

June 16, 2023

Anthony Edwards, Deputy Forest Supervisor
Grand Mesa, Uncompahgre and Gunnison National Forests
2250 South Main Street
Delta, Colorado 81416

Submitted electronically via: <https://cara.fs2c.usda.gov/Public//CommentInput?Project=63679>

RE: Notice of Proposed Withdrawal, Thompson Divide Area

Dear Mr. Edwards,

Please accept these comments on behalf of the undersigned groups in response to the proposed administrative withdrawal of approximately 225,000 acres in the Thompson Divide.¹ We incorporate by reference the January 17, 2023 comments Wilderness Workshop, et al. submitted to the Bureau of Land Management (BLM) in response to the *Notice of Proposed Withdrawal and Public Meeting, Thompson Divide Area, Colorado* published in the Federal Register in October. 87 Fed. Reg. 62878 (Oct. 17, 2022), and request that the Forest Service review and respond to each issue raised in those January comments. See Exhibit 1.

We strongly support the proposed administrative withdrawal to protect existing values and uses within the Thompson Divide.

Several recent events reinforce the benefits of protecting the Thompson Divide with the proposed administrative withdrawal. First, the broad based and longstanding support for protecting the area continues to grow. Second, new information highlights the superlative ecological and wildlife values that would be protected with the proposed withdrawal. And, third, protecting the Thompson Divide from mineral leasing and development supports recent executive and administrative priorities and initiatives.

- I. Broad based and bipartisan support for withdrawing Thompson Divide continues to grow.

Over 60,000 people took the time to write to BLM in support of the administrative withdrawal after it was first announced in October of 2022.² Comments poured in from local communities

¹ See U.S. Forest Service project website for the proposed Thompson Divide withdrawal, <https://www.fs.usda.gov/project/?project=63679> (last accessed June 14, 2023).

² See email from Steven B. Hall, BLM's Colorado Communications Director, and Grant Stevens, Communications Director at Wilderness Workshop (Jan. 24, 2023 3:56PM), attached as Exhibit 2; see also Dennis Webb, GRAND JUNCTION DAILY SENTINEL, *Velasco, Will back Thompson Divide withdrawal* (Mar. 17, 2023) (quoting Velasco and Will "Over 60,000 people took the time to send written comment to BLM articulating their support for the proposed administrative withdrawal of Thompson Divide. Supportive comments came from local residents, farmers and ranchers, hunters and fishers, water users, recreationists, wildlife lovers, conservation groups, and thousands upon thousands of other folks from around the country who support protecting the Thompson Divide."), available at

surrounding Thompson Divide, and from people across the country. According to correspondence with officials at the BLM, there were only two letters received in opposition to the proposed withdrawal.³

The strongest voices in favor of protecting the Divide remain fervent in their support of this proposal. At a standing room only public meeting in December, a local rancher made the point that “What’s on top is so much more valuable to this community than what possibly could be under the surface of the ground.”⁴ Local governments remain as supportive as ever.⁵

New champions continue to join the cause. In March of 2023, two state lawmakers from Garfield County, one a Democrat and the other a Republican, jointly wrote to BLM in support of the proposed administrative withdrawal.⁶ Their letter said:

For decades, no single issue has united local communities in and around the Thompson Divide more effectively than the campaign for permanent protection of the area from new mineral leasing and development. The issue has brought together people from different vocations, different walks of life, and different political philosophies.⁷

The letter reminds us that protection for Thompson Divide transcends divisions that too often split us apart, and more than ever stakeholders remain “unified for Thompson Divide.”

- II. New information highlights the superlative ecological and wildlife values that would be protected with the proposed withdrawal.

A new report published in June of 2023 found that “[n]early half of the Thompson Divide withdrawal area comprises some of the most high-value landscapes for wildlife across the

https://www.gjsentinel.com/news/velasco-will-back-thompson-divide-withdrawal/article_f93913c2-c452-11ed-a233-7fe26cdf7deb.html (last accessed June 14, 2023), attached as Exhibit 3.

³ *Id.* (Ex. 2)

⁴ John Stroud, GLENWOOD SPRING POST INDEPENDENT, *Tapping into Thompson—not worth it, says rancher who’s been part of preservation effort since the get-go* (Dec. 15, 2022), available at <https://www.postindependent.com/news/tapping-into-thompson-not-worth-it-says-rancher-whos-been-part-of-preservation-effort-since-the-get-go/> (last accessed June 14, 2023), attached as Exhibit 4.

