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For Patricia Deibert. Attached are scoping comments from the Missouri River Stewards pertaining to Notice of Intent to Amend Land Use Plans Regarding Greater Sage Grouse. Submitted by Ron Poertner, Secretary, Missouri River Stewards, Winifred, Montana. (Hard copy express mailed 2-7-2022)

Missouri River Stewards

"PROMOTING LANDOWNER INTERESTS IN CENTRAL MONTANA"

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February 6, 2022

Utah State BLM Office
Attn: Patricia Deibert
440 W. 200 S, Suite # 500
Salt Lake City, Utah 84101

Dear Ms. Deibert:

This is in reply to the BLM's Federal Register Notice of Intent to Amend Land Use Plans Regarding Greater Sage Grouse Conservation and Prepare Associated EIS.

First, it is necessary to address the manner in which this process has been announced and rolled out to the public for scoping comments:

- Few rural landowners in our region of central Montana routinely monitor announcements in the Federal Register, so their reaction time to this process has been diminished and escaped attention until the virtual scoping meeting took place on January 27, 2022. Citizens that knew this sage grouse scoping process has been underway for the past 90 days are in the minority. The public outreach and notification process associated with this rollout has been woefully inadequate and many important perspectives will go unnoticed.
- Additionally, there are many rural areas in the west where internet and cell phone service is spotty or does not exist. In some instances there is a lack of proficiency to navigate the technology associated with a virtual scoping meeting, especially the attendant difficulty in sending in electronic questions or comments. BLM should note there were few if any live calls to the virtual meeting.
- Because the COVID crisis has understandably made in-person public meetings more challenging, the BLM should have ramped up its publicity through various media channels such as radio, TV, press releases, etc. and made more information available upon which scoping comments could be developed.

The most salient issue associated with this scoping process is the public is being asked to provide the BLM with substantive comments to be considered during its NEPA assessment on the sage grouse issue, but the public has little if any knowledge of the new science, studies and information that apparently has been collected at the top of the system that has precipitated the need for amendments to Approved Resource Management Plans (ARMP) that address sage grouse issues.

Montana continues to implement the State's 2015 management plan and conservation strategies that was approved by the USFWS and contributed significantly to the agencies' decision to not list the sage grouse as an endangered species. The uniqueness of the approved Montana sage grouse plan is based on three established goals: 1. Maintain a viable sage grouse population and conserve habitat; 2. Maintain flexibility to manage our own lands, wildlife and economy; 3. Fulfill the strategy commitment to preclude listing of sage grouse as an endangered species.

Since 2015, Montana has submitted to federal agencies its annual progress reports on the status of sage grouse conservation efforts. Steady progress in achieving the established goals and strategies has been reported each calendar year by Montana.

Because sage grouse management in the 11 western states is a collaborative effort documented in State Sage grouse management plans and in federally Approved Resource Management Plans (ARMP), it comes as a surprise that a top-down directed requirement was given to revise ARMP's and, by extension, State management plans to address the new science and findings that sage grouse and its habitat are again imperiled.

Reporting from the bottom up by the Montana BLM offices or by the State of Montana that existing sage grouse conservation strategies are failing should have been the catalyst for this action, which brings into serious question the rationale being used for this federal review of the sage grouse issue.

The direction BLM has taken in this matter does not appear to be consistent with established federal regulatory guidelines. To wit: An approved Resource Management Plan (ARMP) is the agency's final decision. Subsequent actions to the plan must be in conformance with the provisions stated therein for monitoring, maintenance, revising or changing the plan. To do that, plan evaluations are required before revisions can be contemplated. Those evaluations are a critical first step to determine whether the new information or acquired science can be incorporated in the plan through plan maintenance or if more changes are needed such as revisions or amendments.

In accordance with 43 CFR 1600 and BLM Handbook 1601-1, the planning initiative currently underway to amend sage grouse plans across BLM field offices must provide for the respective evaluations to be made available to the public and government land use plans to inform public comments. The agency must also consider specific wording within existing plans to show the new circumstances or information that warrants changing or amending the plans. It is an absolute imperative that the agency make available to the public and affected governments the inventories, science, evaluations, etc. the agency is using to justify this planning initiative.

The bottom line is that the public is being asked to provide scoping comments to a process that is lacking in sufficient information upon which to comment, i.e. the new science and knowledge that sage grouse are again at risk in the west. The perception is that BLM has identified the viability of the sage grouse as a problematic issue which if resolved becomes an apt response to Washington's Climate Action Plan promulgated by Executive Order 14008 and Secretarial Order 3399 – i.e. solutions looking for a problem.

Until this entire process is properly aligned with NEPA and FLPMA and other governing criteria, this process can only be adjudged as improper thus rendering this scoping process invalid and must be suspended pending necessary remedial actions.

Ron Poertner
Secretary
Missouri River Stewards