

Congress of the United States
House of Representatives
Washington, DC 20515-2600

May 9, 2013

RECEIVED
2013 MAY 15 PM 2:16
OFFICE OF THE
EXECUTIVE SECRETARY

The Honorable Tom Vilsack, Secretary
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

The Honorable, Secretary Sally Jewell
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Secretary Vilsack and Secretary Jewell:

Some of us wrote to your Departments on June 22, 2012, about the excessive ongoing delays with the federal permitting reviews by the U.S. Forest Service and the U.S. Fish and Wildlife Service concerning the Montanore Project located in Lincoln County, Montana, within the Kootenai National Forest. Yet, many months later, this important job-creating project continues to stagnate, and the people of Lincoln County, Montana, which overwhelmingly support this project, continue to wonder when the federal agencies will reach a decision on this project. As you know, Montanore would develop a substantial underground copper-silver deposit, which previously was verified as a valuable mineral deposit by the U.S. Forest Service and Bureau of Land Management minerals specialists.

The draft Environmental Impact Statement ("EIS") released by the Forest Service in February 2009 estimated that this project would provide full employment for 450 people at full production, with an annual payroll of \$12 million during the production phase of operations. Indirect economic benefits would be much greater.

Incredibly, the Forest Service initiated the NEPA process on this project by publishing a notice in the Federal Register on July 14, 2005, on the Montanore Project stating that the "draft EIS is expected May 2006, and the final EIS is expected by January 2007." Yet, the final EIS has still not been issued. In addition, the Forest Service has not yet been able to complete consultation under the Endangered Species Act with the U.S. Fish and Wildlife Service regarding the assessment of the project's impact on wildlife species, despite years of studies and reviews.

Unemployment remains a pressing concern in our nation, especially in rural areas such as Lincoln County. The communities in Montana, such as Lincoln County, have been forced to

watch their young people flee the state in search of jobs in other states, far away from family. We find it astounding that this project has continued to not receive a policy prioritization, and that the creative efforts to expedite the permitting process have failed to materialize.

We ask that you both meet with us as soon as possible to address the status of this project and present us with an outline of an expedited time frame for final action this year. In addition, we request that the Regional Forester and her staff work with us to set up regular updates with our offices so that we can be informed of the timetable and all remaining steps in the permitting processes.

We thank you for your careful attention to this matter and look forward to your response.



STEVE DAINES
Member of Congress

Sincerely,



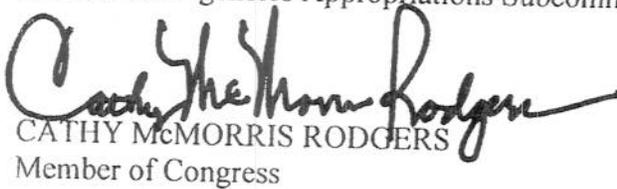
DOC HASTINGS
Chairman, House Natural Resources
Committee



MIKE SIMPSON
Chairman, House Interior, Environment,
and Related Agencies Appropriations Subcommittee



DOUG LAMBORN
Chairman, House Natural Resources
Subcommittee on Energy and
Mineral Resources



CATHY McMORRIS RODGERS
Member of Congress

cc: Bob Perciasepe, U.S. EPA Acting Administrator
Lt. General Thomas Bostick, U.S. Army Corps of Engineers

Congress of the United States
Washington, DC 20515

RECEIVED

August 25 2013
525615

2013 AUG -7 11:19:37

The Honorable Sally Jewell
Secretary
U.S. Department of the Interior
1849 C Street NW
Washington, District of Columbia 20240

Dear Secretary Jewell:

As you are well aware, Montana has a proud tradition of successfully negotiating, enacting, and funding tribal water rights settlements. This tradition is in keeping with the fact that the doctrine of Federal Indian reserved water rights originated in Montana. The Supreme Court articulated it in the 1908 case *Winters v. United States*, which involved a water dispute on the Milk River in northcentral Montana. The Winters doctrine has since served as the basis of dozens of water rights negotiations and settlements across the nation.

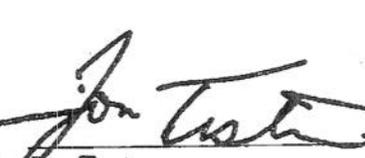
The *Winters* case itself involved the rights of the Assiniboine and Gros Ventre Tribes on the Fort Belknap Indian Reservation. In 2001, the Montana Legislature ratified and the governor signed a compact negotiated between the State of Montana and the Tribes. Congress now needs to pass settlement legislation for Fort Belknap to resolve and codify the Tribes' rights.

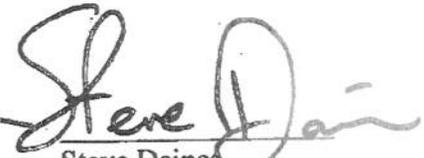
It is our understanding that the Assiniboine and Gros Ventre Tribes submitted a revised draft settlement to the Interior Department for comment in June 2013. We write to urge you to provide comments on this draft by August 31, 2013. This settlement proposal has been introduced in the Senate as a starting point for further negotiations. It is our intent as a delegation to incorporate, as appropriate, the Department's comments in a revised settlement. We believe that feedback from your agency is especially timely given the status of S. 434, the Blackfoot Water Rights Settlement Act, and the shared nature of the Milk River.

We look forward to your help in moving forward.

Sincerely,


Max Baucus
U.S. Senator


Jon Tester
U.S. Senator


Steve Daines
U.S. Representative

Congress of the United States
House of Representatives
Washington, DC 20515-2600

To: Mr. Christopher Mansour **From:** Sheila Rath

Fax: (202) 208-5533 **Pages:** 15 (including cover sheet)

Phone: (202) 208-7693 **Date:** July 8, 2013

Re: **Non-Responsive** **cc:**

Email: sheila.rath@mail.house.gov

Urgent For Review Please Comment Please Reply Please Recycle

Comments:

Please review and respond back to Congressman Steve Daines at:

US Congressman Steve Daines
222 North 32nd Street, Suite 900
Billings, MT 59101
Office: (406) 969-1736, Fax (406) 702-1182

Or you can email me at: sheila.rath@mail.house.gov.

Please let me know if you need additional information. Thank you.

Sheila Rath
Director of Constituent Services
US Congressman Steve Daines

Congress of the United States
House of Representatives
Washington, DC 20515-2600

July 8, 2013

Mr. Christopher Mansour
Department of the Interior
Mail Stop 6242
1849 C Street, NW
Washington, DC 20240-0001

Dear Mr. Mansour:

Enclosed is a copy of a correspondence I have received from my constituent, Non-Responsive
Non-Responsive concerning the status of her complaints with the Department of the Interior. I believe you will find the letter self-explanatory.

I would appreciate it if you would review the enclosed letter and provide me with any information that may be helpful to my constituent. Please direct your response to my office at 222 N. 32nd Street, Suite 900, Billings, MT 59101.

Thank you for your attention to this matter. I look forward to hearing from you.

Sincerely,



Steve Daines
Member of Congress

SD/sr

Enclosures

OFFICE OF THE
EXECUTIVE SECRETARY

2013 JUL 15 PM 4:57

RECEIVED

524870

STEVE DAINES
MONTANA

285 Capitol Hill Office Building
Washington, DC 20515
2021 225-3811

Congress of the United States
House of Representatives
Washington, DC 20515-2600

RECEIVED

JUL 03 2013 BIL

Due to the Provisions of the Privacy Act, 1974 (Title 5, Section 552A of the U.S. Code), please state in writing that I have your permission to make this inquiry and to receive any information needed to fulfill your request. Then return this form to:

U.S. Representative Steve Daines
Attn: Constituent Services
110 W. Front Street
Missoula, MT 59802

PH: (406) 926-2122
FAX: (406) 926-2125

Non-Responsive

[Redacted Name and Date of Birth]

USA
Country of Birth

Non-Responsive

[Redacted Street Address or Post Office Box]

AA
Apt/Suite Number

Non-Responsive

[Redacted City, County, State, Zip Code]

City County State Zip Code

Non-Responsive

Home Phone Work Phone Cell Phone

Non-Responsive

[Redacted Home Phone]

Work Phone

Cell Phone

Non-Responsive

[Redacted File/Case Number]

File/Case Number (if applicable)

6/24/13

Email

Please explain the problem with the federal government, use the back side if necessary:

Please see attached documents. *
Could you please check the status
of my complaints with @DOJ
OIG and @OSC.

*a replication of the entire DOJ OIG
complaint is enclosed

Havre Field Office
3990 Highway 2 West
Havre, MT 59501
June 20, 2013

Re: BLM HiLine Proposed RMP/Final EIS

Non-Responsive

Non-Responsive

I submit the following comments on the Hi-Line Draft Resource Management Plan/EIS (DRMP/EIS). These comments are postmarked June 20, 2013.

