PUBLIC LANDS ADVOCACY

May 2, 2014

Via Email: protest@blm.gov

Via United States Certified Mail
Return Receipt Requested
Director (210)
Attention: Protest Coordinator
P.O. Box 71383
Washington, D.C. 20024-1383

RE: Protest of Decision in the Colorado River Valley Proposed Resource Management Plan and Final Environmental Impact Statement (PRMP/FEIS)

Dear Protest Coordinator:

Pursuant to the regulations at 43 CFR Section 1610.5-2(a) (2012), Western Energy Alliance and Public Lands Advocacy submit this Protest of the Proposed Resource Management Plan and Final Impact Statement for the Colorado River Valley (CRV) Field Office Planning Area. The Environmental Protection Agency's (EPA) Notice of Availability was published in the *Federal Register* on April 4, 2014. As such, this protest is timely.

INTRODUCTION AND PROTESTING PARTIES

This protest is filed by Western Energy Alliance, 1775 Sherman St., 2700, Denver, CO 80203, (303) 623-0987 and Public Lands Advocacy (PLA), 1155 S. Havana St,, #11-327, Denver, CO 80012, (303) 506-1153. For specific questions regarding this protest, please contact Kathleen Sgamma, Vice President of Western Energy Alliance at the number provided or Claire Moseley, Executive Director of Public Lands Advocacy at the number provided.

IMPACTED INTERESTS

Western Energy Alliance represents over 480 member companies engaged in all aspects of environmentally responsible oil and natural gas exploration and production in Colorado and across the West. PLA is a nonprofit trade association whose members include independent and major oil and gas producers as well as nonprofit trade and professional organizations that have joined together to foster environmentally sound oil and natural gas exploration and production on public lands. Members of both our organizations hold leased acreage and operate, or participate in, Federal lease units within the CRV Planning Area and conduct oil and gas exploration, production activities along with their associated facilities and rights-of-way. Consequently, our members will be impacted by the land management decisions proposed in the CRV RMP/Final Environmental Impact Statement (FEIS). Both our organizations support Bureau of Land Management (BLM) planning efforts that are designed to balance multiple and often competing interests in the CRV planning area in accordance with the

Federal Land Policy and Management Act (FLPMA). However, a suitable balance of resource management has not been achieved in the PRMP for the reasons described below.

STATEMENT OF STANDING

As representatives of our members, we have a vested interest in the decisions made by the BLM for the planning area that affect existing and future federal oil and gas leases as well as exploration and development activities. PLA and Western Energy Alliance have standing in accordance with 43 CFR Section 1610.5-2(a) because both actively participated in the CRV planning process by meeting with the BLM District Office Manager as well as submitting comment letters dated January 17, 2012 on the Draft CRV RMP/EIS. Copies of our comments are attached to this protest letter.

PARTS OF THE CRV PRMP BEING PROTESTED

We protest the following components of the PRMP/FEIS: (1) lack of direct authority over air quality or air emissions under the Clean Air Act ("CAA") and issues that were insufficiently addressed in the DEIS or newly included in the FEIS; (2) Excessive closures to and restrictions on future oil and natural gas leasing, exploration, and production; (3) failure to adequately protect valid existing lease rights; (4) inadequate cumulative impacts analysis; and (5) failure to accurately analyze the socio-economic impacts of reduced oil and natural gas development.

STATEMENT OF REASONS AS TO ERROR IN THE STATE DIRECTOR'S DECISION

1. Lack of direct BLM authority over air quality or air emissions under the Clean Air Act ("CAA") and Issues that were insufficiently addressed in the DEIS or newly included in the FEIS:

   A) Lack of authority

   In Appendix V, Public Comments and BLM Responses at 1.3, BLM cites Section 102(8) of FLPMA and Section 1500.2 of NEPA as providing authority over air quality or air emissions. We are aware that FLPMA directs BLM to manage public lands in a "manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values." We are also aware that NEPA directs the agency to "use all practicable means, consistent with the requirements of the Act and other essential considerations of national policy, to restore and enhance the quality of the human environment and avoid or minimize any possible adverse effects of their actions upon the quality of the human environment…" However, we protest this purported justification because it ignores the fact that BLM does not have direct authority over air quality or air emissions pursuant to the Clean Air Act ("CAA"). 42 U.S.C. §§ 7401 et seq. Under the express terms of the CAA, only the Environmental Protection Agency (EPA) has the authority to regulate air emissions.

