



December 23, 2013

Submitted via email to: [emccullo@blm.gov](mailto:emccullo@blm.gov)

Ms. Ester McCullough  
White River Field Office  
220 E. Market Street  
Meeker, CO 81641

**RE: Western Energy Alliance Comments, Environmental Assessment, June 12, 2014 Lease Sale, White River Field Office Parcels**

Dear Ms. McCullough,

Western Energy Alliance urges BLM to move forward with Alternative 2 of the Environmental Assessment (EA) for parcels nominated for lease in the White River Field Office (WRFO) for the June 12, 2014 lease sale. Western Energy Alliance represents more than 450 companies engaged in all aspects of environmentally responsible exploration and production of oil and natural gas resources across the West.

**Background**

BLM analyzed three alternatives in the EA: Alternative 1 (No Action) would preclude the leasing of any parcels, Alternative 2 would lease all nominated parcels available for leasing (excluding Greater Sage-Grouse Priority Habitat), and Alternative 3 would defer nearly half the nominated acreage due to the inclusion of other Greater Sage-Grouse habitat (not Priority), the presence of acreage within a 100-year flood plain, and Lands with Wilderness Characteristics.

**Lands with Wilderness Characteristics Deferrals**

We strongly object to the proposal in Alternative 3 to defer nearly half the nominated acreage, the vast majority of which is due to Lands with Wilderness Characteristics. BLM's primary governing statute, the Federal Land Policy and Management Act of 1976 (FLPMA), authorized a wilderness inventory in Sec. 603<sup>1</sup> which it envisioned to last 15 years, after which a report on the suitability of certain lands for wilderness designation was to be made to the President. In other words, this process was intended to be finite and not ongoing.

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<sup>1</sup> 43 USC §1782

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Sec. 201<sup>2</sup> of FLPMA does generally authorize an ongoing inventory process of resource values, which BLM construes to include wilderness characteristics, but even if such were the case, that same section very explicitly prohibits that inventory from effecting a change in management, stating, "The preparation and maintenance of such inventory or the identification of such areas shall not, of itself, change or prevent change of the management or use of public land."<sup>3</sup> The management should be guided by the land use plans developed under Sec. 202<sup>4</sup> of FLPMA, of which the 1997 WRFO Resource Management Plan (RMP) is one.

Therefore, deferring lands open for leasing under the current WRFO RMP does not comply with the explicit direction of Sec. 202 of FLPMA, and Western Energy Alliance urges BLM to refrain from pursuing such a course under Alternative 3 of the EA.

### **Small and Temporary Impact**

Page 79 of the EA states that, "...it is highly likely that lands with wilderness characteristics that are leased for oil and gas development will be impacted with a reduction in size and potentially no longer contain wilderness characteristics as a result." However, this statement discounts the fact that the overall footprint of oil and gas infrastructure on a lease is relatively small, and that any impacts must be fully reclaimed after development of the resource. The oil and natural gas industry has been so successful at minimizing impacts and eliminating traces of activity that lands that have prior and even active oil and natural gas wells are regularly proposed for wilderness designation. For example, a wilderness designation bill proposed by a member of Colorado's Congressional delegation includes lands with 57 plugged and abandoned wells, 34 producing wells, and 102,099 acres of land leased for oil and gas development.<sup>5</sup>

### **Conclusion**

Western Energy Alliance believes that the deferral of any nominated acreage which is designated as open for leasing under the current WRFO RMP discounts the small and temporary impact of resource development, dismisses the successful reclamation record of the industry, and does not comport with the legal requirements of FLPMA. We therefore urge that BLM move forward with the lease sale under Alternative 2.

We thank you for your serious consideration of our comments, and should you have any questions, please do not hesitate to contact me.

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<sup>2</sup> 43 USC § 1711

<sup>3</sup> 43 USC § 1711

<sup>4</sup> 43 USC § 1712

<sup>5</sup> [\*Small and Temporary- Assessing the Impact of 100 Years of Oil and Natural Gas Development in Western Colorado\*](#), Western Energy Alliance, December 2009

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Sincerely,

Kathleen M. Sgamma

A handwritten signature in black ink, appearing to read 'K. M. Sgamma', with a stylized flourish at the end.

Vice President of Government and Public Affairs