

western
values
project

A Voice for the Majority in the American West



ANYWHERE AND EVERYWHERE:

The Top Ten Most Shocking Places the Oil and Gas Industry is
Trying to Lease and Drill

March 2015

Introduction

Westerners understand the importance of our lands, air and water. Those resources support our farms, communities and national parks – and also generate billions of dollars from recreation and tourism.¹ That is why balance is more than a talking point to westerners. It's essential to our way of life.

The oil and gas industry also talks of wanting balance.² Yet, a new analysis from the Western Values Project reveals that many oil and gas companies are pursuing a much different agenda. This analysis is based on a review of recent oil and gas lease nominations received by the Bureau of Land Management (BLM), and shows that, in the eyes of certain companies, almost no place should be off-limits to development. That includes our farms, cemeteries and national parks – and even hazardous waste sites where drilling could endanger public health and safety, as well as iconic tourist destinations, like the Bonneville Salt Flats. Just recently, industry even tried to lease – in one fell-swoop – over seven million acres in northern Nevada, an area bigger than several other states, including Maryland.³

Nominations are the first step in obtaining a lease from the BLM (see sidebar). They are submitted entirely at the industry's discretion – for any lands where mineral rights are federally-owned – and indicate where the industry wants to drill for oil and gas. About 90 percent of the public lands in the West – nearly 180 million acres – are currently open for leasing.⁴ Thus, there are ample opportunities to achieve the balance that industry claims to want. Yet, as shown by this analysis, many oil and gas companies are actually trying to lease and drill anywhere and everywhere they possibly can.

Thankfully, very few of the nominated leases identified in this report were actually auctioned and sold. That's due in no small part to a series of common-sense reforms adopted by the BLM in 2010. Those reforms

How the BLM's Lease Nomination Process Works

1. The BLM solicits nominations from the public for upcoming oil and gas lease sales, which are held quarterly in most states (BLM can also nominate lands on its own).
2. The industry submits its lease nominations, notifying the BLM of its desire to lease and drill within the nominated parcels.
3. The BLM conducts a preliminary evaluation of the nominations, rejecting parcels that are closed to leasing by law or under resource management plans.
4. The BLM evaluates the remaining nominations through a NEPA analysis, which includes several opportunities for public review and comment, and issues a decision record identifying which parcels will be auctioned and sold.⁶

create an important oversight role for the public and require greater scrutiny of industry lease nominations prior to lease sales. Master leasing plans (MLPs) – another important aspect of the reforms – are also helping to identify the right places (and right protections) for drilling before the industry even comes forward with lease nominations. As recognized by some in the industry, MLPs are “balanced solutions” that help avoid conflicts (like those identified in this report) and recognize “the importance of America’s public lands for fish, wildlife, and recreation,” as well as oil and gas development.⁵

It is critical that the BLM continue to implement these reforms because, as shown by the following list, the industry is not above leasing lands that form the backbone of our communities and economic well-being. And the industry – if truly interested in balance – must stop trying to lease such sensitive lands. This wastes the BLM’s time – time that’s better spent evaluating responsible leasing proposals and managing our public lands for other activities, like hunting and fishing, which also create jobs and provide important revenue for our communities.

The Top Ten Countdown

The following list spotlights ten places where westerners, and indeed all Americans, would be shocked to discover that the oil and gas industry is targeting for leasing. These are places in iconic landscapes and communities that, if industry had its way, would be drilled and transformed into industrial sites. Westerners come in many different stripes, but most would agree that a cemetery, a church and a national park are no place for drill rigs.

Number Ten: **Desert Art**

From Georgia O’Keefe to Ansel Adams, artists have long sought (and found) inspiration in the open spaces of the American West. Some have even – quite literally – incorporated western landscapes into their works. Because of their raw beauty and relationship with the surrounding landscape, these monumental art installations are uniquely western. But everyone’s a critic, and the oil and gas

industry – at least judging by a string of recent lease nominations surrounding noted works of landscape art – is evidently not a fan.

“City,” NV

Nominated for NV BLM’s Dec. 2014 Oil & Gas Lease Sale⁷

Artist Michael Heizer has spent four decades and millions of dollars constructing “City,” one of the biggest sculptures ever built by a modern artist.⁸ The sculpture, located in Nevada, is truly enormous – more than one square mile. Such a significant commitment of time and resources is something to be respected and preserved. But not by the oil and gas industry, which nominated thousands of acres surrounding the installation. According to a foundation that helps manage the site, drilling on these lands would “degrade the relationship of the artwork to its environs.”⁹ Fortunately, the BLM agreed, and declined to sell the leases.

Dishonorable Mention:

“Sun Tunnels,” UT

Nominated for UT BLM’s May 2007 Oil & Gas Lease Sale¹⁰



Sun Tunnels, Utah
www.commons.wikimedia.org

In 2007, the industry nominated a parcel adjacent to “Sun Tunnels,” a “world-famous” art installation in Utah’s west desert.¹¹ According to the artist, Nancy Holt, “an unimpeded view to the horizon [which drill rigs and gas wells could impede] is absolutely necessary” to appreciate and preserve the work’s integrity.¹²

Number Nine: Conservation Easements

Federal, state and local laws all require oil and gas companies to minimize the impacts of their activities on water, wildlife and recreation resources – resources that matter so much to westerners. This includes making sure that companies restore the land as much as possible to its original state, before the land was developed. Sometimes – due to the size of a drilling proposal, for example – “offsite” mitigation (e.g., buying conservation easements) is required. These efforts are extremely valuable and often stem from carefully-crafted compromises with other stakeholders, including local governments, sportsmen and ranchers.