   In Colorado, the Colorado Department of Public Health and Environment (CDPHE) has been delegated by EPA to regulate air emissions and visibility. In addition to CDPHE 2008a Air Quality Control Commission Regulations cited in the DEIS, the CDPHE, Air Quality Control Division, also issued Regulation No. 7, CCR 1001-9, which further controls air emissions from oil and gas operations statewide. Of specific significance is that the CAA explicitly **restricts the authority of land management agencies** (i.e., BLM) to determining whether emissions from a "major emitting

facility will have an adverse impact" on areas designated as Class I. In the FEIS, BLM fails to acknowledge that oil and gas facilities have not been classified as major emitting facilities and that the agency has no corresponding jurisdiction or authority to regulate oil and gas emissions as proposed. Moreover, CDPHE is correspondingly responsible for regulating visibility and regional haze through its State Implementation Plan (SIP). While BLM is able to participate in the development of the SIP, the regulatory authority clearly rests with CDPHE and not BLM. Consequently, all proposed management actions relating to air quality and visibility are unequivocally outside the jurisdiction of BLM and must be removed in their entirety from the PRMP and FEIS.

With respect to potential visibility impacts, BLM's authority is also limited by the CAA, which specifies that a federal land manager's authority is distinctly limited to considering whether a "proposed major emitting facility will have an adverse impact" on visibility within designated Class I areas. 42 U.S.C. § 7475(d)(2)(B). Oil and gas operations do not meet the definition of a major emitting facility. Therefore, under the CAA, the regulation of potential impacts to visibility and authority over air quality lies solely with the CDPHE. 42 U.S.C. § 7407(a). The goal of preventing impairment of visibility in Class I areas must be attained through the regional haze state implementation plans ("SIPs"). 42 U.S.C. § 7410(a)(2)(J); 77 Fed Reg. 73,926 (Dec. 12, 2012). Although federal land managers with jurisdiction over Class I areas have the opportunity to participate in the development of regional haze SIPs, BLM has no such jurisdiction in Colorado because it does not manage a Class I area in the State. 42 U.S.C. § 7491. Accordingly, the BLM has no authority over air quality and cannot impose emissions restrictions, either directly or indirectly, on oil and/or natural gas operations in Colorado, particularly if the overall goal is to reduce potential visibility impacts.

B) Issues that were insufficiently addressed in the DEIS or newly included in the FEIS

EMISSIONS DATA AND APPROACHES

i. In its response to our comments, BLM claims that "the air quality analysis conducted for the Draft RMP/Draft EIS and reported in the Air Quality Analyses and Technical Document (ARTSD) was based on EPA modeling guidance, and used generally accepted practices for air quality modeling analysis and the current ambient air quality data available at the time of the modeling effort. The analysis protocol was reviewed by an air quality stakeholder group including cooperating agencies, the BLM, and EPA. The general consensus reached by this group is reflected in the protocol and the methodologies presented in the ARTSD and Section 4.2 of the Draft RMP/Draft EIS. Based on the analysis, no potentially significant adverse impacts were identified from direct project sources under any of the alternatives. Thus, the proposed project is projected to comply with applicable federal and state air quality laws and standards."

