

# News Release



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## **Judge Rules that Decision to Withdraw 77 Utah Leases was Wrong** *Interior should reinstate all leases*

(DENVER)- Western Energy Alliance (formerly IPAMS) applauds yesterday's ruling by US District Court Judge Dee Benson that Interior Secretary Ken Salazar improperly withdrew 77 oil and gas leases from the Bureau of Land Management's (BLM) December 2008 sale. While the ruling does not reinstate the leases, the decision on the merits of the case confirm that the Secretary exceeded his authority by withdrawing the leases.

"Judge Benson's ruling clearly states that the Interior Secretary's decision to withdraw the leases was not justified," said Kathleen Sgamma, Director of Government Affairs. "We respectfully request that Secretary Salazar acknowledge the merits of the case and reinstate all 77 leases to the companies that legitimately purchased them, thereby enabling the creation of jobs and economic activity in Utah."

### **Timeline of the 77 Leases**

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| <b>2001 – 2008</b>  | BLM conducts environmental analyses as part of their Resource Management Plans (RMP) that form the basis of the December 2008 lease sale   |
| <b>Aug 1, 2008</b>  | BLM notifies the National Park Service (NPS) of its intention to hold an oil and gas lease sale in November and is considering 591,000 acres on 371 parcels  |
| <b>Oct 31, 2008</b> | BLM completes the six RMPs   |
| <b>Nov 4, 2008</b>  | BLM announces a change to the lease sale, reducing the size to 359,449 acres on 241 parcels and moving the date to December  |
| <b>Nov 25, 2008</b> | In coordination with NPS, BLM defers several parcels and adds additional restrictions, leaving approximately 163,000 acres in 131 parcels for the final sale [1]   |
| <b>Dec 17, 2008</b> | Several environmental groups challenge the December lease sale in U.S. District Court, claiming BLM rushed the sale in the final days of the Bush Administration without consultation with other federal agencies, despite the seven year environmental analysis and coordination with NPS |
| <b>Dec 19, 2008</b> | BLM conducts its quarterly lease sale as mandated by the Mineral Leasing Act, and sells 148,598 acres on 116 parcels   |
| <b>Jan 17, 2009</b> | Federal district court issues a Temporary Restraining Order to prevent issuance of the 77 leases in order to allow time for the court to consider the merits of the case   |

- Feb 4, 2009** Secretary Salazar announces his intention to withdraw the 77 leases
- Feb 6, 2009** Secretary Salazar orders Utah BLM to withdraw the 77 leases in an interagency memo that was not available to the public. Judge rules that this is the date that started the clock on the ninety days to file an appeal.
- Feb 12, 2009** Companies receive a memo from Utah BLM formally withdrawing the leases
- Apr 9, 2009** Impact Energy, Peak Royalty Holdings and Questar exhaust administrative remedies through the Interior Board of Land Appeals (IBLA)
- May 13, 2009** Impact Energy, Peak Royalty Holdings, Questar and Uintah, Carbon and Duchesne counties file a lawsuit in federal district court, ninety days after they received official notice from BLM that the leases were withdrawn
- Oct 7, 2009** Interior releases the Stiles Report by a hand-picked team that justifies the decision of Secretary Salazar
- Nov 19, 2009** IPAMS releases an analysis of the Stiles Report that shows all 77 leases are near existing oil and gas development or leases, and all except one are miles away from national parks, thereby disputing the justification for withdrawing the leases [2]
- Dec 29, 2009** The DOI Inspector General issues a report to BLM Director Bob Abbey that confirms there was nothing improper about the December 2008 lease sale
- Jul 12, 2010** Interior finally releases the IG report to the public after pressure from Congress, Uintah County, Western Energy Alliance, and others
- Sep 1, 2010** District Judge Dee Benson rules that the decision to withdraw the leases was arbitrary and capricious but a technicality prevents him from ordering the reinstatement of the leases

[1] BLM Memo from Director, BLM Utah State Office to Regional Director, Intermountain Region, National Park Service, dated November 25, 2008  
[http://www.blm.gov/pgdata/etc/medialib/blm/ut/lands\\_and\\_minerals/oil\\_and\\_gas/december\\_2008.Par.50809.File.dat/NPS%20letter%2011-25-08%20M.pdf](http://www.blm.gov/pgdata/etc/medialib/blm/ut/lands_and_minerals/oil_and_gas/december_2008.Par.50809.File.dat/NPS%20letter%2011-25-08%20M.pdf)

[2] *Analysis of Leases from the December 2008 Utah Leases Sale: Leases Recommended for Removal or Deferral in the Stiles Report*, IPAMS, November 19, 2009, <http://ipams.org/wp-content/uploads/2009/11/IPAMS-Analysis-of-Parcels-Recommended-for-Removal-and-Deferral-by-the-Stiles-Team2.pdf>

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#### **About Western Energy Alliance**

*Western Energy Alliance, founded in 1974, is a non-profit trade association representing more than 400 independent natural gas and oil producers, service and supply companies, banking and financial institutions, industry consultants, and their 480,000 employees who are committed to environmentally responsible natural gas and oil development in the Intermountain West. More information on Western Energy Alliance and its members is available at [www.westernenergyalliance.org](http://www.westernenergyalliance.org).*