To assist your content analysis efforts I have grouped my comments into the following 6 areas.

1. Inadequate Public Involvement
2. Lack of Compliance with FLPMA and the USDI BLM's Land Management Planning Handbook
3. Lack of Social and Economic Analysis
4. Lack of Range of Alternatives in Many Resources Considered
5. Lack of Adequate Analysis
6. Organization, Oversights, Editing Errors

1. Inadequate Public Involvement

From a CEQ Memorandum

"[This memorandum was published in the Federal Register and appears at 48 Fed. Reg. 34263 (1983). Ed. Note]

GUIDANCE REGARDING NEPA REGULATIONS 40 CFR Part 1500 MEMORANDUM

Since the key purpose of scoping is to identify the issues and alternatives for consideration, the scoping process should "end" once the issues and alternatives to be addressed in the EIS have been clearly identified. Normally this would occur during the final stages of preparing the draft EIS and before it is officially circulated for public and agency review."

Your only scoping effort (newsletters are public notification, not requests for public input, dialogue or discussion = scoping) was conducted seven years ago.

DRMP/EIS Appendix A

"Evaluation of the RMP will generally be conducted every five years." No definition of "evaluation" was provided. Standard practice in land management planning under FLPMA or NFMA shows 'evaluation' to include consideration of new issues, changed perspectives, and/or changed conditions (both biocentric and/or anthropocentric).

You are already WAY behind yourself in staying current in NEPA/CEQ - required scoping. This is unsatisfactory from a professional land management planning standpoint. Consider the changes in Bakken development and

social overflow westward, Bison relocation in the planning area, Bison grazing on BLM-managed lands to mention a few. These are all new changes since your scoping of 2006.

* Please justify in your Response to Comments in the FEIS 1) how such outdated public scoping is still valid, and 2) why there was nothing conducted with the public in general since?

2. Lack of Compliance with FLPMA and the USDI BLM's Land Management Planning Handbook

From the Handbook (all emphases added)

"B. Types of Land Use Plan Decisions

Land use plan decisions for public lands fall into two categories: desired outcomes (goals and objectives) and allowable (including restricted or prohibited) uses and actions anticipated to achieve desired outcomes.

Land use plans must identify desired outcomes expressed in terms of specific goals and objectives.

Goals are broad statements of desired outcomes (e.g., maintain ecosystem health and productivity, promote community stability, ensure sustainable development) that usually are not quantifiable.

Objectives identify specific desired outcomes for resources. Objectives are usually quantifiable and measurable and may have established timeframes for achievement (as appropriate). A sample objective is: "Manage vegetative communities on the upland portion of the Clear Creek Watershed to achieve, by 2020, an average 30 to 40 percent canopy cover of sagebrush to sustain sagebrush-obligate species."

"a. Allowable uses. Land use plans must identify uses, or allocations, that are allowable, restricted, or prohibited on the public lands and mineral estate. These allocations identify surface lands and/or subsurface mineral interests where uses are allowed, including any restrictions that may be needed to meet goals and objectives. Land use plans also identify lands where specific uses are excluded to protect resource values."

"At the land use plan level, it is important to identify reasonable development scenarios for allowable uses such as mineral leasing, locatable mineral development, recreation, timber harvest, utility corridors, and livestock grazing to enable the orderly implementation of future actions. These scenarios provide a context for the land use plan's decisions and an analytical base for the NEPA analysis. The BLM may also establish criteria in the land use plan to guide the identification of site-specific use levels for activities during plan implementation." It is this last sentence which seems to have been the only one taken seriously.

"b. Management actions. Land use plans must identify the actions anticipated to achieve desired outcomes, including actions to maintain, restore, or improve land health. These actions include proactive measures (e.g., measures that will be taken to enhance watershed function and condition), as well as measures or criteria that will be applied to guide day-to-day activities occurring on public land."

Instead of the clear descriptions found in the Planning Handbook (above), the Draft RMP Glossary offers:

"Goal: A broad statement of a desired outcome. Goals are usually not quantifiable and may not have established time frames for achievement."

"Objective: A description of a desired condition for a resource. Objectives can be quantified and measured and, where possible, have established time frames for achievement."

* Please clarify how your definition of "objective" differs from your definition of "goal".

* Most importantly to me, please explain why all your "objective statements" in Chapter 2 are by resource, never by alternatives.

I ask that you please look at Table 2.3, specifically "Oil and Gas Stipulations by Alternatives. Wildlife" (pgs. 45 and 46 in Chapter 2). HERE I get to compliment you! The stipulations are quantifiable, can easily be interpreted by an implementation team or effort. Whichever Alternative is selected, it is clear how to implement it on the ground.

What would enhance it better is providing the Objective behind each stipulation, AND the effects. For instance: Bald Eagle, Alternative C states "NSO within ¼ mile of bald eagle nest sites active within the last 7 years." Alternative E states "NSO within ¼ mile of bald eagle nest sites active within the preceding breeding seasons." This is good planning decision stuff! While I am totally confident there are biological reasons for the difference, I am not seeing it readily disclosed and am unable to provide substantive comments on either Alternative's difference.

Subsequently, Table 2.22 should readily display the differing effects under each of those two Alternatives' implementation of those stipulations. This should have been done for all resources as is possible. I don't see it in this document and have to wonder about adequate NEPA/CEQ- required analysis supporting the summary statements.

* Please provide an outcome-based objective for each resource discussion under each Alternative so that they may be compared (as required by NEPA/CEQ, FLPMA, and the Planning Handbook.)

*Please also add those objectives, by resource, into Table 2.21 at the end of Chapter 2.

"Management Decision: A decision made by the BLM to manage public lands. Management decisions include both land use plan decisions and implementation decisions."

* Please clarify that definition, because I found precious few decisions in the DRMP/DEIS at all.

Your definitions blend and water down the Planning Handbook descriptions in an attempt to relieve you from setting measurable objectives like the Planning Handbook's example. Without the "specific" outcomes identified, you have no means of measuring your progress toward achieving desired outcomes (or avoiding outcomes such as habitat degradation). You will merely have inventories outside of a planning context. This will do nothing to guide implementation at the project level.

You have also not provided scenarios of measurable desired outcomes that differ between the alternatives for others to comment on. Most alternatives vary merely in administrative considerations at the implementation level, with no description of what is to be achieved on the ground. Without that clarity, there are no substantive impacts/effects/consequences analyses. Generally speaking, this DRMP/EIS reads much more like a standard operating procedure handbook rather than a plan with decisions that can be implemented, measured, and monitored.

By not providing true planning scenarios and decisions (quantified) with adequate cumulative effects analyses, project level analysis will be daunting from a cumulative effects standpoint. With no quantifiable objectives set and analyzed at this programmatic level, tiering to that analysis is not possible (EA's tier directly up to the higher

EIS). That's why good land management plans set quantifiable objectives; to facilitate implementation without having to reconsider alternative, competing objectives at the project level.

Conformity in desired conditions and objectives across the planning area is now lost.

Deferring (FLPMA required) big picture, alternative strategy planning analysis and decisions to the project level will be exhaustive and fatal at the incremental project decision making level. How have you not learned from other land management agencies' litigation? This will disable and delay Field Office level planning processes and procedures at the public land users' expense and harm.

* Please provide an explanation of required funding, personnel, timeframes, etc. to conduct all this deferred analysis at the project level every time you refer in the DRMP/EIS to future required environmental analysis.

* Please compare that future, deferred workload to the expenses and costs of this DRMP/FEIS process.

3. Lack of Social and Economic Analysis

The following legal citation could actually be inserted as relevant to a number of my points. However, since I feel your silence on a sincere social and economic analysis is your gravest omission, I will place it here:

"LAND USE PLANNING

Sec. 202. [43 U.S.C. 1712] (a) The Secretary shall, with public involvement and consistent with the terms and conditions of this Act, develop, maintain, and, when appropriate, revise land use plans which provide by tracts or areas for the use of the public lands.

(c) In the development and revision of land use plans, the Secretary shall-

- (1) use and observe the principles of multiple use and sustained yield set forth in this and other applicable law;*
- (2) use a systematic interdisciplinary approach to achieve integrated consideration of physical, biological, economic, and other sciences;*
- (3) give priority to the designation and protection of areas of critical environmental concern;*
- (4) rely, to the extent it is available, on the inventory of the public lands, their resources, and other values;*
- (5) consider present and potential uses of the public lands;*
- (6) consider the relative scarcity of the values involved and the availability of alternative means (including recycling) and sites for realization of those values;*
- (7) weigh long-term benefits to the public against short-term benefits;"*

Ignoring direction from Chapter D in your Planning Handbook is egregious at best, and makes it impossible for you to conduct adequate analysis and disclosure of especially (2) and (7) in your DRMP/EIS.

* Please comply with Appendix D of the USDI BLM Land Management Planning Handbook before you consider this process Final.