    a. However, BLM failed to respond to PLA's comment that Section 2.3.6.10 indicates that gas processing would be conducted in the WRFO as cumulative emissions, and pages B-37 and B-38 provide a summary of emissions for processing units for Alternative D. The header page on the tables indicates that scaling factors are needed for Alternatives A, B and C. There are no evident scaling factors. It is important for these scale-up factors to be reviewed and updated or deemed credible by the plant operators. BLM also needs

to clarify how to calculate processing plant emissions from the lb/well data provided in the table on page B-37.

b. The DEIS also calculated 194.77 lb NOx per well X 21,200 wells is 2,040 ton of NOx. However, BLM failed to explain whether this is an annual emission rate. This must be clarified in the FEIS.

c. In light of the predicted impacts on 1-hour NO2, and based on the WRFO analysis, Despite our comments, BLM failed to discuss the implications for operating this gas processing plant in the FEIS. BLM needs to address this protest issue.

ii. For local roadways and resource roads, the CRVFO DEIS Alternatives B, C, and D assumed graveling and paving to control emissions. For WRFO, the assumed roadway controls are for water or chemical suppression. See Appendices A and B, pages A-3 and B-3. For Alternative A, only watering (50% control) is included for roadway dust suppression, which is not reiterated and is inconsistent with the "No similar action" statement in Table 2-3. Moreover, Table 2-6 showed that PM10 emissions for Alternative A were twenty times the PM10 emissions for Alternative D. Clearly, this discrepancy could not be accounted for by the fact that roadway particulate matter emissions should be only double the Alternative D emissions, given the control effectiveness (50% vs. 94%). We asked BLM to clarify the basis for this dramatic difference between PM10 emissions for Alternative A and the other Alternatives, as presented in Table 2-6. We protest the fact that this issue was not addressed in the response to comments and that it remains in the PRMP despite the fact such a discrepancy indicates a significant flaw in the analysis which must be corrected.

a. Instead, the FEIS states "During construction, reduce emissions of fugitive dust by requiring operators to implement watering (minimum twice daily during dry conditions) or application of other dust-suppressant agents at construction areas, including access roads used during construction… In the oil and gas development area, require road design, construction, and surfacing methods that would achieve at least 94 percent fugitive dust emission reduction using asphalt, chip-seal, or gavel in combination with watering or dust suppressants." This suppression requirement is impracticable and no description is provided regarding how BLM would implement and monitor this standard. Moreover, it is inconsistent with the management action contained in Chapter 2, Section 2.7, which does not include the 94% standard. We urge BLM to revise Chapter 4, Section 4.2.1, Air Quality to comport with the Chapter 2 requirement.

iii. In the FEIS, BLM proposed the consolidation of liquids gathering and gas treatment facilities: "Require at least 80 percent of condensate and produced water to be piped from production sites to consolidated facilities for treatment or transfer to trucks for haulage." PLA's comments on the RMP/DEIS expressed concern whether this requirement took into account the data submitted by operators to BLM, i.e., we asked BLM to explain whether the condensate to be piped to its final destination was discussed with and agreed to by operators. We protest that this issue was not addressed in the response to comments. Of particular importance, we protest that BLM failed to ensure that consolidated liquids from multi-well pads are included in the definition of a consolidated facility, which would allow such operations to satisfy the requirement. It is also necessary for BLM to retain the flexibility provided in Chapter 2, Section

2.7, by including the qualifier, "where feasible" in Chapter 4, Section 4.2.1 to cover circumstances where this requirement may prove impractical or unachievable.

iv. "Based on annual review required in the CARPP in Appendix L and on the rate of development, require phased-in use of improved drilling and completion engines that meet or exceed Tier 4 non-road diesel emission standards (40 CFR 1039). The conversion to engines that meet or exceed Tier 4 non-road diesel emission standards would be completed when the equivalent of 2,664 wells or the emissions modeled in Alternative A of the ARTSD are exceed".

