



June 12, 2024

Public Comment

Re: DOI-BLM-WO-2300-2022-0001-RMP-EIS

Email: BLM\_HQ\_GRSB\_Planning@blm.gov

Dear BLM,

Thank you for undertaking this historic effort to protect critical public lands wildlife habitat for the iconic sage grouse and providing an opportunity for the public to comment in support of the necessary updates to the greater sage-grouse habitat management plans. We believe the enhancement of sage-grouse habitat management plans will provide an opportunity to incorporate locally relevant decisions that are in accord with the Bureau of Land Management's (BLM) range-wide habitat conservation goals.

Upper Missouri Waterkeeper (Waterkeeper) is a grassroots, nonprofit whose mission is to protect fishable, swimmable, drinkable water throughout the 25,000 square miles of Montana's Upper Missouri River Basin. Established over ten years ago, Waterkeeper uses a combination of strong science, community action, and legal expertise to defend the Upper Missouri River, its tributaries, and communities against threats to clean water and healthy rivers.

Protecting the bird and its habitat is critical to the survival of the species as well as the 350-plus other species, including elk, mule deer, and pronghorn, that call the sagebrush sea home. As Montana's only advocacy organization focused exclusively on protecting and improving the health of Montana's Upper Missouri River Basin, Waterkeeper strongly supports enhanced habitat protections proposed in the draft Environmental Impact Statement (EIS) to ensure critical watersheds and riparian areas vital to Southwest Montana's rivers, waterways, and community drinking water supplies are also protected. Defend the bird, defend the herd, and, in this case, vital and finite water resources, as well.

The sharp decline of the greater sage-grouse due to habitat loss exacerbated by climate change impacts – drought, wildfires, and the spread of invasive species – is a bellwether warning for other species and our Western ecosystems, including aquatic species, that necessitate the additional action proposed in the draft EIS by the BLM. Further, the Upper Missouri River Basin's historical, cultural, and current land use practices along with the BLM's own fluid mineral viability assessment is inconsistent with the area's existing and outdated Resource Management Plan. Approving enhanced greater sage-grouse protections can rectify existing inconsistencies and conflicts supported by the community that currently prioritize fluid mineral leasing and industrial oil and gas development over all other uses, despite the BLM's multiple-use mandate and the bureau's own stated priority *'to ensure that [the federal oil and gas program] serves the public interest and restores balance on America's public lands and waters.'*

Upper Missouri Waterkeeper urges and supports the BLM's efforts to rectify these inconsistencies and to finally end the existential threat of industrial oil and gas leasing and development by advancing robust sage-grouse habitat protections proposed in the draft EIS. Once an area is leased for oil and gas, the threat of exploratory industrial oil and gas hydraulic fracking development remains and the public lands are, in essence, managed solely for oil and gas development in perpetuity.

**Overview:**

Southwest Montana is defined by world-renowned river valleys, wilderness, forests, public lands, range land, wildlife, and clean water. Across the federal public lands within the Big Hole, Beaverhead, and Centennial Valleys, oil and gas companies can lease and potentially develop some 86% of those public lands as allowed by the area's outdated Resource Management Plan, despite BLM's own and independent analysis finding little to no economically recoverable fluid mineral resources. Industrial oil and gas leasing and development would undermine hunting and angling in Beaverhead County, which generates more than \$167 million each year for the regional economy and was responsible for the creation of over 1,400 jobs, accounting for over 12% of the county's entire workforce. Beaverhead County is also home to nearly 500 family farms and ranching businesses, generating some \$147 million in gross revenue and \$31 million in realized farm income according to the latest statistics provided by the U.S. Department of Agriculture. Oil and gas leasing and development is a direct threat to the public, businesses, public lands, wildlife, water resources, and our way of life. It would be inconsistent with the BLM's multiple-use mandate to *'utilize the land in a balanced combination that will best meet the needs of the people for current and future generations.'*

Industrial oil and gas leasing and development is not an abstract threat to Southwest Montana, its people, businesses, and its historic, cultural, and current uses. Despite never successfully drilling an oil and gas well in the region, oil and gas corporations nominated leases in both the Big Hole and Beaverhead watersheds as recently as 2018, only to be deferred after an outpouring of public opposition and known existing deficiencies identified by the BLM within the existing outdated RMP. Even exploratory hydraulic oil and gas fracking, as was proposed in the Tendoy region, would produce thousands of gallons of toxic and contaminated wastewater, which would threaten not only critical sage-grouse habitat but also potentially the entire region's water resources.