4. Lack of Range of Alternatives in Many Resources Considered

A mere cursory glance at Table 2.22, (Summary Comparison of Environmental Consequences) shows that there is very little difference between any of the Alternatives since there is little to no variance in effects (sharply defining the issues). It is the variety in difference of outcomes, and the trade-offs in different impacts/effects/consequences upon resources that supply an adequate range of Alternatives. Without those difference they become what I refer to in my training sessions "Straw Alternatives".

Sample resource discussions that show no range of alternatives (nor true objectives) are:

Fish, Forest and Woodlands, Livestock Grazing, and again Social and Economic considerations.

*Please comply with the requirements to show an adequate range of Alternatives so that there is some comparison disclosed.

* Please also openly address that by not including an Alternative that analyzes an *increase* in livestock grazing, you have precluded that consideration in the future with no resource analysis to support it.

5. Lack of Adequate Analysis

Again, the following are merely a non-inclusive sampling of inadequate effects disclosure:

Fish- no biological effects in Table 2.22

Forest and Woodlands, Table 2.22,

* Please explain what "sivicultural treatment would address old growth" means from an effects or management decision standpoint?"

Livestock grazing- not only is there no substantive objective described, I don't see the compliance with the following excerpt from the Planning Handbook:

"The land use plan needs to describe how these public lands will be managed to become as productive as feasible for livestock grazing, including a description of possible grazing management practices such as grazing systems, range improvements (including land treatments), changes in seasons of use and/or stocking rates. In addition, identify guidelines and criteria for future allotment- specific adjustments in the amount of forage available for livestock, season of use, or other grazing management practices (Joel Stamatakis, Steve Stamatakis; 98 IBLA 4 (1987))." BLM MANUAL Rel. 1-1693 Supersedes Rel. 1-1667 03/11/05 H-1601-1 — LAND USE PLANNING HANDBOOK – (Public)Appendix C, page 15

* Please explain why you didn't discuss water resources in Chapter 5, Livestock Grazing as those of noxious weeds, T & E Species and other resources were attempted to disclose.

* Please fix Tables 2.21 (Summary Comparison of Alternatives) and 2.22 so that all resources are covered in both tables. It's very sloppy.

6. Organization, Oversights, Editing Errors

a. First and foremost is it the "greater sage-grouse", "Greater Sage-Grouse", "Greater sage-grouse", or "sage-grouse"? The DRMP/EIS isn't at all consistent. Given the significance of the status of this species to the whole planning effort, why can't you get its name straight?

* Please correct throughout.

b. It is disturbing the BLM employees wish to refer to the millions of acres of public lands they are trusted to manage as "BLM lands". That has a wholly different connotation and possible insight of BLM's Leadership's attitudes, versus referring to the "BLM-managed" (or "administered") lands.

*Please consider a change (global replace or similar).

c. It is mentioned throughout the DRMP/DEIS that in future required environmental analyses Interdisciplinary Teams will make a determination or decision. No. Line Officers do that.

"F. Line and Staff. The BLM's organization and management processes follow a line-staff concept. The managers of the three basic organizational levels exercise line management. These are the Director, Deputy Director(s) and ADs (includes the OFA Director) at the WO level; State Director and ASD at the SO level; Field Manager (includes National Conservation Area Manager or National Monument Manager) at the Field level. All other managers are staff managers. .13G BLM MANUAL Ref. 1-1681 3/3/03"

* Please correct all references to determinations and decision making to the appropriate Line Officer.

d. DRMP/DEIS Appendix B

"2.0 Oil and Gas Activity Assessment"

It's unclear whether you are stating you are merely going to conduct a numeric inventory of wells, when the second paragraph clearly only addressed emissions. Poor organization.

I see no objectives, quantifiable or otherwise that a guiding planning document is to provide. Inventories are presented as merely standard operating procedure, but there is no guidance or leadership on how to proceed with the information gathered. That is the difference between an operating handbook and a legitimate FLPMA-sufficient resource management plan.

* Please explain i.) the purpose of those inventories, and ii.) how will the data be used.

e. Appendix B

"The adaptive management strategy for oil and gas resources provides the flexibility to respond to changing conditions that could not have been predicted during RMP development, as well as allow for the use of new technology and methods that may minimize or reduce impacts."

i.) I think you meant to have a verb in that sentence that might have been "development" or "permit issuance", or "surface occupancy", or something similar.

ii.) Additionally, the sentence makes no sense. This is a planning document which makes decisions.

Since NEPA/CEQ analyses will be required for all site- specific responses as encountered, that isn't adaptive management at all. Instead, NEPA/CEQ -required new proposed actions (for NEPA analysis before an action can be taken) will arise, as mitigation or otherwise. Using the term adaptive management does not excuse you from future environmental analyses of new proposals, unless that analysis has previously been conducted in a recent period, and there are no changed conditions. Adaptive management is only truly an option to change strategy when the 'flexible' actions have each been through a full NEPA analysis and there are no changed conditions or new information. It is then one can be flexible and switch to another previously analyzed management action.

* Please clarify the intent/meaning of that sentence, and your planning decision on future "flexibility to respond".

f. My final comment, and I apologize for missing it if I did, (I wish I'd had more time to complete this review) but where is the reference and existence of the Specialists' Reports that support the assumptions and other statements made in this DRMP/EIS? The Bookmark and link to the Bibliography isn't functioning via Internet Explorer, but the Table of Contents shows it is only 22 pages long.

* Please provide information in the body of the document as to availability and access to the Specialists' Reports.

To facilitate the understanding of other commenters who may read my comments, I am enclosing the citation for CEQ Regulations on what they can expect from your office in responding to their comments and mine.

"Sec. 1503.4 Response to comments. (Emphases added).

(a) An agency preparing a final environmental impact statement shall assess and consider comments both individually and collectively, and shall respond by one or more of the means listed below, stating its response in the final statement. Possible responses are to:

Modify alternatives including the proposed action.

Develop and evaluate alternatives not previously given serious consideration by the agency.

Supplement, improve, or modify its analyses.

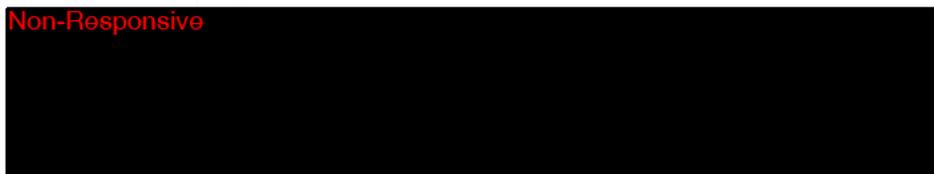
Make factual corrections.

Explain why the comments do not warrant further agency response, citing the sources, authorities, or reasons which support the agency's position and, if appropriate, indicate those circumstances which would trigger agency reappraisal or further response."

At a minimum, please specifically address my comments or requests which I indented and preceded with an asterisk (*).

Thank you for this opportunity to be an active participant in this process.

Non-Responsive



Job Title:District Manager

Department:Department Of The Interior

Agency:Bureau of Land Management

Job Announcement Number:AZ-Merit-2013-0017

District
Manager
Duties

DUTIES:

The District Manager is responsible for applying the policies and programs of the Department of the Interior in the management of natural resources on the public lands in the District. -- Serves as the principal advisor to the Arizona State Director on policies and programs pertinent to the District. --Acts as primary leader of District organization. -- Ensures that management activities reflect a balanced consideration of all the resource values present within the jurisdiction, e.g., watershed, forestry, range, fisheries, wildlife, recreation, wilderness, and minerals. --Communicates and interprets Bureau of Land Management (BLM) and Departmental policies to Field Office Managers, Division Chiefs and other key subordinates. -- Functions as the primary proponent of BLM's programs and policies within the District in transactions with a wide variety of community leaders, representatives of interest groups, other agency counterparts, business interests, and individual citizens. -- Through the Annual Work Plan (AWP) process, develops plans and projections to accomplish program goals within staffing and budgetary constraints. -- Assures that all interested sectors of the public have adequate opportunity to review plans and provide timely input to those plans. -- Assures that the district organization includes the proper mix of disciplines. -- Assures that district personnel policies and programs fully comply with diversity and inclusion principles and objectives. --Provides leadership to district personnel with guidance, direction and alignment to the Arizona Strategic Goals.

The job specific questions relate to the following knowledge, skills and abilities (KSA's) required to do the work of this position. Please ensure your resume addresses the following KSA's.

- Extensive knowledge of managerial and executive abilities in order to manage a complex resource management program.
- Knowledge of natural resource management principles and techniques sufficient to carry out the mission of the agency.

soil, water and air management; wild and scenic river management; fire management; off-road vehicle management, data management; program and administrative support services and law enforcement.

•Coordinate land and resource planning and management with representatives of Federal, State, Tribal, and local governments, the general public, public land users, and private landowners. Conduct a viable and open public relations program. Ensure an awareness of the value and effect of a positively oriented program that emphasizes Bureau and cooperative programs and accomplishments.