PLA commented on the proposed requirement for Tier 4 engines but received no response: The drill rig characterization for WRFO includes Tier 4 standards for WRFO Alternatives B, C, and D for 2015. We protest that BLM offered no basis for the difference in timing between the two regions and failed to address the implications for specifying Tier 4 engines in 2015 for operations. Moreover, compressor engines were characterized as all electrical under Alternatives B and C and 50% electrical for Alternative D. BLM needs to clarify the two meanings of the separate entries for compressor engines in Appendix A, page A-3, of the DEIS which provide both electrical and fired compressors. It is also necessary for BLM to clarify what was actually modeled for compressors and whether electric compressor engines would be required based on this alternative development.

We protest that "…BLM will establish requirements for phasing in the use of improved drilling and completion engines that meet or exceed Tier IV non-road diesel emission standards (40 CFR 1039). The conversion to engines that meet or exceed Tier IV non-road diesel emission standards will be completed when 2,664 wells, or the equivalent emissions modeled in Alternative A of the ARTSD, have been reached. Other emissions reducing approaches, such as electric compressors, may be considered in future projects as those technologies become available and economically and technically feasible." BLM must retain flexibility in this requirement because engine availability will be critically limited if all engines must be replaced according to a set schedule. It is crucial that any phase-in of these engines be coordinated with operators and contractors to ensure feasibility, both in terms of logistics and economic viability. We also point out that BLM's proposed management action is inconsistent with the management action described in Chapter 2, Section 2.7, Management Guidance for Alternatives A, B, C, and D, Table 2-2, which omits the last sentence referencing a well or emission threshold. We recommend that the management action contained in Chapter 4, Section 4.2.1, Air Quality, be revised to comport with Chapter 2, Section 2.7, Table 2-2.

v. Inclusion of Appendix G (Best Management Practices) in the PRMP violates NEPA and FLPMA

We protest the addition of Appendix G in the PRMP because constitutes highly significant changes from the RMP/DEIS. The BMPs were added in the PRMP/FEIS without providing the public with the opportunity to review and comment on them as part of the planning process. Its addition in the FEIS is in obvious violation of FLPMA and NEPA and must be made available for public review and comment in accordance with the requirements of FLPMA and NEPA through a supplement to the draft planning documents.

Appendix G states "The BMPs included in this resource management plan (RMP) are not intended to be a complete list but are displayed to show land use project proponents examples

of commonly used practices the CRVFO may require to reduce impacts of surface-disturbing activities, use or occupancy." First, we protest that many of the BMPs are NOT representative of "commonly used practices" in the CRV Field Office; they are new requirements that have not been previously contemplated or implemented. Second, we protest the exclusion of these BMPs from the RMP/DEIS because it deprived the land users and stakeholders an opportunity to review them to ensure they are applicable to the planning area and that they are scientifically sound. We also protest that many BMPs are duplicative of mitigation requirements discussed elsewhere in the planning documents while others would clearly violate the valid existing rights held by oil and gas lessees in the area. We protest the imposition of arbitrary disturbance thresholds that have not been justified or scientifically validated in any of the planning documents.

vi. Inclusion of Appendix L, Comprehensive Air Resources Protection Protocol (CARPP), violates NEPA and FLPMA

We protest the inclusion of the CARPP contained in Appendix L because it is far more constraining than any measures contemplated in the RMP/DEIS. Moreover, the CARPP requirements are broad and ill-defined and even inconsistent with the PRMP. Furthermore, the CARPP reflects a gross misunderstanding of the oil and gas industry as well as EPA requirements. For example, EPA requires Tier 1 through IV standard only on diesel engines. This standard does not apply to natural gas or electric engines. The BLM must remove these inconsistencies in its Record of Decision and final approved RMP, and ensure that operators are subject only to site-specific measures for which BLM has authority.

