

Director Tracy Stone-Manning
Bureau of Land Management
U.S. Department of the Interior
1849 C St. NW, Room 5646
Washington, DC 20240
Attention: 1004-AE92

July 5, 2023

Director Stone-Manning,

The undersigned organizations value watershed health, clean water, and healthy streams and rivers and are writing in support of the Conservation and Landscape Health rulemaking. As the single largest federal land manager, the Bureau of Land Management (BLM or Bureau) has a critical role to play in addressing two inter-related crises—biodiversity collapse and climate change. Key to fighting both challenges is the restoration and protection of freshwater resources. We support the BLM’s draft rule that will implement the Bureau’s authority to conserve intact lands and waters; improve the resilience of public lands in the face of extreme events such as droughts, wildfires, and floods; and protect freshwater resources on America’s public lands.

The rulemaking’s recognition that healthy landscapes and resilient ecosystems are essential to multiple use and sustained yield management is commendable. Today, despite the ecological importance of the Bureau’s 245 million acres, nearly 90 percent of its lands are open to oil and gas extraction, with only around 10 percent safeguarded from development. This rulemaking will bring balance to the Bureau’s management by putting conservation on equal footing with development activities within the Bureau’s multiple use framework. It also promotes informed decision-making using both best available Western science and Indigenous Knowledge.

In the continental United States, BLM manages more than 250,000 miles of streams and rivers, roughly 8% of the nation’s riverscapes and 2% of its perennial riverscapes. Riverscapes are the connected floodplain and channel habitats that together make up valley bottoms. When healthy, riverscapes and their associated wetlands are critical natural infrastructure that support biodiversity, increase water security, attenuate flooding, and act as fire breaks and refugia.

BLM’s water resources are estimated to provide drinking water to 1 in 10 Americans in the Western United States.[1] Additionally, the Bureau manages some of the best remaining healthy rivers in the West and Alaska including 81 designated wild and scenic rivers. While western wetlands have been reduced to just two percent of the land surface, and the Supreme Court recently undercut longstanding Clean Water Act protections for wetlands,[2] they support around 80 percent of the area’s biodiversity.

By ensuring protection and restoration, the rulemaking positions BLM to increase the health of its freshwater resources dramatically. Such an emphasis on restoration can help the Bureau restore narrow, often incised stream channels into healthy, functioning riverscapes and return life to rivers and streams that now look and function like desiccated sponges. The rule also provides important new guidance on the process for designating areas of critical environmental concern when special management is required to protect important natural, cultural, and scenic resources, systems, or processes, or to protect life and safety from natural hazards. It enables maintenance of intact

ecosystems to support wildlife migration corridors and functioning watersheds. The rule recommends a process to classify the conditions of watersheds on BLM lands and it also proposes tools to support building ecosystem resilience, including conservation leasing and compensatory mitigation.

As you work to finalize the rule, we respectfully ask that you improve it in the following ways to benefit watershed health:

- Implement the assessment, prioritization, restoration, and conservation requirements of this rule at the watershed scale to come into compliance with the decades-old Unified Federal Policy for a Watershed Approach to Federal Land and Resource Management.
- Employ a science-based process at the national level to establish Land Health Standards and Guidelines for the Aquatic Resources Program and adopt related goals, objectives, and indicators. These Standards and Guidelines should include the creation and use of the Watershed Condition Classification cited in the proposed rule. Together, these Standards and Guidelines and related assessments should be used to holistically evaluate watershed health, identify restoration opportunities and recovery potential, prioritize conservation and restoration, and measure progress towards achieving its resilience and land health framework across its lands and waters.
- Require the Bureau to maintain an inventory of intact natural landscapes and high-integrity watersheds and ensure these lands and waters will not be degraded by future management actions.
- Require complete and current inventories of eligible rivers with Wild and Scenic River potential, determinations.[3] The rule should also clarify BLM's long-standing authority under section 202 of FLPMA and Section 5(d)(1) of the Wild and Scenic Rivers Act to establish new eligible Wild and Scenic Rivers through land management planning, provide protective management requirements for eligible Wild and Scenic Rivers, and clarify BLM's limited role in conducting suitability determinations.[4]
- Ensure that all eligible areas that meet areas of critical environmental concern criteria are designated as such and managed to protect the values for which they were designated.
- Ensure that BLM's management promotes the recovery of listed and at-risk species and requires the identification and protection of areas to support wildlife migration and movement in accordance with the BLM's interim policy issued in November 2022.
- Require older and mature forests to be protected and restored.

Thank you for the opportunity to provide feedback and comments on the BLM's proposed Conservation and Landscape Health rulemaking.