Job Title:Field Manager, GS-0340-13
Department:Department Of The Interior
Agency:Bureau of Land Management
Job Announcement Number:CO Merit-2013-0049

Field Manager
Duties

DUTIES:

As the Kremmling Field Office Manager, you will be responsible for:

- * Planning, organizing, implementing and evaluating a broad array of complex resource management programs;
- * Determining work priorities for the Field Office and directing accomplishment of the approved Annual Work Plan;
- * **Directing administrative activities in support of operational programs;**
- * Coordinating land and resource planning and management with representatives of other agencies, Federal, State and local governments, the general public, and with private landholders;
- * **Establishing policies, regulation, procedures to accomplish organizational objectives.**

The job specific questions relate to the following knowledge, skills and abilities required to do the work of this position:

- * Ability to understand the socio-political and natural resource issues in order to provide management guidance for the organization;
- * Ability to analyze and evaluate work functions and capabilities against area needs and bind them into a balanced and concerted Field Office program;
- * Skill in oral and written communications;
- * **Knowledge and skills in supervisory and managerial theories, practices and procedures;**
- * Knowledge of and skill in program, planning and budgeting systems

For GS-13: Examples of specialized experience include experience in public lands natural resource multiple-use management; experience providing leadership, motivation, direction and decisions required to implement and carry out multiple use and ecosystem management within an organization containing a variety of resources; or other directly related experience.

DUTIES:

The incumbent serves as the focal point in a geographically based Field Office for providing leadership, motivation, direction, and decisions including the technical and administrative supervision of assigned employees required to implement and carry out multiple use and ecosystem management of resources. **At the full performance level, the incumbent is responsible for performing a variety of duties including, but not limited to, the following:**

- *Establishing policies, regulations, and procedures to accomplish organizational objectives.*
- *Advising the District Manager of program accomplishments, problems, and impact of changes.*
- *Performing personnel management functions such as selecting employees for vacant positions; participating in positions and pay management program; establishing performance standards and evaluating performance; identifying developmental and training needs of employees; providing and making provisions for training.*

Job Title: Field Manager, GS-0340-13

Department: Department Of The Interior

Agency: Bureau of Land Management

Job Announcement Number: BLMAK-13-873558-ES

SALARY RANGE: \$89,370.00 to \$116,180.00 / Per Year

OPEN PERIOD: Tuesday, April 30, 2013 to Tuesday, May 28, 2013

SERIES & GRADE: GS-0340-13

DUTIES:

As a Field Manager, you will:

• **Perform personnel management functions** such as selecting employees for vacant positions; participate in position and pay management; establish performance standards and evaluate performance; identify developmental and training needs of employees; provide and make provisions for training. Approve annual and sick leave. Generally, effects minor disciplinary measures (warning, reprimand, etc.) but may occasionally review and propose serious disciplinary actions. Hear and resolve employee's complaints, and refers unresolved complaints to the District Manager.

• Determine work priorities for the Field Office and directs accomplishment of the approved Annual Work Plan. Responsible for program planning with established Bureau guidelines, and submission of preliminary budget estimates to the State Director. Operate Field Office programs within budgetary limitations and apportionments.

• Responsible for overseeing and evaluating resource management programs (energy and minerals, wilderness, range, lands/realty, forestry, outdoor recreation, soil/water/air, range improvement, construction, subsistence) requiring multiple-use management and protection of a variety of resources.

• Develop and implement various new or updated conservation, land, and resource programs to include planning (long and short term); conduct and coordinate locatable minerals management; native conveyances, land and realty operation, hunting and fishing subsistence; wildlife habitat management; outdoor recreation management; archaeological and paleontological resources management and protection;

- Skill in business acumen (your ability to acquire and administer human, financial, material and information resources in a manner which instills public trust and accomplishes the agency mission and to use new technology to enhance decision making.)
- Knowledge of Federal personnel policies and procedures and ability to apply them as a manager.
- Knowledge of the public involvement process, public participation, public speaking, and the role of public advisory groups in order to coordinate district programs with public interest groups and disseminate information on bureau programs.



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Washington, D.C. 20240
<http://www.blm.gov>



In Reply Refer To:
1400-300 (710)

JUL 19 2013

The Honorable Steve Daines
House of Representatives
222 N. 32nd Street, Suite 900
Billings, Montana 59101

Dear Representative Daines:

Thank you for your letter of July 8, 2013, to the Department of the Interior (DOI) forwarding communications from your constituent **Non-Responsive** who requested support regarding her complaints filed with the Office of Special Counsel (OSC) and the DOI Office of the Inspector General. These complaints are under the authority of each of these respective offices and outside the purview of the Bureau of Land Management (BLM).

Non-Responsive also requested your assistance on two personnel issues pertaining to her employment with the BLM. We appreciate the opportunity to provide clarification. The first issue involved **Non-Responsive** **Non-Responsive** application for a position vacancy that the BLM announced on January 14, 2013. Under the terms of that vacancy announcement, only current BLM employees were eligible for consideration for the position. Since **Non-Responsive** retired from the BLM **Non-Responsive**, and therefore not a current BLM employee at the time of the vacancy announcement, she was not eligible for consideration for that particular position.

Non-Responsive

If you have further questions, please feel free to contact me at 202-501-6723, or your staff may contact Mr. Pete Shepard at 202-912-7481.

Sincerely,

Carole Carter-Pfisterer
Assistant Director
Human Capital Management

Congress of the United States
House of Representatives

Washington, DC 20515-2600

522788
May 8, 2013

RECEIVED

2013 MAY 13 PM 5:02

OFFICE OF THE
EXECUTIVE SECRETARY

The Honorable Sally Jewell, Secretary
U.S. Department of Interior
1849 C Street, NW
Washington, DC 20240

Re: BLM Proposed Regulations
Oil and Gas; Well Stimulation, Including Hydraulic Fracturing, on Federal and Indian Land, 77
F.R. 27691

Dear Secretary Jewell:

It is my understanding that your Department currently has under review the Bureau of Land Management's (BLM) well stimulation proposal that regulates three main areas: flowback water, well construction and disclosure of hydraulic fracturing fluids used in the stimulation process. As a Member of Congress who represents areas with ongoing oil and natural gas development, I am concerned about the negative implications this rule could have on the current and future economic development of my state and our country. I respectfully request for you to take my concerns and recommendations for the proposed regulation under consideration in your review.

The state authority to regulate hydraulic fracturing has been very successful. In fact, the EPA is studying the health and environmental impacts of well stimulation and has yet to find one verifiable instance where stimulation activities caused aquifer contamination, human health impacts, environmental degradation, or any other health or environmental impact that would warrant such a dramatic expansion of BLM authority. Every year in the U.S. approximately 35,000 wells are hydraulically fractured. As Governor Bullock mentioned in his April 22, 2013 letter to you, in Montana over 800 modern high-volume hydraulic fracture treatments have been performed in oil shale without negative impacts on our groundwater. Since hydraulic fracturing treatments must be customized to treat wells according to specific geological settings, state regulators are best equipped to adequately implement and enforce fracturing regulations according to each state's respective geology—not a bureaucrat in Washington.

In Montana, we rely on our natural resources for energy and mineral development, and we understand that acting safely and responsibly is the only option when exploring and producing these resources. Mitigating the impact on the environment—our rivers, lands, forests, and mountains—is also critical to the \$2.5 billion and 34,000 jobs our outdoor recreation industry supports. Additionally, as the Bakken Oil Shale expands into Montana and horizontal drilling continues, hydraulic fracturing is critical for Montana to maximize our energy potential. Without hydraulic fracturing, many of Montana's wells would not be economical, risking a loss of at least \$4 billion worth of oil and \$350 million of state revenues.

According to the recent US Geological Survey, an estimated 7.4 billion barrels of oil are undiscovered in the Williston Basin. Most of the 22% of the undiscovered resources exist beneath public and Indian lands in Montana. The future development of these resources and the benefits provided to our small eastern communities would be directly impacted by this proposed rule. Already, investments in our local communities have been detracted from developing resources on public and Indian land due to the complex and prohibitive nature of federal regulations. At a time of high national unemployment and low

economic growth, we have witnessed in Montana how responsible energy production is a solution to creating jobs and spurring economic growth. Federal regulation of hydraulic fracturing is not the answer.

Another layer of federal bureaucratic red tape will only slow down current production as many of these proposed procedures in the BLM hydraulic fracturing rule duplicate state requirements and good business practices that are already in use. BLM estimates the proposed regulation has the potential to cost \$11,000 per well drilled in order to comply with the rule. Other estimates amount to \$260,000 per well. The aggregate cost for new permits and well work overs resulting from this rule could range from \$1.499 billion to \$1.615 billion annually. Considering these facts, I oppose the Administration issuing the proposed federal regulation for hydraulic fracturing.

