



December 27, 2018

*Submitted via [eplanning.blm.gov](http://eplanning.blm.gov)*

Miles City RMP Draft Supplemental EIS  
Amy Waring, Supplemental EIS Project Manager  
Montana/Dakotas State Office  
5001 Southgate Dr.  
Billings, MT 59101

**Re: Potential Amendment to the Approved Resource Management Plan for the Miles City Field Office, Montana, and to Prepare an Associated Supplemental Environmental Impact Statement**

Dear Ms. Waring:

Western Energy Alliance appreciates the opportunity to submit scoping comments on the Bureau of Land Management's (BLM) potential amendment to the Miles City Field Office Resource Management Plan (RMP). The Alliance urges BLM to expeditiously complete its review and to continue offering parcels for oil and natural gas leasing in the planning area while it proceeds with development of a supplemental environmental impact statement (SEIS).

Western Energy Alliance represents over 300 companies engaged in all aspects of environmentally responsible exploration and production of oil and natural gas in Montana and across the West. The Alliance represents independents, the majority of which are small businesses with an average of fifteen employees.

BLM is developing an SEIS in response to a U.S. District Court of Montana ruling that found the final EIS for the Miles City RMP failed to adequately consider the full environmental impacts of coal, oil, and natural gas leasing under the approved plan. The ruling focused on the impacts of coal and the failure to adequately assess the amount of recoverable coal available under the approved RMP, and specifically declined to enjoin BLM from continuing to lease parcels for oil and natural gas development in the planning area. As such, the Alliance urges BLM to continue with leasing while an SEIS is in progress, and we appreciate that BLM has done so since the ruling was issued.

We also urge BLM to complete its supplemental analysis in a timely manner so that oil and natural gas companies can remain confident that the RMP can be relied upon as they bid for leases in the planning area. The uncertainty that is created by lengthy analysis under the National Environmental Policy Act (NEPA) and the threat of ongoing litigation in the courts causes companies to reevaluate their capital allocations between federal, state, and private lands. BLM will benefit greatly by creating certainty in the planning and leasing process, which will in turn raise interest in operating on federal lands and increase revenues to the federal government.

BLM has consistently provided regulatory guidance to the field offices on how greenhouse gas (GHG) emissions and climate change should be addressed in NEPA analysis. In BLM Instruction Memorandum (IM) 2008-171, the BLM Director provided guidance on how to incorporate climate change into planning and NEPA documents and to what level.

Notably, this guidance acknowledged the speculative exercise of analyzing climate change due to the lack of a reliable methodology to assess the impacts of GHG emissions. Consequently, BLM gave each field office the discretion to forego quantitative analysis of climate change if the field office determined the climate impact-related literature is “uncertain, speculative, or otherwise not credible.” Moreover, in finding that the final EIS for the Miles City RMP failed to adequately consider the full environmental impacts, the Court stated that it was appropriate for BLM to analyze GHG emissions as a proxy to analyze climate change impacts.<sup>1</sup>

Under the guidance of the 2008 IM and in response to the Court’s ruling, the Miles City Field Office has prepared recent lease sale environmental assessments evaluating the impacts of leasing that rely on qualitative, rather than quantitative, analysis. Because the climate change impacts of theoretical leasing under an EIS remain speculative at best and cannot be accurately modeled, we urge BLM to forgo quantitative analysis and expeditiously finalize the SEIS.

As BLM updates the RMP, it should also consider recent policy guidance regarding oil and natural gas leasing and NEPA timelines that has been released since the most recent amendment. Since BLM is specifically looking at oil and natural gas with this SEIS, it is appropriate and sensible to include these recent guidance documents in the amendment.

Finally, the Alliance recognizes that a more robust examination of the impacts of coal leasing may be necessary, given the Court’s ruling that BLM must assess amount of recoverable coal available in the planning area. If BLM intends to conduct an extensive SEIS process for coal development that is unnecessary for the oil and natural gas resources, we request that BLM develop these SEISs separately so that the latter may be finalized as soon as possible.

Thank you for the opportunity to provide these comments. Please feel free to contact me with any questions.

Sincerely,



Tripp Parks  
Manager of Government Affairs

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<sup>1</sup> *W. Org. of Res. Councils v. U.S. BLM*, 2018 U.S. Dist. LEXIS 49635, at \*54 (D. Mont. Mar. 26, 2018).