We protest that prior to being adopted, the CARPP was not made available for public review and comment in accordance with the requirements of FLPMA and NEPA. Therefore, at a minimum, a supplement to the draft planning documents must be issued in accordance with NEPA. Furthermore, we protest that implementation of the CARPP is far beyond BLM's authority under the CAA as previously discussed because it attempts to provide BLM with the means to require project proponents to conduct wide-ranging air modeling as well as the imposition of ill-conceived mitigation measures through the use of Conditions of Approval (COA). We protest BLM's failure to consider the technical viability and economic feasibility the CARPP on the oil and gas industry. For example, some of the data the CARPP would require is not even available nor is it a current data requirement making it impossible to forecast future emissions from proposed projects, which would result in unwarranted modeling requirements. It is incumbent upon BLM to provide operators and project proponents the opportunity thoroughly review the CARPP to determine its feasibility and practicality prior to implementation.

We protest inclusion of the CARPP because it is wholly inconsistent with the Memorandum of Understanding (MOU) adopted by the Departments of Interior and Agriculture and EPA on June 23, 2011. The MOU already specifically outlines appropriate air quality analyses and mitigation measures related to oil and gas activities for use in the NEPA process. BLM's decision to disregard the national MOU is protested because in so doing new and inconsistent requirements for air modeling and monitoring are created which exceeds BLM's authority under the MOU as well as the CAA. Therefore, Appendix L and its contents must be eliminated from the PRMP.

2. Excessive Closures To and Restrictions On Future Oil and Natural Gas Leasing, Exploration, and Production: Under the CRV DEIS Preferred Alternative, BLM proposed closing over 55,000 acres to future oil and gas leasing. We protest this closure because it is contrary to the statutory requirements of FLPMA. Section 204 (c) of FLPMA expressly forbids the withdrawal of more than 5,000 acres except by the direct authority of the Secretary of the Interior, and only then after publishing the proposed withdrawal in the *Federal Register* and providing for public hearing specific to the withdrawal. In addition to its failure to comply with this requirement under FLPMA, BLM elected to actually increase the closed acreage by an additional 14,400 acres for a new total of 69,400 acres being arbitrarily set aside from oil and gas leasing.

Compliance with the provisions of FLPMA is not discretionary. "The term 'withdrawal' means withholding an area of Federal land from settlement, sale, location, or entry, under some or all of the general land laws, for the purpose of limiting activities under those laws in order to maintain other public values in the area or reserving the area for a particular public purpose or program…"[1] "(a) withdrawal aggregating five thousand acres or more may be made…only for a period of not more than twenty years by the Secretary on his own motion or upon request by a department or agency head."[2] "Within thirty days of receipt of an application for withdrawal, and whenever he proposes a withdrawal on his own motion, the Secretary shall publish a notice in the *Federal Register* stating that the application has been submitted…"[3] "All new withdrawals made by the Secretary under this section…shall be promulgated after an opportunity for a public hearing."[4] Unless BLM can demonstrate that the proposed withdrawal of 69,400 acres from oil and natural gas leasing was initiated directly by the Secretary, was noticed in the *Federal Register* outside any notice for the RMP/DEIS, and that the opportunity for public hearing specific to the withdrawal was made, the proposed withdrawal from leasing clearly violates FLPMA.

We also protest this withdrawal because it violates BLM's multiple-use mandate under FLPMA. Under Section 102 of FLPMA, Congress directed BLM to manage lands on a multiple-use basis to "…best meet the present and future needs of the American people" in a "combination of balanced and diverse resource uses," including minerals development.[5] BLM's reasons for the proposed closures include Lands with Wilderness Characteristics, Wilderness Study Areas (WSA), and a Special Recreation Management Area (SRMA). Importantly, in FLPMA Section 103(c), Congress itemized the resources BLM should take into account in allocating management. "Wilderness characteristics" is not included as such a resource, while mineral development was identified as a "principal or major use" of public lands under Section 103(l).[6] Even though recreation is identified as a "principle or major use;" BLM fails to explain how the two uses are mutually exclusive and how closure of this area is therefore justified. Congress further emphasized the importance of minerals development by declaring that public lands be managed "in a manner which recognizes the Nation's need for domestic sources of minerals."[7]

