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1 September 2015

Advisory Council on Historic Preservation  
401 F Street, NW, Suite 308  
Washington, D.C. 20001-2637

Re: proposed release of oil and gas exploration permit for Solenex, LLC, on  
the Lewis and Clark National Forest, Montana

To Whom it May Concern:

Montana Trout Unlimited urges the Advisory Council on Historic Preservation to recommend to the U.S. Forest Service and the U.S. Department of Interior to not release the currently suspended permit of Solenex, LLC, to drill for oil and gas within the Badger-Two Medicine historical region of the Lewis and Clark National Forest. It is long past time that potential approval for drilling on these tracts be formally and permanently rejected.

Montana Trout Unlimited represents 4,000 conservation-minded anglers. A number of our conservation efforts in recent years have been in partnership with Native American tribes in Montana, most notably recently with the Confederated Salish and Kootenai Tribes and in years past with both the Blackfeet and Crow Tribes. We strive to ensure our conservation efforts on behalf of Montana's native fishes are in alignment with those of our tribal partners. Conservation of the Badger-Two Medicine Area and its substantial water quality and fishery values is crucial to both Blackfeet tribal members and TU members.

The Two Medicine watershed is an important refuge for coldwater fish species, most notably for one of Montana's two subspecies of native cutthroat trout, westslope cutthroats. A number of formal status reviews in recent years have concluded that the upper Missouri River basin populations of this fish, which was first formally described by the Lewis and Clark Expedition, is in serious decline (U.S. Fish and Wildlife Service 1999; Shepard et al 2003; Shepard et al 2005; May 2009).

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Specifically, it is estimated that westslope cutthroat trout now occupy only 3-5 percent of their historical habitat, which once included the whole Missouri River basin above at least the Judith River. Genetically unaltered fish occupy less than 1 percent of the historical habitat.

The Two Medicine River watershed is one of 23 Missouri River subwatersheds where westslope cutthroat trout historically occurred. Only five of the 23 subwatersheds in the upper Missouri River basin host populations of genetically unaltered westslope cutthroats larger than those found in the Two Medicine subwatershed. Therefore the Badger Creek and Two Medicine drainages are important conservation areas for westslope cutthroat trout in the upper Missouri River basin. .

Oil and gas exploration and development has been known to harm coldwater fisheries. Water quality can be reduced when roads and drilling operations contribute sediment to nearby stream channels, or, when riparian habitats are altered. Road crossings can be sources of sediment, or they can impede fish movement. Discharges from drilling operations can enter surface waters or connected groundwater, reducing water quality and harming aquatic life. Seismic activity can destroy eggs and embryos in nearby spawning areas.

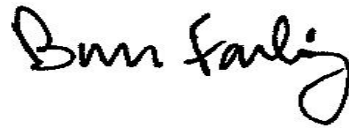
The tradeoff of potential risks from oil and gas exploration and development and potential loss of important core areas for native cutthroat trout aren't worth it. The same can be said for the potential loss of the important sport fisheries – which TU members enjoy -- currently found in Badger Creek and its South Fork.

Importantly, it is likely that the dwindling native coldwater fishes – cutthroat trout, mountain whitefish, longnose suckers and white suckers -- in these areas are culturally important to Native Americans. Though Montana TU has no empirical knowledge of an important cultural or subsistence relationship between the Blackfoot Tribe and fishes in the Badger and Two Medicine drainages, the connection is highly likely. In their preparation of water right claims for Montana's Water Court for treaty-guaranteed instream flows, the Confederated Salish and Kootenai Tribes have produced significant historical evidence of tribal members fishing for subsistence and cultural purposes in both the upper Missouri and Yellowstone basins. Similarly, the historical record from early explorers, trappers, settlers and the U.S. Army is replete with accounts of Native Americans – probably Shoshone and perhaps Blackfeet -- fishing with weirs for cutthroat trout, grayling and whitefish in the upper Missouri drainage. There is absolutely little reason to believe the fish in the Badger Creek and Two Medicine River drainage are not important culturally to the Blackfeet people.

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Again, we urge the Advisory Council to recommend that the Badger-Two Medicine region on the Lewis and Clark National Forest be withdrawn permanently from oil and gas exploration, and to begin by negating the current questionable leases.

Sincerely,

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

Bruce Farling  
Executive Director