Thank you for consideration. I welcome the opportunity to work together to foster responsible development of our nation's natural resources.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Daines", with a large, stylized flourish extending to the right.

STEVE DAINES
Member of Congress



THE SECRETARY OF THE INTERIOR
WASHINGTON

JUN 07 2013

The Honorable Steve Daines
House of Representatives
Washington, DC 20515

Dear Representative Daines:

Thank you for your letter of May 8, 2013, regarding the Bureau of Land Management (BLM) hydraulic fracturing proposed rule. We appreciate your interest and willingness to share your concerns.

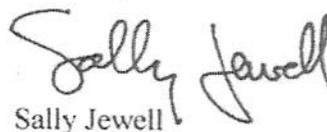
The BLM developed the hydraulic fracturing proposed rule to update our existing regulations on hydraulic fracturing, which are more than 30 years old, and to reflect more accurately the technological advancements that have occurred in recent years. The BLM estimates that approximately 90 percent of wells that have been drilled on public and Indian lands are stimulated by hydraulic fracturing techniques, and a need exists for a consistent regulatory mechanism across public lands to ensure protection of groundwater and other valuable resources during the drilling and completion of unconventional wells.

On May 16, 2013, the Department of the Interior announced the release of a revised proposal that would establish commonsense safety standards for hydraulic fracturing on public and Indian lands. The initial proposal released in 2012 generated extensive feedback, including over 177,000 public comments. The BLM recognizes the importance of providing sufficient time to evaluate the revised proposed rule and its impacts, and is extending the comment period for 60 days. This provides the public a total of 90 days to review and provide input.

I recognize and appreciate that Montana and certain other states have adopted rules governing hydraulic fracturing. This said, the BLM has unique stewardship responsibility to oversee hydraulic fracturing on Federal and Indian lands located throughout the Country. The BLM's revised proposed hydraulic fracturing rule draws from best practices and standards already implemented in certain states in order to establish appropriate consistent standards for this authority on Federal lands throughout the United States.

The BLM team that is working on this rule will continue to coordinate diligently with Montana and other states as the rule is finalized. By working together, we can ensure that our Nation continues to develop oil and gas resources in a robust and environmentally responsible way.

Sincerely,


Sally Jewell

Congress of the United States

House of Representatives

Washington, DC 20515-2600

522788
May 8, 2013

RECEIVED

2013 MAY 13 PM 5:02

OFFICE OF THE
SECRETARY

The Honorable Sally Jewell, Secretary
U.S. Department of Interior
1849 C Street, NW
Washington, DC 20240

Re: BLM Proposed Regulations
Oil and Gas; Well Stimulation, Including Hydraulic Fracturing, on Federal and Indian Land, 77
F.R. 27691

Dear Secretary Jewell:

It is my understanding that your Department currently has under review the Bureau of Land Management's (BLM) well stimulation proposal that regulates three main areas: flowback water, well construction and disclosure of hydraulic fracturing fluids used in the stimulation process. As a Member of Congress who represents areas with ongoing oil and natural gas development, I am concerned about the negative implications this rule could have on the current and future economic development of my state and our country. I respectfully request for you to take my concerns and recommendations for the proposed regulation under consideration in your review.

The state authority to regulate hydraulic fracturing has been very successful. In fact, the EPA is studying the health and environmental impacts of well stimulation and has yet to find one verifiable instance where stimulation activities caused aquifer contamination, human health impacts, environmental degradation, or any other health or environmental impact that would warrant such a dramatic expansion of BLM authority. Every year in the U.S. approximately 35,000 wells are hydraulically fractured. As Governor Bullock mentioned in his April 22, 2013 letter to you, in Montana over 800 modern high-volume hydraulic fracture treatments have been performed in oil shale without negative impacts on our groundwater. Since hydraulic fracturing treatments must be customized to treat wells according to specific geological settings, state regulators are best equipped to adequately implement and enforce fracturing regulations according to each state's respective geology—not a bureaucrat in Washington.

In Montana, we rely on our natural resources for energy and mineral development, and we understand that acting safely and responsibly is the only option when exploring and producing these resources. Mitigating the impact on the environment—our rivers, lands, forests, and mountains—is also critical to the \$2.5 billion and 34,000 jobs our outdoor recreation industry supports. Additionally, as the Bakken Oil Shale expands into Montana and horizontal drilling continues, hydraulic fracturing is critical for Montana to maximize our energy potential. Without hydraulic fracturing, many of Montana's wells would not be economical, risking a loss of at least \$4 billion worth of oil and \$350 million of state revenues.

According to the recent US Geological Survey, an estimated 7.4 billion barrels of oil are undiscovered in the Williston Basin. Most of the 22% of the undiscovered resources exist beneath public and Indian lands in Montana. The future development of these resources and the benefits provided to our small eastern communities would be directly impacted by this proposed rule. Already, investments in our local communities have been detracted from developing resources on public and Indian land due to the complex and prohibitive nature of federal regulations. At a time of high national unemployment and low

economic growth, we have witnessed in Montana how responsible energy production is a solution to creating jobs and spurring economic growth. Federal regulation of hydraulic fracturing is not the answer.

Another layer of federal bureaucratic red tape will only slow down current production as many of these proposed procedures in the BLM hydraulic fracturing rule duplicate state requirements and good business practices that are already in use. BLM estimates the proposed regulation has the potential to cost \$11,000 per well drilled in order to comply with the rule. Other estimates amount to \$260,000 per well. The aggregate cost for new permits and well work overs resulting from this rule could range from \$1.499 billion to \$1.615 billion annually. Considering these facts, I oppose the Administration issuing the proposed federal regulation for hydraulic fracturing.

Thank you for consideration. I welcome the opportunity to work together to foster responsible development of our nation's natural resources.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Daines", with a large, stylized flourish extending to the right.

STEVE DAINES
Member of Congress



THE SECRETARY OF THE INTERIOR

WASHINGTON

JUN 07 2013

The Honorable Steve Daines
House of Representatives
Washington, DC 20515

Dear Representative Daines:

Thank you for your letter of May 8, 2013, regarding the Bureau of Land Management (BLM) hydraulic fracturing proposed rule. We appreciate your interest and willingness to share your concerns.

The BLM developed the hydraulic fracturing proposed rule to update our existing regulations on hydraulic fracturing, which are more than 30 years old, and to reflect more accurately the technological advancements that have occurred in recent years. The BLM estimates that approximately 90 percent of wells that have been drilled on public and Indian lands are stimulated by hydraulic fracturing techniques, and a need exists for a consistent regulatory mechanism across public lands to ensure protection of groundwater and other valuable resources during the drilling and completion of unconventional wells.

On May 16, 2013, the Department of the Interior announced the release of a revised proposal that would establish commonsense safety standards for hydraulic fracturing on public and Indian lands. The initial proposal released in 2012 generated extensive feedback, including over 177,000 public comments. The BLM recognizes the importance of providing sufficient time to evaluate the revised proposed rule and its impacts, and is extending the comment period for 60 days. This provides the public a total of 90 days to review and provide input.

I recognize and appreciate that Montana and certain other states have adopted rules governing hydraulic fracturing. This said, the BLM has unique stewardship responsibility to oversee hydraulic fracturing on Federal and Indian lands located throughout the Country. The BLM's revised proposed hydraulic fracturing rule draws from best practices and standards already implemented in certain states in order to establish appropriate consistent standards for this authority on Federal lands throughout the United States.

The BLM team that is working on this rule will continue to coordinate diligently with Montana and other states as the rule is finalized. By working together, we can ensure that our Nation continues to develop oil and gas resources in a robust and environmentally responsible way.

Sincerely,


Sally Jewell

Congress of the United States
House of Representatives
Washington, DC 20515-2600

May 9, 2013

The Honorable Tom Vilsack, Secretary
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

The Honorable, Secretary Sally Jewell
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Secretary Vilsack and Secretary Jewell:

Some of us wrote to your Departments on June 22, 2012, about the excessive ongoing delays with the federal permitting reviews by the U.S. Forest Service and the U.S. Fish and Wildlife Service concerning the Montanore Project located in Lincoln County, Montana, within the Kootenai National Forest. Yet, many months later, this important job-creating project continues to stagnate, and the people of Lincoln County, Montana, which overwhelmingly support this project, continue to wonder when the federal agencies will reach a decision on this project. As you know, Montanore would develop a substantial underground copper-silver deposit, which previously was verified as a valuable mineral deposit by the U.S. Forest Service and Bureau of Land Management minerals specialists.

The draft Environmental Impact Statement ("EIS") released by the Forest Service in February 2009 estimated that this project would provide full employment for 450 people at full production, with an annual payroll of \$12 million during the production phase of operations. Indirect economic benefits would be much greater.