[1] 43 U.S.C. § 1702 (j)
[2] 43 U.S.C. § 1714 (c)(1)
[3] 43 U.S.C. § 1714 (b)(1)
[4] 43 U.S.C. §1714 (h)
[5] 43 U.S.C. § 1702 (c)
[6] 43 U.S.C. § 1702 (l)
[7] 43 U.S.C. § 1701 (a)(12)

We protest BLM's lease stipulations because they reflect a marked increase in major and moderate constraints that are unjustified in direct violation of Section 363 of the Energy Policy Act of 2005[8], which requires federal land management agencies to ensure that lease stipulations are applied consistently and to ensure that the least restrictive stipulations are utilized to protect many of the resource values to be addressed. No Surface Occupancy (NSO) stipulations in the Proposed Plan are 49% higher than current management, and Controlled Surface Use (CSU) stipulations increase 46%. BLM must explain how this increase comports with this statutory mandate.

3. Failure to Adequately Protect Valid Existing Lease Rights: In our comment letters, Western Energy Alliance and PLA pointed out that BLM had failed to reference the protection of valid existing lease rights, and that BLM reserved for itself the ability to utilize Conditions of Approval (COA) to realize the management effects of new lease stipulations, though doing so would be a clear violation of law. As explicitly stated in FLPMA, "All actions…under this Act shall be subject to valid existing rights."[9] The statute does not leave any room for discretionary actions that would be contrary to existing terms and stipulations. We, therefore, protest elements of Appendix B of the PRMP, particularly where it states, "On existing leases, the BLM would seek voluntary compliance or would develop conditions of approval (COAs) for applications for permits to drill (APDs) or other authorizations, consistent with valid existing rights, to achieve resource objectives of lease stipulations contained in this RMP." While it may state that such actions would be "consistent with valid existing rights", such reassurance appears to be nothing more than a throw-away line as it is clear BLM intends to utilize COAs to achieve the ends of its proposed stipulations. BLM must unequivocally guarantee that valid existing lease rights will not be subject to new management prescriptions.

4. Inadequate Cumulative Impacts Analysis: Our comment letters also identified the lack of a cumulative impacts analysis as problematic, as BLM had examined various restrictions separately, and neglected to consider the detrimental nature of the aggregate effect these restrictions would have on oil and natural gas development. We protest that while BLM may have included a limited analysis in the Proposed Plan, it clearly neglected to include key components.

In the Chapter 4 analysis of impacts to oil and natural gas development, and referring to the Niobrara and Mancos shale formations, BLM states that, "(t)o date, use of horizontal drilling in relation to the deep marine shales has been limited and is considered experimental. As a result, the development intensity, timing, and location of development of the deep marine shales was considered too speculative for quantitative impact analysis in connection with this planning process."

On the contrary, though development is in its early stages, operators have proven great success developing natural gas resources from these formations, particularly the Niobrara. Excluding this resource from impact analysis in an RMP that will likely be in effect for two decades is extremely short-sighted; therefore, BLM must include an analysis of this potential in the final planning documents.

5. Failure to Accurately Analyze the Socio-Economic Impacts of Reduced Oil and Natural Gas Development: We protest BLM's failure to analyze the impacts of reduced oil and gas development on the local economy within the CRV planning area and the benefits afforded to the same. In our comment letters, we pointed out that BLM failed to analyze the negative socio-economic impacts that

[8] 42 U.S.C. § 15922 (b)(3)(C)
[9] 43 U.S.C. § 1701 (note) h

would result from the decrease in oil and natural gas activity due to BLM's increasingly restrictive management policies, such as the loss of jobs, revenues, and other detrimental impacts. Rather than include a straightforward and candid economic analysis in the Proposed Plan, BLM chose to cast oil and natural gas development in a universally negative light and characterized the industry as an unwanted intruder in the area. The following statements are taken from Chapter 3 of the Proposed Plan:

"A study prepared for the Associated Governments of Northwest Colorado for Garfield, Rio Blanco, Mesa, and Moffat counties found that housing affordability was an issue in the area given the influx of gas workers." Yet immediately after this statement, a table indicates that as compared to the national average of 74% of median income required to buy a home, Garfield County was at 108%, Mesa was at 87%, and Rio Blanco was at 68%. The resort counties of Pitkin, Eagle, and Routt were at 213%, 153%, and 142% respectively. Is it BLM's insinuation that higher home prices due to oil and gas development is a serious problem, but that the same effect greatly magnified due to the presence of ski resorts is entirely acceptable?

"The recent activity in the oil and gas industry also has raised social concerns…The number of workers associated with energy development on BLM lands has created a burden on available hotel space, which makes it harder to accommodate hunters (an important part of the economy), tourists, and other visitors. Economic diversity, which can relieve the influence of the cyclic nature of this industry, crime, housing availability, and the preservation of open space are some of the concerns relating to oil and gas development." Are we to assume that the hotel/motel proprietors prefer to have their rooms filled by anyone *but* employees of the oil and gas industry? That restaurants do not want the business of industry personnel, or that business owners would prefer their establishments not be frequented by oil and gas workers? Employees of the industry live and work in the communities in the planning area, make good wages, and support the other businesses in the area. They also constitute a major proportion of the hunters and tourists that BLM implies are being displaced by the industry.

"The oil and gas industry is enjoying an upswing, but this type of industry increase has occurred before, only to be followed by a sharp decline when oil and gas prices fell." BLM's editorializing here neglects to admit that *all* components of the economy are subject to ups and downs. Agriculture is susceptible to commodity price fluctuations, tourism is extremely sensitive to the amount of disposable income available to the population, manufacturing is dependent on available and affordable energy and raw materials, and so forth. Yet, while BLM proposed to unnecessarily constrain future oil and gas exploration and development, it does not see fit to discourage farming and ranching, outdoor recreation, or manufacturing in the area.

"The trend toward energy's increased importance in the economy of northwestern Colorado has increased housing and labor costs since 2000…Due to these intensified pressures and projected growth in this industry, Garfield County would no longer be able to absorb the resort-driven workforce for resort and retiree communities of Eagle, Pitkin, and Routt counties." BLM's contention is that high wage employment in the oil and natural gas industry is inexplicably less desirable than other forms of employment, and that the industry should make way for the commuting workforces of Eagle, Pitkin, and Routt counties.

The oil and natural gas industry is consistently one of the highest wage sectors in the country, and provides the capstone on which the rest of the economy relies by providing needed support for many other economic sectors; indeed, it significantly increases their actual feasibility. This industry is also a

significant contributor of revenues to local, state, and federal treasuries. We do not contend that any economic sector is unimportant; minerals development, tourism, agriculture, and the service industries are all key to the economic vitality of the area. We protest, BLM's socio-economic analysis, which depicts the oil and natural gas industry in an altogether negative manner is inaccurate and ineffective for resource management planning purposes. It is necessary for the economic analysis to be revised to eliminate all bias and unfounded assumptions while accurately portraying the benefits of oil and gas activities along with the negative impacts BLM's proposed management will have on future opportunities for leasing, exploration and development of these valuable resources.

RESOLUTION OF WESTERN ENERGY ALLIANCE/PLA PROTEST

Western Energy Alliance and PLA seek the prospect of a meeting with BLM to negotiate a resolution to the issues raised in this Protest in accordance with the BLM Land Use Planning Handbook H-1601-1 app. E, page 6 (Rel. 101693 03/11/05)

Sincerely,

Kathleen Sgamma
VP, Government & Public Affairs
Western Energy Alliance

Claire Moseley
Executive Director
Public Lands Advocacy

Enclosures

cc: Ruth Welch, BLM Colorado Acting State Director
Steve Bennett, Colorado River Valley Field Office Manager