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A Reprieve for Public Lands

In the spring of 2003, Gale Norton, then secretary of the interior, and Michael Leavitt, then governor of Utah, struck a deal that removed federal protection from about 2.6 million acres of land that the Clinton administration had designated as potential wilderness. In fairly short order, the Bureau of Land Management began selling oil and gas leases on some of these lands as part of a larger energy policy that called for aggressive exploration and drilling even in the most fragile of Western landscapes.

That policy has now suffered its first serious reversal. Last week, a federal district court in Utah ruled that leases on 16 parcels had violated federal environmental law. Among other transgressions, the bureau had ignored its own finding, in 1999, that the lands in question possessed wilderness values deserving of protection. The decision has also thrown into question every lease sale in Utah involving wilderness-quality lands over the last three years, involving 125,000 acres altogether, as well as similar sales in Colorado that were also undertaken without the environmental reviews required by law.

With any luck, the decision will send a signal to Ms. Nortons successor, Dirk Kempthorne, that the administrations policy of indiscriminately fast-tracking leases in fragile areas needs a fresh look. This policy is not only unpopular but unnecessary. More than four-fifths of the known oil and gas reserves in the Rocky Mountain West are already open for drilling. And industry already has more leases than it knows what to do with; of the 36 million acres under lease nationwide, only about 12 million are actually in production.

No one can expect Mr. Kempthorne to abandon basic administration doctrine. But at the least he can require his own agency to behave legally and responsibly.