than BLM; additional river boating access could be developed by an agency or entity other than BLM (PA, JHCA,WOC).

20 • Recreation sites and facilities on public lands would be maintained or developed consistent with the protection of riparian habitat (Alternative B).

21 • Decision on user access fees would be made by the acquiring or managing agency or entity (PA).

Vegetation Management

22 Objective: Maintain or improve the diversity of plant communities to support wildlife habitat, watershed protection, and scenic resources (*and livestock grazing-omit*) (PA,

JHCA, WOC); control existing noxious weed infestation and prevent their spread (PA).

23 Actions: Control of noxious weeds and other invasive species may include manual, mechanical, biological, or chemical methods. If herbicides are proposed for use, those with minimum toxicity to wildlife and fish would be selected. All herbicides applied must be on the BLM-approved list and applied in accordance with EPA label requirements (PA).

Watershed Management

24 Objective: Riparian areas would be maintained for wildlife habitat as a condition of transfer of the public land parcels (PA).

25 Actions: Efforts would continue to improve water quality by cleaning up dumpsites on public lands, and encouraging dumpsite cleanup on adjacent lands (PA).

Wildlife Habitat

26 Objective: Maintain or enhance riparian and upland habitat for wildlife and fish and promote species diversity (PA).

Actions:

27 • Measures to protect avian habitats would include seasonal restrictions on surface-disturbing activities within distances to be determined based on species, individuals, and/or habitat characteristics (PA).

28 • The acquiring or managing agency or entity would make decisions regarding actions necessary to maintain wildlife, wildlife habitat, *and wildlife migration corridors as established by sound conservation biology* (PA, JHCA, WOC).

29 • Projects that maintain or improve fisheries habitat as much as possible in a leveed system would be considered. Cooperative efforts with WGFD, U.S. Army Corps of Engineers (COE), Teton County, and others would continue. Projects that adversely affect fisheries *should not be allowed* (PA, JHCA, WOC).

30 • Fence construction *and maintenance* on BLM parcels would require site-specific analysis *to assure that they are necessary. If fences are necessary, construction must conform to existing wildlife-friendly fencing standards* (PA, JHCA,WOC). Priority would be given to the modification of fences that are restricting wildlife movement in crucial big game habitat areas and along migration routes. All parcels not currently leased for livestock grazing would be closed to future applications (PA).

31 In conclusion, our organizations would like to iterate that the transfer of ownership of public lands should remain in the public interest. Specifically, we are aware of the Jackson Hole Land Trust's proposal to acquire approximately 950 acres of BLM land. Accordingly, we have concerns about the intended sale of the parcels from the Jackson

Hole Land Trust to adjacent private property owners with no assurances that wildlife and public access will be allowed.

At a minimum, it seems the public can only be guaranteed resource and public access protection if the lands are retained by public land or wildlife managing agencies or organizations. Following extensive discussion with various local agencies and organizations, it seems the most successful scenario for transfer of the parcels would require a collaborative effort where federal agencies work cooperatively with other entities that have a public interest in recreation and wildlife management.

32 Moreover, we feel strongly that a Recreation Area Management Plan is an essential part of the BLM process. Once the RAMP is prepared, the community at large, including other federal land managing agencies, potential non-profit organizations, and Teton County, could effectively participate in an informed discussion concerning the appropriate management and managing entity of each parcel. Until that information is available, it is very difficult for the general public to determine which parcels would best be managed by the County, the Forest Service, the Land Trust and/or other agencies/non-profits.

It is our opinion that a comprehensive exploration of a combination of alternatives would best serve the public and render a highly successful community solution for wildlife, recreation management and public access.

Thank you for your consideration of our concerns. If you have any questions, please do not hesitate to contact us.

Sincerely,

Anne Hayden

Anne Hayden, Program Assistant
Jackson Hole Conservation Alliance

Meredith Taylor (FAX)

Meredith Taylor, Yellowstone Program Director
Wyoming Outdoor Council