⁵ *See e.g.*, Letter from City of Glenwood Springs to Scott Fitzwilliams and Chad Stewart, USFS, RE: Scoping Comment Letter on Thompson Divide Withdrawal and Request for Cooperating Agency Status (June 1, 2023) (“The City of Glenwood Springs has been proud to support the protection of the Thompson Divide since 2009. As documented in the attached correspondence from the past decade-and-a-half of support, the Thompson Divide area is worthy of protection.”), attached as Exhibit 5. *See also* Letter from the Town of Carbondale to Scott Fitzwilliams and Chad Stewart, USFS, RE: Scoping Comment Letter on Thompson Divide Withdrawal and Request for Cooperating Agency Status (June 1, 2021) (“...Carbondale has been a strong proponent of protecting the Thompson Divide from oil and gas development. We have been engaged. We have consistently supported administrative and legislative protections for the Thompson Divide, as referenced in our recent comments... We would like to restate our support in 2023 for the proposed administrative mineral withdrawal.”), attached as Exhibit 6.

⁶ *See* N.2 (*Velasco, Will back Thompson Divide withdrawal*) *supra*.

⁷ *Id.*

entirety of Colorado. In particular, the withdrawal area is superlative for its intact ecosystems and density of at-risk species.”⁸

The study evaluated land value using these indicators: ecological intactness, ecological connectivity, imperiled species richness, and climate accessibility. Based on the findings, “nearly half of the Thompson Divide proposed withdrawal area is in the 75th percentile for at least one of these ecological characteristics compared with the rest of the state.”⁹

This new report serves as just one more piece of evidence that the U.S. Forest Service and BLM should consider in support of the current proposal to administratively withdraw Thompson Divide for the next 20 years. Comments previously submitted by WW et al. catalogue other important ecological and wildlife related values in the Thompson Divide that deserve protection.¹⁰

- III. Congressional, executive, and administrative priorities support protecting Thompson Divide from mineral leasing and development.

The Colorado Outdoor Recreation and Economy (CORE) Act, which includes a permanent legislative withdrawal for the Divide, was reintroduced in both houses of the U.S. Congress yet again in May of 2023, showing continued and broad-based support for permanent protections from mineral leasing and development in the Thompson Divide.¹¹ The proposed administrative withdrawal is necessary and appropriate to protect the area while Congress considers this long-standing and widely-supported permanent legislative withdrawal.¹²

Both BLM and the Forest Service have initiated broad new rulemaking efforts aimed at improving the health of our public lands, communities, and local economies by managing public lands and minerals for climate resilience.¹³ These rulemakings are an outgrowth of Administration policies

⁸ Center for American Progress, Ecosystem Benefits of the Thompson Divide Mineral Withdrawal (June 13, 2023), available at <https://www.americanprogress.org/article/ecosystem-benefits-of-the-thompson-divide-mineral-withdrawal/> (last accessed June 14, 2023), attached as Exhibit 7.

⁹ *Id.*

¹⁰ See e.g., Ex. 1 at 4-12.

¹¹ See H.R.3437- 118th Congress (2023-2024): Colorado Outdoor Recreation and Economy Act, H.R.3437, 118th Cong. (2023), <https://www.congress.gov/bill/118th-congress/house-bill/3437>; S.1634- 118th Congress (2023-2024): Colorado Outdoor Recreation and Economy Act, S.1634, 118th Cong. (2023), <https://www.congress.gov/bill/118th-congress/senate-bill/1634>. See also U.S. Senator, Michael Bennet’s CORE Act website, <https://www.bennet.senate.gov/public/index.cfm/coreact> (last accessed June 14, 2023).

¹² See e.g., Letter from Craig Grother, Colorado Backcountry Hunters & Anglers, to Anthony Edwards, USFS, Re: Thompson Divide Withdrawal (June 8, 2013) (“this administrative action will provide necessary protection for the outstanding wildlife and backcountry hunting and fishing opportunities the area provides, as well as the cultural, agricultural, and recreational values from further exploration and development until a permanent solution can be achieved legislatively or administratively.”), attached as Exhibit 8.

¹³ See Bureau of Land Management, Conservation and Landscape Health, 88 Fed. Reg. 19583, 19604-19584 (April 3, 2023) (to be codified at 43 CFR Parts 1600 and 6100); U.S. Forest Service, Organization, Functions, and Procedures; Functions and Procedures; Forest Service Functions, 88 Fed. Reg. 24497 – 24503 (April 20, 2023) (to be codified at

discussed in prior comments that rely, in part, upon protection of public lands, waters, and biodiversity to help the United States and the world face the “profound climate crisis” and “avoid the most catastrophic impacts of that crisis.” See Exhibit 1 at 16-18.

