

# OUTDOOR ALLIANCE

July 21, 2017

The Honorable Ryan Zinke  
Secretary, Department of the Interior  
1849 C Street NW  
Washington, DC 20240

**RE: Secretarial Order 3349 “American Energy Independence” and Executive Order 13783 “Promoting Energy Independence and Economic Growth”**

Dear Secretary Zinke,

Outdoor Alliance (OA) is a coalition of eight member-based organizations representing the human powered outdoor recreation community. The coalition includes Access Fund, American Canoe Association, American Whitewater, International Mountain Bicycling Association (IMBA), Winter Wildlands Alliance, The Mountaineers, the American Alpine Club, and the Mazamas and represents the interests of the millions of Americans who climb, paddle, mountain bike, and backcountry ski and snowshoe on our nation’s public lands, waters, and snowscapes. Across the West and around the country, our members have benefitted from and enjoyed America’s public lands. The overwhelming majority of human powered recreation opportunities are located on public land.

Outdoor Alliance appreciates the opportunity to provide input on recent Executive and Secretarial Orders that significantly affect the human powered recreation community. Our community and our country rely on the public lands system for high-quality recreation experiences, economic benefits, jobs, scientific inquiry, and conservation of natural and cultural resources. As you know, our public lands are the backbone of the outdoor recreation economy, which, according to the Outdoor Industry Association, accounts for 7.6 million American jobs and each year contributes \$886 billion to the American economy.

Presidential Executive Order 13777, “Enforcing the Regulatory Reform Agenda,” and the guidance memorandum for Executive Order 13783, “Promoting Energy Independence and Economic Growth,” direct agencies to establish Regulatory Reform Task Forces to evaluate existing regulations and “to seek input and other assistance, as permitted by law, from entities significantly affected by Federal regulations.” Outdoor Alliance and its member organizations are “significantly affected” non-governmental organizations. The recreation groups (including, paddlers, skiers, mountain bikers, and climbers) represented by these organizations depend on public lands and are identified



# OUTDOOR ALLIANCE

as principal users of public lands by the Federal Land Policy and Management Act and the Multiple Use Sustained Yield Act.<sup>1</sup>

Because the recreation community is an entity significantly affected by federal policies governing energy development on public lands, we request the opportunity to provide input alongside conservation interests, energy companies, and other significantly affected entities when making decisions related to public land energy policy.

Outdoor Alliance's primary interest regarding the recent orders on energy independence is maintaining balance among the principal uses of public lands. A fundamental principle of the Federal Land Policy and Management Act (FLPMA) is that outdoor recreation is one of the "major" uses of public lands, alongside grazing, energy development, fish and wildlife, rights-of-way, and timber production.<sup>2</sup> In addition, the Multiple Use Sustained Yield Act (MUSY) mandates that public resources are managed "so that they are utilized in the combination that will best meet the needs of the American people," and that renewable resources shall be managed in a manner that avoids "impairment of the productivity of the land."<sup>3</sup> In other words, any primary use of federal public lands should not impair the productivity of another use. Moreover, because the BLM oversees the management and development of energy resources under Forest Service lands, it is worth noting that the National Forest Management Act (NFMA) also enshrines the principle of multiple use management.<sup>4</sup>

Federal law requires that energy development on federal land not impair the productivity of recreational use and associated economic activity. As the social and economic importance of outdoor recreation increases, it is critical that recreation assets be given the same level of consideration during land use planning as energy development. Outdoor Alliance believes that strategies to optimize multiple uses will yield the greatest benefits to the American people. The current Interior policy on compensatory mitigation should be continued with vigor because it enables the protection of natural resources that are fundamental to outdoor recreation.

Thoughtful consideration of the interface between outdoor recreation and energy development must be formalized, or we risk diminishing the tremendous economic and social benefits of outdoor recreation across the nation. Resource extraction is a valid use of federal lands, but the effects of industrial infrastructure, including access roads,

---

<sup>1</sup> See Federal Land Policy and Management Act § 102, 43 U.S.C. § 1702(l), Multiple Use Sustained Yield Act § 1, 16 U.S.C. § 528.

<sup>2</sup> 43 U.S.C. § 1702(l).

<sup>3</sup> 16 U.S.C. § 531(a).

<sup>4</sup> See 16 U.S.C. § 1604.



# OUTDOOR ALLIANCE

to viewsheds, soundscapes, air quality, water quality, visitor safety, and sensitive cultural and natural resources need to be systematically considered in order to satisfy FLPMA, NFMA, and MUSY, as well as to protect America’s outdoor economy and quality recreation opportunities for future generations. Recent Secretarial and Executive Orders direct department actions to remove regulatory “burdens” to development appear to be contrary to federal law and, if implemented without sufficient care, would put our natural and cultural heritage, and treasured recreational resources, at risk.

Fortunately, land use planning models that can successfully balance the needs of energy development with the needs of other uses, such as recreation, exist. For example, BLM’s Moab Master Leasing Plan is a locally driven and supported energy leasing plan that protects high-quality recreation sites through well-designed buffers, while allowing for ample energy development zones. This plan optimizes multiple revenue streams, provides opportunities for energy development, protects National Parks and recreation experiences, and ultimately benefits the local economy, quality of life, and the environment. Importantly, land use planning is in part guided by the National Environmental Policy Act (NEPA), which requires federal agencies pursue actions in a manner that assures a safe, healthy, and aesthetically pleasing environment while attaining the widest range of beneficial uses without degrading the environment, and preserve important historic, cultural, and natural resources.<sup>5</sup> To achieve these goals, federal actions must balance multiple uses in order to ensure that the implementation of “energy independence” mandates does not dominate the public land planning process.

The implementation of best practices and improved technologies is another way to balance energy development with outdoor recreation. Development density limits, methane leaking and flaring minimization, directional drilling, and phased leasing strategies can help limit visual and audible impacts and protect recreation resources and the environment from damages to air and water.<sup>6</sup> Engaging public land stakeholders is the key to recognizing potential impacts to recreation resources and is an essential step to optimizing multiple land uses and avoiding stakeholder conflicts. The relatively recent advent of State Recreation Directors is proving to be another highly effective strategy for balancing the growing recreation economy with the needs of local communities and the energy industry.

\* \* \*

<sup>5</sup> National Environmental Policy Act of 1969 § 101, 42 U.S.C. § 4331(b).

<sup>6</sup> See, PUBLIC LAND SOLUTIONS, BEST PRACTICES FOR BALANCING RECREATION AND ENERGY DEVELOPMENT ON OUR PUBLIC LANDS (2017).



# OUTDOOR ALLIANCE

We ask that you designate Outdoor Alliance a significantly affected entity in the context of S.O. 13783, and consider our comments on the benefits of balancing the needs of the outdoor recreation community and the energy development industry during your review of ways to implement the “energy independence” mandates. We are confident that an appropriate solution can be determined in order to protect recreation assets and economic potential while also planning for smart energy development.

Best regards,



Adam Cramer  
Executive Director  
Outdoor Alliance

cc: The Honorable Sonny Perdue, Secretary, U.S. Department of Agriculture

Louis Geltman, Policy Director, Outdoor Alliance  
Brady Robinson, Executive Director, Access Fund  
Wade Blackwood, Executive Director, American Canoe Association  
Mark Singleton, Executive Director, American Whitewater  
Dave Wiens, Executive Director, International Mountain Bicycling Association  
Mark Menlove, Executive Director, Winter Wildlands Alliance  
Tom Vogl, Chief Executive Officer, The Mountaineers  
Phil Powers, Executive Director, American Alpine Club  
Lee Davis, Executive Director, the Mazamas