This region is subject to several pending and existing wildlife and habitat conservation initiatives that would be bolstered by enhanced sage-grouse habitat protections, yet the continued threat and real possibility of oil and gas leasing and development would undermine such existing and proposed conservation efforts. In 2023, the BLM announced that 6.5 million acres, including 938,000 public lands managed by the BLM, would receive nearly \$10 million in federal financial support for restoration work in the Missouri Headwaters Priority Restoration Landscape. The U.S. Fish and Wildlife Services proposed the overlapping 5.7 million acre Missouri Headwaters Conservation Area the same year. And, the Department of Interior established the Sagebrush Keystone Initiative earlier this year, identifying five Sagebrush Collaborative Restoration Landscapes across the sagebrush ecosystem for long-term strategic investments to defend and grow sagebrush core habitat, one of which includes Southwest Montana. The Sagebrush Collaborative Restoration Landscape in Southwest Montana overlaps with both the Missouri Headwaters Priority Restoration Landscape and the Missouri Headwaters Conservation Area. Unless

additional protections are advanced in this region, the progress made to restore it, years of collaborative work, and millions of dollars in taxpayer resources will be wasted.

Further, this area's unique ecosystem – home to grizzly bears, westslope cutthroat, Arctic grayling, pronghorn, greater sage-grouse and whitebark pine – would be undermined without addressing the oil and gas industry's unchecked ability to lease public lands. Sagebrush grasslands anchor ecological systems and multi-generational family ranches intermixed with public land that supports vital recreational and rural economies. Investments in restoration and protections for wildlife and sage-grouse habitat today will ensure the region avoids a threatened or engaged species listing for the sage grouse, and help support other threatened species, like the Arctic Grayling. In addition, enhanced protections would support wildlife, people, businesses, and communities alike into the future. A penny of prevention can create a pound of cure for avoiding a potentially threatened or endangered species listing for the sage grouse, which could have greater impacts on the area's traditional economies that define the region, including agriculture, ranching, and recreational uses.

**Recommendations:**

Therefore, it is with the utmost urgency and understanding that Waterkeeper recommends the BLM advance two pathways for prohibiting oil and gas leasing throughout the Upper Missouri Watershed to address and rectify long-standing concerns from local stakeholders.

First, the BLM should advance Alternative 3 as proposed in the Draft EIS for the management of greater sage-grouse habitat. In addition and consistent with the direction of the draft EIS, BLM should also close all non-grouse habitat in the region to oil and gas leasing and development. As suggested by the BLM in specific management alternatives, oil and gas leasing and development in areas outside of sage-grouse habitat management areas will indirectly impact habitat within the identified sage-grouse habitat management areas. By ending the threat of oil and gas leasing as suggested in Alternative 3 with specific management alternatives for all non-grouse habitat, the BLM will help advance and protect other landscape conservation initiatives as well as save time, taxpayer resources, and other important current, cultural, and historical resource values.

Second, if the BLM is unwilling and chooses not to permanently protect the region despite wide-spread community support for ending the threat of oil and gas leasing and development because it may not be consistent with the existing outdated RMP, the Bureau should still advance Alternative 3 and defer all oil and gas leasing on non-grouse habitat in the Upper Missouri Watershed. The BLM has advanced similar protections in other public land use plans as a means to resolve conflicts between oil and gas leasing and other important resource values in the past. For example, in 2021, the BLM noted that the Resource Management Plan covering the Missoula area had not received interest in fluid leasable minerals for nearly three decades, therefore the Bureau chose not to further analyze oil and gas leasing in the EIS, deferring leasing until it receives an expression of interest. A similar approach was used on Colorado's White River RMP through an oil and gas amendment in 2015. The BLM found areas outside of sage-grouse habitat either had low potential for recoverable oil and gas development or were adjacent to other valued resources that would be deteriorated, deeming oil and gas leasing and development not appropriate given those considerations. The Upper Missouri Watershed and its landscape, wildlife, people,

businesses, and communities deserve similar and enhanced public land protections due to the importance of the region.

In conclusion, the BLM should give its highest consideration to advancing the necessary greater sage-grouse habitat protections proposed in the draft EIS for Southwest Montana and across the Upper Missouri Watershed. Specifically, Upper Missouri Waterkeeper supports Alternative 3 and the permanent withdrawal of the fluid mineral leasing and development that puts the entire region's water resources, wildlife, and way of life at risk. The Montana/Dakota and Dillon area BLM received an outpouring of community support to amend the outdated and inconsistent Dillon RMP in 2021 to permanently end oil and gas leasing and development, which should only reinforce and support BLM's advancement of the strongest greater sage-grouse habitat protections to end uneconomical and fluid mineral resource deficient oil and gas leasing in Southwest Montana.

Sincerely,

Guy Alsentzer  
Upper Missouri Waterkeeper