



## 9. OIL AND GAS: Wyo. lease sale includes Adobe Town parcels, sage grouse habitat (10/08/2009)

Eryn Gable, special to E&E

The Bureau of Land Management last week auctioned off parcels of Wyoming's ecologically important Adobe Town, as well as 29,000 acres of "core" sagebrush habitat that is considered vital to the survival of the sage grouse, to oil and gas developers.

The Oct. 2 sale generated close to \$1.5 million for leasing rights and rental fees, almost half of which will go to the state of Wyoming. Fifty-nine of 66 parcels were sold, accounting for 57,000 acres of the total 62,000 acres made available by BLM.

BLM spokesman Roger Alexander said the agency received five protests by the agency's deadline and that all of the offered parcels were protested. No protested parcels were pulled or deferred from the sale.

The protests addressed familiar issues, including the need to protect proposed wilderness areas in Adobe Town and adopt stronger conservation measures to reduce or prevent impacts to sage grouse and big game.



Environmental groups formally protested the Bureau of Land Management's decision to auction oil and gas leases in Wyoming's Red Desert region, including portions of Adobe Town, which has wilderness qualities. Photo courtesy of the Biodiversity Conservation Alliance.

Among those filing protests were the Biodiversity Conservation Alliance and Natural Resources Defense Council, which filed a **protest** covering all 66 parcels offered in the sale on the basis that the Bureau of Land Management failed to address climate change concerns.

The protest requested that BLM prepare a National Environmental Policy Act analysis looking at climate change concerns. Among other things, the groups said BLM should attempt to quantify greenhouse gas emissions from authorized oil and gas development, adopt management measures to reduce those emissions and consider whether impacts from climate change warrant additional environmental protections.

Erik Molvar of the Biodiversity Conservation Alliance said BLM should look at the cumulative impacts of extracting oil and gas from public lands, as well as the impacts from burning the fossil fuels. But, he said, "BLM has never done such an analysis."

### Adobe Town

Also of concern was the inclusion of two oil and gas leases totaling about 2,300 acres in Adobe Town, in the northern end of the proposed wilderness just south of "checkerboard" lands where private and public parcels are intermixed because of a Union Pacific railroad land grant.

Adobe Town, which has been designated by the state of Wyoming as "very rare or uncommon," is a part of the Red Desert that lies along the Colorado line and features thousand-foot cliffs and pinnacles that stretch for 25 miles above the Skull Creek plain. Environmental groups have been pushing to designate almost 200,000 acres in the area as wilderness, saying it is too wild to drill and should be protected from development.

"The Adobe Town area is a wild, undeveloped area that we view as a priority for protection," said Bruce Pendery of the Wyoming Outdoor Council, adding that those parcels should not be leased without adequate stipulations to protect those values.

The Wyoming Outdoor Council, Wilderness Society and Greater Yellowstone Coalition protested 14 parcels totaling more than 14,000 acres. The **protest** included parcels near the Adobe Town and Encampment River wilderness study areas, as well as parcels in the Lander, Cody and Worland field offices, where resource management plan revisions are under way.

The protest also argued that BLM cannot delay site-specific environmental analysis until a well is proposed rather than conducting such an analysis at the leasing stage. BLM has been relying on a 1987 10th U.S. Circuit Court of Appeals decision in

*Park County Resource Council Inc. v. U.S. Department of Agriculture* to allow leasing to go forward without site-specific analysis, but the groups' protest argues that a more recent 10th Circuit decision this year in *New Mexico v. Bureau of Land Management* requires the agency to assess "reasonably foreseeable" impacts as soon as possible.

## Sage grouse

Another chief concern raised in the protests is the inclusion of areas that Gov. Dave Freudenthal (D) has designated as core habitat for the sage grouse, a rare bird that is being considered for protection under the federal Endangered Species Act. Many groups fear the bird will have to be listed as endangered unless BLM takes greater measures to protect it.

The National Audubon Society, Audubon Wyoming and Western Resource Advocates filed a [protest](#) covering 20 parcels that include more than 29,000 acres in identified sage grouse core population areas. The protest noted that this core habitat is the nesting and early brood rearing habitat for three-quarters of the greater sage grouse breeding population in Wyoming.

Wyoming's sage grouse population has declined by 90 percent from its historic levels, according to the protest.

Audubon Wyoming and other groups want BLM to limit drilling to one well pad per square mile in core population areas, expand buffers around sage grouse breeding grounds or defer leasing parcels in core areas.

BLM currently maintains a quarter-mile buffer around sage grouse breeding grounds, known as leks, and has imposed stipulations that restrict drilling activities during critical times for the birds, but environmental groups contend these protections are inadequate. The Western Association of Fish and Wildlife Agencies has concluded that applying the quarter-mile buffer stipulation to leases with strutting grounds resulted in a loss of 96 percent of leks.

"BLM is continuing to lease without adequate protections for the greater sage grouse that we know result in greater declines," said Megan Mueller, staff biologist with the Center for Native Ecosystems. "It's using the same inadequate stipulations that the science has demonstrated don't work."

The Center for Native Ecosystems and the Biodiversity Conservation Alliance filed a [protest](#) of 53 parcels covering more than 57,000 acres, focusing on the effects to greater sage grouse, white-tailed prairie dogs, black-tailed prairie dogs, black-footed ferrets, various raptor species and other sensitive species.

Mueller said BLM is not following the recommendations of its own biologists with regard to protections for the white-tailed prairie dog, a move she said will likely contribute to the need to list the burrowing rodent as an endangered species.

After evaluating the concerns raised in the protests, BLM can reject a lease offer made at last week's sale and refund all monies paid if the agency determines the protest has merit. The bidder can then appeal that decision to the Interior Board of Land Appeals.

"We do not issue the lease until the protest has been resolved," said BLM spokesman Alexander.

[Click here](#) to read the Biodiversity Conservation Alliance protest.

[Click here](#) to read the Wyoming Outdoor Council protest.

[Click here](#) to read the National Audubon Society protest.

[Click here](#) to read the Center for Native Ecosystems protest and [here](#) for the accompanying exhibit.

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