Incredibly, the Forest Service initiated the NEPA process on this project by publishing a notice in the Federal Register on July 14, 2005, on the Montanore Project stating that the "draft EIS is expected May 2006, and the final EIS is expected by January 2007." Yet, the final EIS has still not been issued. In addition, the Forest Service has not yet been able to complete consultation under the Endangered Species Act with the U.S. Fish and Wildlife Service regarding the assessment of the project's impact on wildlife species, despite years of studies and reviews.

Unemployment remains a pressing concern in our nation, especially in rural areas such as Lincoln County. The communities in Montana, such as Lincoln County, have been forced to

522758

RECEIVED

2013 MAY -9 PM 5:45

OFFICE OF THE
EXECUTIVE SECRETARY

watch their young people flee the state in search of jobs in other states, far away from family. We find it astounding that this project has continued to not receive a policy prioritization, and that the creative efforts to expedite the permitting process have failed to materialize.

We ask that you both meet with us as soon as possible to address the status of this project and present us with an outline of an expedited time frame for final action this year. In addition, we request that the Regional Forester and her staff work with us to set up regular updates with our offices so that we can be informed of the timetable and all remaining steps in the permitting processes.

We thank you for your careful attention to this matter and look forward to your response.

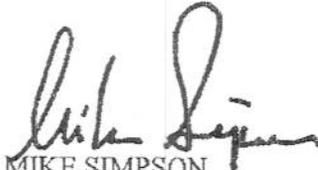


STEVE DAINES
Member of Congress

Sincerely,



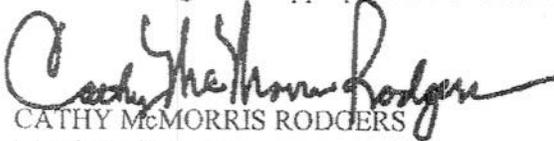
DOC HASTINGS
Chairman, House Natural Resources
Committee



MIKE SIMPSON
Chairman, House Interior, Environment,
and Related Agencies Appropriations Subcommittee



DOUG LAMBORN
Chairman, House Natural Resources
Subcommittee on Energy and
Mineral Resources



CATHY McMORRIS RODGERS
Member of Congress

cc: Bob Perciasepe, U.S. EPA Acting Administrator
Lt. General Thomas Bostick, U.S. Army Corps of Engineers



RECEIVED

2013 FEB 15 PM 3:11

OFFICE OF THE EXECUTIVE SECRETARIAT

**UNITED STATES SENATOR
JOHN BARRASSO**

307 Dirksen Senate Office Building, Washington, D.C. 20510

FACSIMILE TRANSMISSION

To: *ATTN: Chris Mansour*

Fax number:

From: *Brian Clifford*

4 Pages following this cover sheet.

NOTES: _____

Congress of the United States
Washington, DC 20515

February 14, 2013

The Honorable Ken Salazar
Secretary of the Interior
Department of Interior
1849 C St NW
Washington, DC 20240

Dear Secretary Salazar:

We are contacting you regarding our serious concerns surrounding the disturbing trend by which the Department of the Interior (DOI) continues to bypass Congress, and the public, in establishing new federal designations and policies.

As you know, Congress expressed its serious reservations of the Wildlands designation through a Secretarial Order. The creation of that new federal designation was highly controversial, lacked transparency, and was legally questionable. Congress subsequently blocked funding for the Order. However, you have never rescinded the controversial Order.

On August 2, 2012 members of the Senate and House Western Caucuses sent you a letter expressing concerns regarding Bureau of Land Management Manuals 6310 and 6320, which mirrored the same rejected policies of Wildlands Secretarial Order 3310. These manuals were crafted without public input or notice. These members asked you to withdraw these manuals, and set up a briefing for them. The manuals were not withdrawn, nor was the briefing request even acknowledged by your department. We would like to request once again, a briefing by DOI for our offices on the status of these BLM manuals.

Now it has come to our attention that on May 24 of last year, you signed Secretarial Order 3321 establishing the "National Blueways System." This system, according to the Secretarial Order would –

"provide a new national emphasis on the unique value and significance of a 'headwaters to mouth' approach to river management and create a mechanism to encourage stakeholders to integrate their land and water stewardship efforts by adopting a watershed approach."

The Order goes on further to state that it authorizes the establishment of an "intraagency National Blueways Committee to provide leadership, direction, and coordination to the National Blueways System."

Despite the Order stating that "Nothing in this Order is *intended* to be the basis for the exercise of any new regulatory authority," given the lack of transparency by Interior to date, this disclaimer is of little comfort to communities that will be negatively impacted by a Blueways designation. In fact, the Order specifically injects federal agency policies and programs into the management of the designated watersheds when the Order states that –

Page Two

"Bureaus within Interior, to the extent permitted by law and consistent with their missions, policies, and resources, shall endeavor to align the execution of agency plans and implementation of agency programs to protect, restore, and enhance the natural, cultural, and/or recreational resources associated with designated National Blueways."

According to the Order, it appears that any watershed in the United States could be designated without any vote in Congress and without proper public notice. The Order states that –

"Following consideration of recommendations made by the Committee, the Secretary may designate the river and its associated watershed as a National Blueway that will become part of the National Blueways System."

Water is the lifeblood of our communities, and it should be managed for the benefit of the community in a transparent fashion. While water law varies by region, non-navigable water is managed by the states, not the federal government. Any designation by a federal agency that directly or indirectly attempts to manage the non-navigable headwaters of many of our nation's rivers, would be a usurpation of state authority.

We urge you to immediately withdraw Secretarial Order 3321. We also encourage you to bring proposals to Congress that are creating new land and water designations so that we may consider them through the normal committee process and with public transparency.

Sincerely,

John Brunner

Paul A. Gosar

K. T. Tuberville

Paul Berman

Blaine Luetjens

John Cornyn

Page Three

Kevin G. Hatch Sydney P. Lummis

Michael B. Eji Ad Bly

James M. Gaskin J. M. Clark

Tom Hill Scott P. Dignam

Tim Hackkamp Stuart Price

Walt Adrian Smith

Page Four

Steve Chaffee

Walter B Jones

Jill

David News

David Cooper

Steve D

David Miller



THE SECRETARY OF THE INTERIOR
WASHINGTON

MAR 27 2013

The Honorable Steve Daines
House of Representatives
Washington, DC 20515

Dear Representative Daines:

Thank you for your letter of February 14, 2013, regarding Secretarial Order 3321 establishing the National Blueways System as part of America's Great Outdoors, and Bureau of Land Management Manuals 6310 and 6320. I appreciate you taking the time to share your concerns on these important matters.

The National Blueways System (NBS) was established to recognize large river systems conserved through diverse stakeholder partnerships and to promote cooperation in support of economic development, natural resource conservation, outdoor recreation, and education in these river systems. The Order states: "Nothing in this Order is intended to authorize or affect the use of private property. Nothing in this Order is intended to be the basis for the exercise of any new regulatory authority, nor shall this initiative or any designation pursuant to this Order affect or interfere with any Federal, state, local, and tribal government jurisdiction or applicable law including interstate compacts relating to water or the laws of any state or tribe relating to the control, appropriation, use or distribution of water or water rights."

With respect to any possible impact of NBS designation on water rights, the Secretary's Order again is explicit that the designation has no such role: "nor shall this initiative or any designation pursuant to this Order affect or interfere with any Federal, state, local, and tribal government jurisdiction or applicable law including interstate compacts relating to water or the laws of any state or tribe relating to the control, appropriation, use or distribution of water or water rights."

Participation in the National Blueways program is locally-led, voluntary, and non-regulatory. The NBS recognizes and supports diverse stakeholder partnerships that have come together to pursue a common vision for their river system. A National Blueway designation is a prestigious award for a river system and its stakeholders. Private landowners within a watershed recognized as a National Blueway may choose to not participate in any assistance programs or initiatives undertaken by the stakeholder partnership.

State, local, and tribal governments determine their own level of participation. The Department will not designate National Blueways that lack diverse support from government agencies within the watershed. Similarly, local communities and businesses will be valued members of successful stakeholder partnerships and will determine their own roles and extent of engagement.

One of the key criteria for being recognized as a National Blueway is that a diverse stakeholder partnership representing interests from across the watershed come together to seek the recognition. It will be the work of the stakeholder partnership to pursue broad public awareness of the nomination. Creating ample opportunities for public engagement is key to presenting a strong case for recognition and support as a National Blueway.

Stakeholder partnerships seeking a National Blueway designation will be evaluated based on their efforts to reach out and incorporate the views of a diverse array of individuals and public entities. The support of state, local, and tribal governments will be sought by the stakeholder partnership as part of the process of nominating a river and its watershed as a National Blueway. Successful nominations will include statements of support from businesses, organizations, Federal and state agencies, and local and tribal governments within the watershed.

The Department is committed to a National Blueway nomination process that will require the recruitment of a state sponsoring agency. If a nominated river and its watershed include land in more than one state, the nomination process will also require a letter of support from all states with a significant portion of the watershed within their borders.

