



*His Vision*

*Our Mission*

August 19, 2016

VIA FAX (406) 896-5292)

Ms. Jamie Connell  
Director, Montana State Office  
Bureau of Land Management  
5001 Southgate Dr.  
Billings, MT 59101-4669

**Re: Protest of One Parcel Included in the Notice for Montana's  
October 18, 2016 Competitive Oil and Gas Lease Sale**

Dear Ms. Connell:

Pursuant to 43 C.F.R. § 3120.1-3, the Theodore Roosevelt Conservation Partnership ("TRCP") protests the following parcel included in the Notice for Montana's October 18, 2016 competitive oil and gas lease sale, located in the Glasgow Field Office: **MTM 108868 MTM 102757-GW**

**TRCP's Interest in the Protested Parcel**

The TRCP is a national 501(c)(3) non-profit organization that works to guarantee all Americans quality places to hunt and fish. The TRCP and our partners have worked on energy policy, public lands conservation and mitigation, and ensuring quality fish and wildlife habitat and opportunity for sportsmen for more than a decade. We have worked extensively on sage grouse and sagebrush ecosystem conservation and have been actively engaged in federal and state land use and conservation plans that led to the not-warranted decision in September 2015. We currently are monitoring oil and gas lease sales in sagebrush ecosystems and specifically sage grouse "core" or "priority" habitat to ensure future leasing follows implementation and compliance of land use plans and, where appropriate, state plans (e.g., Montana's Executive Order).

**Authorization to File This Protest**

This protest is filed by Dr. Edward B. Arnett, who serves as Senior Scientist for TRCP. Dr. Arnett is authorized to file this protest on behalf of the TRCP.

**Statement of Reasons**

At least a portion of the parcel in question (~220 ac by our analysis) occurs in core habitat, while the remainder of this parcel lies within the only habitat connectivity area identified in the State of Montana Executive Order (E.O.) No. 12-2015. - issued on September 8, 2015. On page 25 of the Environmental Assessment (EA), the BLM did indeed defer 12 parcels occurring in both priority (PHMA) and/or general (GHMA) habitat management areas, noting that "It is the State Director's discretion to not carry forward parcels within sage-grouse

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habitat pending implementation guidance on the 2015 approved Hiline District Resource Management Plan.” Given that other parcels in PHMA and/or GHMA already have been and will continue to be deferred, we question why the parcel MTM 102757-GW was not deferred as part of the October 2016 lease sale.

Additionally, while are not formally protesting the other 11 parcels that occur in the Montana-Saskatchewan Connectivity Area<sup>1</sup> identified by the State of Montana E.O., we seriously question leasing these parcels at this time. The State of Montana E.O. No. 12-2015 sets forth a greater sage-grouse management strategy that complements the broader strategy adopted by BLM. In fact, in the Record of Decision (ROD) for the Rocky Mountain region, BLM specifically recognized “the importance of the all lands/disturbances strategy that Montana will institute for sage-grouse conservation under the Montana E.O. (Rocky Mountain ROD at 1-23).” Yet, by including these parcels in this lease sale, we question if BLM could be undermining the “all lands/disturbances” strategy of the states’ E.O.

As BLM recognized in the EA for the sale, 12 parcels “are located within the Montana-Saskatchewan Connectivity Area”, the only such area designated by the state to date. (EA at 51; E.O. at 30). Under the E.O., the Montana Sage-Grouse Oversight Team (MSGOT) “shall study and recommend the stipulations that are necessary in Connectivity areas to prevent a decline in sage grouse populations. In the interim, the Valley County Connectivity area shall be subject to the stipulations for General Habitat.” (E.O. at 30 - emphasis added). BLM has not attached any such stipulations designed to protect sage-grouse habitat values to these parcels in the connectivity area. Nor is it clear whether BLM consulted with MSGOT to identify what measures should be adopted. Finally, we are interested in knowing what the backlog of leases for the District and Field Office, if any exists, and thus the necessity of leasing these parcels in the connectivity area at this point in time, especially given current market conditions. It seems prudent to defer these parcels as well until study results are available to assess what impacts might be anticipated and what management actions should be taken to avoid or mitigate impacts to sage-grouse populations utilizing this area.

### **Conclusion**

For the above reasons, the TRCP protests the inclusion of parcel 102757-GW in the October 2016 lease sale. We believe and are hopeful the forthcoming Instruction Memorandum and guidance directs BLM to prioritize leasing in non-sage-grouse habitat, and consider not leasing future parcels in PHMA where possible. We also question inclusion of the remaining 11 parcels that occur in the Montana-Saskatchewan Connectivity Area. Deferring these parcels will ensure that energy development on BLM lands in core habitat and connectivity and migration corridor habitat is consistent with the sage grouse conservation plans and the Montana E.O. Deferment also will allow for thorough agency and public review of the forthcoming Instruction Memoranda on leasing and associated stipulations to ensure conservation measures compatibility with development. Finally, deferment would allow more time for specific conservation measures to be developed for this connectivity area based on emerging science.

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<sup>1</sup> This area is also known as the Valley County Connectivity Area.

Respectfully,

A handwritten signature in black ink, appearing to read "Edward B. Arnett". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Edward B. Arnett, Ph.D.  
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Theodore Roosevelt Conservation Partnership  
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