Protecting Thompson Divide by administrative withdrawal will advance many of the goals the U.S. Forest Service and BLM intend to achieve through these proposed rulemaking processes. For example, BLM’s Public Lands Rule “is designed to ensure healthy wildlife habitat, clean water, and ecosystem resilience so that our public lands can resist and recover from disturbances like drought and wildfire.”¹⁴ To ensure ecosystem resilience the Rule would prioritize protection of intact landscapes.¹⁵ The Forest Service’s rulemaking aims to “adapt current policies to protect, conserve, and manage the national forests and grasslands for climate resilience, so that the Agency can provide for ecological integrity and support social and economic sustainability over time.”¹⁶ Protecting Thompson Divide’s vast roadless areas, important wildlife habitat, and pure headwaters streams from the fragmentation and degradation caused by development of nonrenewable fossil fuels and mining aligns with the goals of these rulemakings.

While we hope an administrative withdrawal is completed before either of these rulemakings conclude, it is important to note that withdrawing the area would protect the Divide’s sensitive and unique public land values, and help sustain existing uses and community values. And it would reduce climate impacts associated with new leasing and mineral development.

Failure to protect the Thompson Divide with this administrative withdrawal would be a missed opportunity, and it would be incongruent with congressional, executive, and administrative priorities. Consequently, the Forest Service and BLM should move quickly to approve the proposed Thompson Divide administrative withdrawal.

Thank you for the opportunity to comment,

Peter Hart, Legal Director
Wilderness Workshop
P.O. Box 1442
Carbondale, CO 81623
peter@wildernessworkshop.org

Jason Sewell, President
Thompson Divide Coalition
PO Box 2045
Carbondale, CO 81623
info.savethompsondivide@gmail.com

36 CFR Part 200); see also U.S. Forest Service “Climate Change Policy and Initiatives” website at <https://www.fs.usda.gov/managing-land/sc/policy-initiatives> (last accessed June 14, 2023).

¹⁴ 88 Fed. Reg. at 19588, available at <https://www.federalregister.gov/d/2023-06310/p-48> (last accessed June 15, 2023).

¹⁵ See id. at 19590.

¹⁶ 88 Fed. Reg. at 37485, available at <https://www.federalregister.gov/d/2023-12267/p-3> (last accessed June 15, 2023).

Jim Ramey, Colorado State Director
Clara Moulton, Colorado Field Specialist
The Wilderness Society
1660 Wynkoop Street, Suite 1150
Denver, CO 80424
jim_ramey@twsw.org
Clara_Moulton@twsw.org

Brien Webster, Public Lands Campaign
Manager
Conservation Colorado
303 E. 17th Avenue, Suite 400
Denver, CO 80203
brien@conservationco.org

Robyn Cascade, Volunteer
Great Old Broads for Wilderness - Northern
San Juan chapter/Ouray/Montrose Counties
c/o 555 Rivergate Lane B1-110
Durango, CO 81301
northersanjuanbroadband@gmail.com

Edward B. Zukoski, Senior Attorney
Center for Biological Diversity
1536 Wynkoop Street, Suite 421
Denver, CO 80202
tzukoski@biologicaldiversity.org

Kara Matsumoto, Policy Director
Conservation Lands Foundation
835 E 2nd Ave, Suite 314
Durango, Colorado 81301
kara@conservationlands.org

Tracy Coppola, Colorado Senior Program
Manager
National Parks Conservation Association
S Adams St
Denver, CO 80210
tcoppola@npca.org

Ben Katz, Public Lands Program Director
Western Slope Conservation Center
PO Box 1612
Paonia, CO 81428
ben@theconservationcenter.org

Sara Husby, Executive Director
Great Old Broads for Wilderness
555 Rivergate Ln, Suite B1-110
Durango, Colorado 81301
sara@greatoldbroads.org

Ellen Montgomery, Public Lands Campaign
Director
Environment Colorado
1543 Wazee Street Suite 410
Denver, CO 80202
lmontgomery@environmentcolorado.org

Natasha Léger
Executive Director
Citizens for a Healthy Community
PO Box 1283
Paonia, CO 81428
natasha@chc4you.org

Matthew Sandler, Legal Director
Rocky Mountain Wild
1536 Wynkoop St. Suite 900
Denver, CO. 80202
matt@rockymountainwild.org

Emily Hornback, Executive Director
Western Colorado Alliance
601 N 1st Street
Grand Junction, CO 81501
emily@westerncoloradoalliance.org

Jennifer Thurston, Executive Director
Information Network for Responsible Mining
(INFORM)
P.O. Box 332
Paradox, CO 81429
jennifer@informcolorado.org

Jane Pargiter, Executive Director
EcoFlight
307 L AABC
Aspen, CO 81611
jane@ecoflight.org

Exhibits: 8