With regard to BLM Manuals 6310 and 6320, BLM representatives have contacted appropriate congressional staff to schedule a briefing on this matter. We look forward to the opportunity to more fully explain these issues to members of the House and Senate Western Caucuses.

I value your comments. Please do not hesitate to share with me any further thoughts you have on Secretarial Order 3321. A similar reply has been sent to the other signatories of your letter.

Sincerely,

A handwritten signature in black ink that reads "Ken Salazar". The signature is written in a cursive, slightly slanted style.

Ken Salazar



THE SECRETARY OF THE INTERIOR
WASHINGTON

ORDER NO. 3321

Subject: Establishment of a National Blueways System

Sec. 1 Purpose. This Order establishes a program to recognize river systems conserved through diverse stakeholder partnerships that use a comprehensive watershed approach to resource stewardship. River systems designated as a National Blueway shall collectively constitute a National Blueways System. The National Blueways System will provide a new national emphasis on the unique value and significance of a "headwaters to mouth" approach to river management and create a mechanism to encourage stakeholders to integrate their land and water stewardship efforts by adopting a watershed approach. This Order also establishes an intra-agency National Blueways Committee to provide leadership, direction, and coordination to the National Blueways System. It further directs the bureaus of the Department of the Interior (Interior) to collaborate in supporting the National Blueways System, to the extent permitted by law and consistent with their missions and resources.

Sec. 2 Background. Rivers play a vital role in connecting Americans with the lands and waters that provide economic, recreational, social, cultural, and ecological value to their communities. Healthy rivers are integral to the quality of life for all Americans and their communities. Resilient rivers and watersheds are essential sources of clean water supplies for rural, agricultural, and urban communities alike. Rivers provide important habitat for fish and wildlife species and act as corridors for their migration and dispersal, providing ecosystem connectivity that supports resilience to environmental change. Rivers support our recreation and tourism economy by providing opportunities for boating, fishing, hiking, camping, swimming, and numerous other activities. Rivers offer a focal point for environmental education and outreach that helps communities understand and connect with the great outdoors.

Across the Nation, communities of stakeholders have formed partnerships focused on stewardship and sustainability of rivers and their watersheds. When these partnerships work successfully across Federal agencies, with state, local, and tribal governments, and with non-profit organizations, private landowners, and businesses, they are able to accomplish their shared stewardship and conservation objectives. National recognition and Federal agency coordination in support of river systems will inspire and help stakeholders to plan and manage for the resiliency and connectivity of their rivers, to seek cooperation and collaboration among communities and across jurisdictions, and to strive for an integrative, adaptive approach for sustaining the whole river system.

National Blueways will be nationally and regionally significant rivers and their watersheds that are highly valued recreational, social, economic, cultural, and ecological assets for the communities that depend on them. National Blueways encourage a landscape-scale approach to river conservation that involves a river from its headwaters to its mouth and across its watershed, rather than individual segments of the channel and riparian area alone. Establishment of a

National Blueways System will help promote best practices, share information and resources, and encourage active and collaborative stewardship of rivers across the country.

Sec. 3 Authority. This Order is issued in accordance with authority provided under the Take Pride in America Act, Public Law 101-628; the Outdoor Recreation Act, Public Law 87-714; and the Cooperative Watershed Management Program of the Omnibus Public Land Management Act of 2009, Public Law 111-11. The bureaus within Interior have a broad panoply of legal authority to carry out their respective missions that support enhancing river recreation, undertaking river restoration, and pursuing river protection initiatives to pass on healthy rivers to future generations. These authorities include the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601 et seq.; the Fish and Wildlife Act of 1956, 16 U.S.C. 742 et seq.; the Fish and Wildlife Coordination Act, 16 U.S.C. 661 et seq.; the Land and Water Conservation Fund Act of 1965, 16 U.S.C. 4601-4 et seq.; the National Wild and Scenic Rivers Act of 1968, 16 U.S.C. 1271-1287; the Federal Land Policy and Management Act, 43 U.S.C. 1702 et seq.; the Reclamation Act, Public Law 57-161; the Omnibus Public Land Management Act of 2009, Public Law 111-11; and the National Trails System Act of 1968, 16 U.S.C. 1241 et seq.

Sec. 4 Model National Blueway. I hereby designate the Connecticut River and Watershed as the first National Blueway as a model for future designations. The Connecticut River Watershed exemplifies the National Blueways System with diverse partnerships of interested communities including over 40 partner organizations, protection of over 2 million acres of habitat, environmental and educational efforts aimed at urban and rural populations, and recreational access to the river, its tributaries, and public lands.

Sec. 5 National Blueways Committee. This Order establishes a National Blueways Committee (Committee), to be chaired by the Secretary or his or her designee.

a. **Membership.** Members of the Committee will include a representative designated by the Directors of the Bureau of Land Management, National Park Service, Fish and Wildlife Service, U.S. Geological Survey, and the Bureau of Indian Affairs; the Commissioner of Reclamation; and a representative designated by the Assistant Secretary – Policy, Management and Budget. The Committee may also include representatives of other Federal agencies, whose representatives shall participate through appropriate agreements.

b. **Responsibilities.** The Committee will:

- (i) Oversee the process of National Blueways criteria development, assessment, and designation;
 - (ii) Make recommendations to the Secretary for the designation of National Blueways;
 - (iii) Oversee support provided by Interior to designated National Blueways;
- and

(iv) Report to the Secretary on the progress, accomplishments, opportunities, and challenges of the National Blueways System.

Sec. 6 National Blueways System. The National Blueways System program shall recognize and promote nationally or regionally significant rivers and their watersheds.

a. **Nomination.** Any established stakeholder partnership may, in collaboration with a sponsoring Federal or state agency, nominate a river and its associated watershed as a proposed National Blueway by submitting an application according to the nomination process and assessment criteria.

b. **Assessment.** The assessment criteria will evaluate the intrinsic values a river and its watershed possess and the interested communities' record of commitment to land and water management practices that provide or maintain outstanding recreational, social, and/or ecological benefits.

c. **Designation.** Following consideration of recommendations made by the Committee, the Secretary may designate the river and its associated watershed as a National Blueway that will become part of the National Blueways System.

d. **Alignment.** Bureaus within Interior, to the extent permitted by law and consistent with their missions, policies, and resources, shall endeavor to align the execution of agency plans and implementation of agency programs to protect, restore, and enhance the natural, cultural, and/or recreational resources associated with designated National Blueways.

e. **Coordination.** Bureaus will coordinate within Interior and with other participating Federal, state, local, and tribal agencies and partners to support designated National Blueways.

f. **Partnerships.** Bureaus are encouraged, to the extent permitted by law, to develop partnerships with other federal, state, local, and tribal governments, water and power authorities, and community and non-governmental organizations in support of designated National Blueways. Bureaus will be responsive to the diverse needs of different kinds of communities from, the core of our cities to the remote rural areas, and shall seek to ensure that the role played by the Federal Government is complementary to the plans and work being carried out by other Federal, state, local, and tribal governments. To the extent practicable, Federal resources will be strategically directed to complement resources being spent by these partner entities.

Sec. 7 Disclaimer. Nothing in this Order is intended to authorize or affect the use of private property. Nothing in this Order is intended to be the basis for the exercise of any new regulatory authority, nor shall this initiative or any designation pursuant to this Order affect or interfere with any Federal, state, local, and tribal government jurisdiction or applicable law including interstate compacts relating to water or the laws of any state or tribe relating to the control, appropriation, use or distribution of water or water rights.

Sec. 8 Implementation. The Deputy Secretary is responsible for ensuring the implementation of this Order. Nothing in this Order shall be interpreted as amending, revising, or modifying

either Executive Order 13061 of September 11, 1997, entitled, "Federal Support of Community Efforts Along American Heritage Rivers" or Secretarial Order 3319 of February 29, 2012, entitled, "Establishment of a National Water Trails System."

Sec. 9 Expiration Date. This Order is effective immediately. It shall remain in effect until its provisions are converted to the Departmental Manual or until it is amended, superseded, or revoked, whichever comes first.



Secretary of the Interior

Date: 5/24/2012

[Close](#)[Print](#)

Western Caucus Protests Washington's Attempt to Take Control of State Waters

February 14, 2013

Members call on Administration to withdraw its controversial Secretarial Order 3321, which establishes the "National Blueways" program.

WASHINGTON, D.C. –Today, Senate Western Caucus Chairman John Barrasso (R-WY) and Congressional Western Caucus co-chairs Stevan Pearce (R-NM) and Cynthia Lummis (R-WY) joined 22 other Caucus Members in sending a letter to Interior Secretary Ken Salazar urging the Administration to withdraw Secretarial Order 3321, which establishes the "National Blueways" program.

