

**Biodiversity Conservation Alliance * Californians for Western Wilderness
Coalition for the Valle Vidal * Earthjustice * Friends of the Earth
Grand Valley Citizens Alliance * National Wildlife Federation
Natural Resources Defense Council * Northern Plains Resource Council
Powder River Basin Resource Council * Sagebrush Sea Campaign
San Juan Citizens Alliance * Sierra Club
Southern Utah Wilderness Alliance * Southwest Environmental Center
The Wilderness Society * Upper Green River Valley Coalition
US Public Interest Research Group * Western Organization of Resource Councils
Western Resource Advocates**

April 20, 2005

Dear Representative:

On behalf of our groups and the millions of members we represent, we are writing to ask you to vote no on the House energy bill.

Many of our groups are based in the Rocky Mountain West, with members who live and work there. We represent ranchers and farmers, hunters, anglers and outfitters, business owners, hikers, campers and wildlife watchers. We have extensive experience with recent efforts to increase production of natural gas from federal lands, and many of our organizations have longstanding reputations as advocates for responsible and sustainable energy policies.

As consumers of natural gas and other forms of energy, we are very concerned about rising energy prices. We do not object to responsible development of federal energy resources in appropriate places and in a manner that protects the other important values of our western landscapes, including drinking water supplies, clean air, wildlife habitat, agriculture and recreation. This can be done, however, without further rushing energy development or elevating it over other public land uses.

Oil and natural gas development is already accelerating across the Rocky Mountain West. According to the Department of the Interior's January 2003 Energy Policy and Conservation Act ("EPCA") study, 85 percent of federally owned oil resources and 88 percent of federally owned gas resources in the Rocky Mountain states are available for exploration and drilling. According to the Bureau of Land Management (BLM), over 35,446,000 acres of BLM lands are currently under lease for oil and gas, yet only 11,671,000 acres were in production in 2004. In FY 2004, the BLM issued a record number of 6,052 drilling permits on BLM lands, but the industry drilled only 2,702 new wells on those permits. Even so, last year for the first time in history, over 3.1 trillion cubic feet of natural gas was produced from the public lands. And just last week, the Energy Information Administration reported that the number of natural gas drilling rigs was at an all time high – with 1,157 in operation.

Despite the facts that (1) the vast majority of federal oil and gas resources occurring on federal lands in the Rockies are available for development, (2) approximately three-quarters of leased BLM lands are not in production, (3) the BLM has issued thousands more drilling permits than the industry can actually drill, and (4) natural gas production from federal lands is at an all time high, the BLM continues to create controversy and undermine consensus by issuing leases on environmentally sensitive lands, and the industry continues to complain that there are “too many restrictions and impediments” to drilling on public lands.

Since there is clearly no need to further elevate energy production above other important uses of America’s public lands, Congress should ensure that federal energy resources are developed in a careful, balanced manner that protects the many values of these lands and the private property rights of split estate surface owners. Instead, the House energy bill attempts to:

- Undermine the Clean Water Act by exempting from the “stormwater” requirements all oil and gas construction activities, including construction of roads, drill pads, pipeline corridors, refineries, compressor stations, sweetening plants, etc.; (Sec 328)
- Weaken the Safe Drinking Water Act by prohibiting hydraulic fracturing fluids from being considered pollutants of drinking water; (Sec 327)
- Waive public participation and environmental review under the National Environmental Policy Act (NEPA) for numerous oil and gas activities, including well pads less than 5 acres in size, infill in an existing oil and gas field, disposal of water from coalbed methane drilling and seismic exploration; (Sec 2601)
- Waive existing National Environmental Policy Act (NEPA) environmental review and public participation process for all types of energy development projects on Indian lands in favor of an unspecified new process; (Title V, Secs. 501-505)
- Allow oil and gas companies to take up to two years to comply with drilling permit application requirements, but limit the BLM to only ten days to make decisions on drilling permit applications; (Sec. 2028)
- Allow the Secretaries of Agriculture, Commerce, Defense, Energy and Interior to designate utility and pipeline corridors across public lands without public input;
- Put the Department of Energy, an agency with no experience or expertise in public land management, in charge of determining whether land management actions would have “a significant adverse effect” on energy development by implementing Executive Order 13211; (Sec 346)
- Cut the royalties generated from oil and gas development on the nation’s public lands at a time when we cannot afford to subsidize large corporations that are making record number profits at the expense of our national treasures and the American taxpayer; (Sec. 2016)
- Establish an “Office of Federal Project Coordination” within the White House intended to expedite the permitting and completion of energy projects on federal lands, and override environmental safeguards; (Sec 2021)
- Require the United States Geological Survey to identify various “restrictions and impediments” to the development of federal oil and gas deposits. These

“restrictions and impediments” include policies and regulations designed to protect fish and wildlife, wild lands, and cultural and historical values on the public lands; (Sec. 2025)

- Allow oil and gas lessees to be compensated from royalties for their costs of complying with the National Environmental Policy Act; (Secs 1808, 2014)
- Lift the 240,060-acre limitation on the amount of federal oil and gas acreage one entity can control, encouraging monopolization of the use of federal oil and gas resources; (Sec. 20212)
- Establish a perpetual “pilot program” for expediting the approval of energy projects in the Rocky Mountain region; (Sec. 2027)
- Require the federal government to reimburse oil companies that reclaim orphaned oil and gas wells; (Sec. 2008)
- Authorize a new commercial oil shale leasing program without any requirement for NEPA review; (Sec. 2018)
- Repeal the heart of the National Environmental Policy Act (NEPA) for a wide range of energy projects that could include hydroelectric dams and garbage incineration, as well as various oil and gas activities such as pipeline construction. The heart of NEPA is the requirement that agencies examine alternatives that could lead to lesser harm or greater benefits—eliminating this requirement would create substantial risks that agencies would act on incomplete information. The provision also seeks to cut the public out of decisions regarding how to manage public resources by limiting the amount of time the public has to review information; (Sec. 1702)
- Mandate the siting of a high voltage electricity transmission line through the Cleveland National Forest and other public lands, overriding a decision by the State of California rejecting such siting; (Sec. 353)
- Encourage oil and gas development under Padre Island National Seashore, notwithstanding its status as a National Park; (Sec. 2033)
- Permit the Secretary of Interior to lease and develop oil and gas in 100 percent of the National Petroleum Reserve-Alaska and fail to set aside key areas for wildlife habitat, native hunting and fishing, water quality or other non-commercial values and give away public resources to private companies by giving the Secretary of Interior the authority to waive all fees and royalties and renew leases even if they do not meet the original lease requirements; (Sec. 2007)
- Undercut requirements that ensure diligent development of federal coal, and grant unjustified gifts to the western coal industry at the expense of the U.S. Treasury and coal-producing states;
- Vest the Secretary of Energy with unprecedented authority to permit electric power lines across federal public lands and override federal agency objections to siting decisions, allowing transmission lines to be sited through protected areas such as National Monuments and National Conservation Areas; (Sec. 1221) and
- Open the coastal plain of the Arctic National Wildlife Refuge to exploration, development and production of oil and gas resources by repealing current law that forbids such development and limiting judicial and environmental review. (Title XXII)

America needs a responsible energy policy that enhances our national security by promoting clean, renewable energy sources and energy efficiency. Such a policy must respect the private property rights of western ranchers and landowners, protect our most environmentally sensitive lands and wilderness-quality landscapes from the impacts of energy development, and preserve the entire spectrum of values and uses of our public lands from drinking water and wildlife habitat to clean air and recreation. The House energy bill does not accomplish any of these goals, so we urge you to vote no on final passage.

Sincerely,

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