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350 Seattle

350.org

350 Colorado

Accelerate Neighborhood Climate Action

Action for the Climate Emergency

AjO

Alabama Rivers Alliance

Alaska Wilderness League

Amargosa Conservancy

American Rivers

Anthropocene Alliance

Azul

Breathe Easy Susquehanna County

Businesses for a Livable Climate

California Institute for Biodiversity

Californians for Western Wilderness

Call to Action Colorado

CalWild
Capitol Heights Presbyterian
CatholicNetwork US
Center for Large Landscape Conservation
Chattooga Conservancy
Chesapeake Conservancy
Citizen Against Longwall Mining
Civilized Humanity
Clean Energy Action
Clean Water Action
CO Businesses for a Livable Climate
Coalition to Protect America's National Parks
Colorado Farm and Food Alliance
Community for Sustainable Energy
Confluence West
Conservation Colorado
Conservation Lands Foundation
Corday Natural Resources Consulting
Creation Justice Ministries
Earth Ethics, Inc.
Ecuadorian Rivers Institute
Empower our Future
Endangered Habitats League
Endangered Species Coalition
Environment America
Environmental Defense Fund
Episcopal Diocese of Utah
Farmington River Watershed Association
For Love of Water
Free-flowing Rivers Lab, Northern Arizona University
Freshwater Mollusk Conservation Society
Friends of the Kalmiopsis
Friends of the River
Georgia Interfaith Power and Light
Gila Resources Information Project
Grand Staircase Escalante Partners
Great Egg Harbor Watershed Association
Greater New Orleans Housing Alliance
Greater Park Hill Community
Greater Yellowstone Coalition
GreenLatinos
High Country Conservation Advocates
Hispanic Access Foundation
Honor the Earth
I-70 Citizens Advisory Group
Indivisible Ambassadors
International Rivers
Kentucky Waterways Alliance
Kern River Conservancy
Larimer Alliance for Health, Safety and Environment
Latino Outdoors
League of Conservation Voters
Littleton Business Alliance
Los Padres ForestWatch
Mayfair Park Neighborhood Association Board
Mental Health & Inclusion Ministries
Micah Six Eight Mission
Montana Environmental Information Center
Montbello Neighborhood Improvement Association
Mormon Environment Stewardship Alliance
Mothers Out Front Colorado
Natural Resources Defense Council
NC Council of Churches
NC Interfaith Power & Light
Northeastern Minnesotans for Wilderness
OARS-Sudbury, Assabet and Concord Rivers
Ohio Environmental Council
Oregonians For Wild Utah
Patagonia
Project Eleven Hundred
Protége
RapidShift Network
Rio Grande Return
River Network
Roaring Fork Conservancy
San Francisco Bay Physicians for Social Responsibility
Save EPA
Save Our Foothills
Sierra Club
Small Business Alliance
Smith River Alliance
Snake River Fund
Southwest Organization for Sustainability
Spirit of the Sun, Inc.
Sudbury, Assabet, and Concord Wild and Scenic
River Stewardship Council
Sunnyside United Neighbors, Inc.
Superior Watershed Partnership and Land Conservancy

System Change Not Climate Change
Taproot Earth
Taunton River Watershed Alliance, Inc
The Earth Bill Network
The Green House Connection Center
The Mind's Eye
The Ocean Project
Together for Brothers
Tuleyome
Unite North Metro Denver
Upper Merced River Watershed Council
Utah Physicians for a Healthy Environment

Wall of Women
Washington Friends of Wild Utah
Washington Wild
Waterkeeper Alliance
Waterkeepers Chesapeake
Western Slope Businesses for a Livable Climate
Western Slope Conservation Center
Wild Alabama
Winyah Rivers Alliance
Womxn from the Mountain
Working for Racial Equity
Yellow Dog Watershed Preserve

[1] *Conserving and Restoring Riparian, Fisheries, and Water Resources in a Changing Climate: A 5-year Strategy for the BLM's Aquatic Resources Program*. January 2022. Page 9.

[2] *Sackett v. EPA*, 2023 WL 3632751 (May 25, 2023).

[3] 16 U.S.C. §1276(5)(d)(1). Consistent with the Wild and Scenic Rivers Act's requirement for all federal agencies to assess "potential national wild, scenic and recreational river areas" during planning. Also see: *Oregon Natural Desert Ass'n v U.S. Forest Service*, 312 F. Supp. 2d 1337 (D. Or. 2004) (holding that § 5(d)(1) "imposes a mandatory duty on the agency" to consider "potential" river areas.

[4] 43 U.S.C. § 1712(c)(4) and 16 U.S.C. §1276(5)(d)(1).