According to the Order, it appears that any watershed in the United States could be designated a national "Blueway" without any vote in Congress and without proper public notice.

"Water is the lifeblood of our communities, and it should be managed for the benefit of the community in a transparent fashion. While water law varies by region, non-navigable water is managed by the states, not the federal government. Any designation by a federal agency that directly or indirectly attempts to manage the non-navigable headwaters of many of our nation's rivers, would be a usurpation of state authority. We urge you to immediately withdraw Secretarial Order 3321," Caucus Members wrote.

In addition to Barrasso, Pearce and Lummis, the letter was signed by Senators Orrin Hatch, Mike Enzi, Dean Heller, Jim Inhofe, Mike Lee, David Vitter and Representatives Rob Bishop, Doc Hastings, Paul Gosar, Scott Tipton, Walter Jones, Jeff Duncan, Paul Broun, Michael Conaway, Adrian Smith, Jason Chaffetz, Tom McClintock, Devin Nunes, Kevin Cramer, Matt Salmon, Tim Huelskamp and Steve Daines.

The full text of the letter follows:

February 14, 2013

The Honorable Ken Salazar
Secretary of the Interior
Department of Interior
1849 C St NW
Washington, DC 20240

Dear Secretary Salazar:

We are contacting you regarding our serious concerns surrounding the disturbing trend by which the Department of the Interior (DOI) continues to bypass Congress, and the public, in establishing new federal designations and policies.

As you know, Congress expressed its serious reservations of the Wildlands designation through a Secretarial Order. The creation of that new federal designation was highly controversial, lacked transparency, and was legally questionable. Congress subsequently blocked funding for the Order. However, you have never rescinded the controversial Order.

On August 2, 2012 members of the Senate and House Western Caucuses sent you a letter expressing concerns regarding Bureau of Land Management Manuals 6310 and 6320, which mirrored the same rejected policies of Wildlands Secretarial Order 3310. These manuals were crafted without public input or notice. These members asked you to withdraw these manuals, and set up a briefing for them. The manuals were not withdrawn, nor was the briefing request

even acknowledged by your department. We would like to request once again, a briefing by DOI for our offices on the status of these BLM manuals.

Now it has come to our attention that on May 24 of last year, you signed Secretarial Order 3321 establishing the "National Blueways System." This system, according to the Secretarial Order would –

"provide a new national emphasis on the unique value and significance of a 'headwaters to mouth' approach to river management and create a mechanism to encourage stakeholders to integrate their land and water stewardship efforts by adopting a watershed approach."

The Order goes on further to state that it authorizes the establishment of an "intraagency National Blueways Committee to provide leadership, direction, and coordination to the National Blueways System."

Despite the Order stating that "Nothing in this Order is *intended* to be the basis for the exercise of any new regulatory authority," given the lack of transparency by Interior to date, this disclaimer is of little comfort to communities that will be negatively impacted by a Blueways designation. In fact, the Order specifically injects federal agency policies and programs into the management of the designated watersheds when the Order states that –

"Bureaus within Interior, to the extent permitted by law and consistent with their missions, policies, and resources, shall endeavor to align the execution of agency plans and implementation of agency programs to protect, restore, and enhance the natural, cultural, and/or recreational resources associated with designated National Blueways."

According to the Order, it appears that any watershed in the United States could be designated without any vote in Congress and without proper public notice. The Order states that –

"Following consideration of recommendations made by the Committee, the Secretary may designate the river and its associated watershed as a National Blueway that will become part of the National Blueways System."

Water is the lifeblood of our communities, and it should be managed for the benefit of the community in a transparent fashion. While water law varies by region, non-navigable water is managed by the states, not the federal government. Any designation by a federal agency that directly or indirectly attempts to manage the non-navigable headwaters of many of our nation's rivers, would be a usurpation of state authority.

We urge you to immediately withdraw Secretarial Order 3321. We also encourage you to bring proposals to Congress that are creating new land and water designations so that we may consider them through the normal committee process and with public transparency.

###

"Bureaus within Interior, to the extent permitted by law and consistent with their missions, policies, and resources, shall endeavor to align the execution of agency plans and implementation of agency programs to protect, restore, and enhance the natural, cultural, and/or recreational resources associated with designated National Blueways."

According to the Order, it appears that any watershed in the United States could be designated without any vote in Congress and without proper public notice. The Order states that -

"Following consideration of recommendations made by the Committee, the Secretary may designate the river and its associated watershed as a National Blueway that will become part of the National Blueways System."

Water is the lifeblood of our communities, and it should be managed for the benefit of the community in a transparent fashion. While water law varies by region, non-navigable water is managed by the states, not the federal government. Any designation by a federal agency that directly or indirectly attempts to manage the non-navigable headwaters of many of our nation's rivers, would be a usurpation of state authority.

We urge you to immediately withdraw Secretarial Order 3321. We also encourage you to bring proposals to Congress that are creating new land and water designations so that we may consider them through the normal committee process and with public transparency.

Sincerely,

John Berman Paul A. Gosar ^{Gosar}
² K. Michael Conaway Paul Brown ³ Brown
Allyson Lister-Harris ⁴ Hastings John Cornyn ⁵ Cornyn

Hatch

John J. Hatch ⁸ Gyndaia P. Lumanis

Michael B. Eji ⁷ Rob. Bly Bishop

Sam Mc. Cluff ⁸ J. M. Cluff Inhofe * McClintock

John Heller ¹⁰ Scott Tipton Heller Tipton

Tim Huckstump ¹² Sam Pearce Huckstump Pearce

Salmon ¹⁴ Adrian Smith ¹⁵ * Salmon Smith

Chaffet 2
16

Mr. Chaffet

Jones
17

Walter B Jones

Duncan
18

J. P. Duncan

Nunes
19

David Nunes

Cramer
20

David Cramer

21 Daines

John D. Daines

Vitter
22

Paul Vitter

STEVE DAINES
MONTANA

206 CASSIDY HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-3211

Congress of the United States RECEIVED

House of Representatives

Washington, DC 20515-2600

2013 MAY 22 PM 3: 53

OFFICE OF THE
EXECUTIVE SECRETARIAT

May 22, 2013

The Honorable Sally Jewell, Secretary
U.S. Department of Interior
1849 C Street, NW
Washington, DC 20240

Dear Secretary Jewell,

Many of my constituents, including resource developers, ranchers, County commissioners, and others, have expressed concerns regarding the Billings and Pompeys Pillar National Monument, Miles City, and Hi-Line Resource Management Plans (RMPs) proposed by the Bureau of Land Management (BLM). Some have requested extensions to the comment periods, but have subsequently been denied by the agency. As the end to the comment periods approaches, I urge you to support their requests and would like at least a 120-day extension to the comment period. As Montana's Representative, I consider input from local Montanans who rely on our public lands for their livelihoods to be critical and I support their efforts.

BLM insists the comment periods for the proposed RMPs must be restricted due to a court-ordered settlement with the U.S. Fish and Wildlife Service and others regarding the final decision to list the Greater Sage-Grouse under the Endangered Species Act. Extensive analysis of conservation plans for this species by local Montanans who use the land is crucial to achieve responsible conservation of the species. Moreover, additional scientific data may be expressed during an extended comment period that could benefit the conservation of the species.

To my knowledge your Department was involved in negotiating the settlement. Was a timeline agreed to in the settlement for approval of these plans? Given a decision on listing of the Greater Sage-Grouse is not due until 2015, what would be the impact from extending the comment period on all three of these RMPs by 120 days in order to ensure complete input from local land users and additional sound scientific data is part of that decision?

As you are aware, the U.S. Geological Survey (USGS) has estimated 1.5 billion barrels of oil and 1.5 trillion cubic feet of gas exist in the Williston Basin that stretches into Montana. The three RMPs released this spring could significantly impact economic and resource development of the communities dependent upon these reserves. In fact, according to Montana Petroleum Association, these three plans will affect over 90 percent of oil and gas development in our State. These plans will also impact development of other important minerals like coal. Clearly, close scrutiny of these plans is warranted.

Besides energy development, your plans are also important to our livestock management and our sportsmen communities. The Billings, Miles City, and Hi-Line RMPs cover a significant portion

of Montana's grazing lands. Our hardworking ranchers rely on accessibility of these lands for the health of their livestock and land stewardship. Our sportsmen flock to these areas as well to recreate on our plains. All land users must be real partners in any land management plan. I respectfully request for you to extend the comment periods for the three RMPs.

I look forward to your response. I commend your commitment to responsible land management and I look forward to working together.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Daines", written in a cursive style. The signature is positioned above the printed name and title.

STEVE DAINES
Member of Congress

Cc: Mr. Neil Kornze, Acting Director of US Bureau of Land Management
Ms. Jamie Connell, Acting Deputy Director of US Bureau of Land Management
Ms. Kate Kitchell, Acting Director of US Bureau of Land Management MT/Dakotas state office