However, the balanced approach advocated by more responsible members of the oil and gas industry – which are willing to take steps to offset the impacts of development – is not universally held. In spite of compromises intended to balance development with conservation on public lands, some industry members are still targeting conservation easements and other lands set-aside as “off-site” mitigation for other oil and gas projects.

Sommers-Grindstone Conservation Easement, WY

Nominated for WY BLM’s Nov. 2014 Oil & Gas Lease Sale¹³



*Scenic lands conserved by
Sommers-Grindstone
Conservation Easement
www.pinedaleonline.com*

In 2014, industry tried to lease lands protected by the Sommers-Grindstone Conservation Easement – “one of the most extensive private lands conservation efforts in Wyoming’s history. . . .”¹⁴ This easement had been purchased to help off-set impacts from extensive drilling in the nearby Pinedale Anticline and Jonah Field, and conserves “19,000 acres of historic agricultural land, critical wildlife habitat and iconic viewsheds” in the Upper Green River Valley.¹⁵

Only after a conservation group pointed out the conflict with the easement – an opportunity afforded by the BLM’s 2010 leasing reforms – did the BLM become aware and reject the proposed lease.¹⁶ Nominations like these not only undermine the purpose of off-site mitigation, but they also erode the trust between industry and other stakeholders who participate in the development of mitigation agreements.

Dishonorable Mention:

Sundance Mesa Ranch Conservation Easement, WY

Nomination for WY BLM’s May 2015 Oil and Gas Lease Sale¹⁷

Industry also recently nominated another conservation easement in Wyoming for oil and gas leasing. In 2011, private landowners donated conservation easements to the Green River Valley Land Trust to protect diverse wildlife habitat, including breeding ground for the imperiled greater-sage grouse species. By limiting development, and installing wildlife-friendly improvements, the landowners had hoped to preserve sage-grouse habitat given that a large, historic lek (breeding ground) exists on the property.¹⁸ The easement would also protect habitat for other sensitive species, including the mountain plover, the yellow-billed cuckoo and the Wyoming pocket gopher.¹⁹ However, the landowners only held rights to the surface estate of their properties, while the subsurface estate and minerals are controlled by the BLM. This allowed industry to nominate subsurface beneath the easement for development, which landowners are actively protesting.

Number Eight: **Iconic Western Landscapes**

Certain western landscapes have become ingrained in the public’s imagination by the film and advertising industries. These are landscapes that appear time and again in car commercials and action movies – largely because they are vast, enchanting and authentically western. But recent efforts to lease places like the Bonneville Salt Flats for drilling may usher-in widespread development and force the film and advertising industries to take their business elsewhere.

Bonneville Salt Flats, UT

Nominated for UT BLM’s Aug. 2014 Oil & Gas Lease Sale²⁰



The Bonneville Salt Flats in Northwest Utah.

Located in northwest Utah, Bonneville Salt Flats is made up of more than forty-thousand acres of densely packed salt, in some places as much as five feet thick. This strange and alien landscape has been featured in innumerable television spots and films, including “Independence Day,” “Mulholland Falls” and “Pirates of the Caribbean.”²¹ Dozens of land speed records have also been recorded on the Bonneville Salt Flats.²² Yet, in 2014, industry nominated thousands of acres in the salt flats for oil and gas development. In rejecting the proposed leases, the BLM explained that the drilling and construction of well pads and roads would interfere with the “world-renowned landspeed racing and filming activities.”²³

Number Seven: Significant Historic Sites

The oil and gas industry has repeatedly shown itself to be out of touch with our western heritage, regularly nominating historic trails, battlefields and other significant historic and cultural sites for leasing. While most westerners believe that historic places deserve to be preserved so future generations can also appreciate our heritage, that's a value lost on some in the industry.

Sand Creek Massacre National Historic Site, CO

Nominated for CO BLM's Feb. 2013 Oil & Gas Lease Sale²⁴



*Sand Creek Massacre National
Historic Site
www.sott.net*

Industry efforts to lease lands within the Sand Creek Massacre National Historic Site – a unit of the National Park System – were especially notable and disturbing. This historic site honors scores of men, women and children from a peaceful village of Cheyenne and Arapaho who were killed by federal troops in 1864. The site remains a place of deep spiritual significance to the tribal people (who Colorado's governor recently apologized to during a ceremony commemorating the massacre's 150th anniversary).²⁵ Yet, in 2013, the oil and gas industry nominated Sand Creek for leasing, which, out of respect for the historic significance of the site and affected tribes, the BLM refused to do.

Dishonorable Mention:

California National Historic Trail, UT

Nominated for UT BLM's Aug. 2014 Oil & Gas Lease Sale²⁶

In 2014, the industry nominated several parcels within the congressionally-designated California National Historic Trail – the route that paved the way for settlement of the West, and is protected to honor that effort, while giving modern travelers the chance to experience this historic journey.

Number Six: Sacred Places

When it comes to sacred places – like cemeteries and churches – westerners are no different than most folks. They treat these places with respect, and expect others to do the same. However, in recent years, certain members of the oil and gas industry have sought to lease sacred grounds throughout the West for drilling.

Kanza Cemetery, CO

Nominated for CO BLM's Nov. 2014 Oil & Gas Lease Sale²⁷



*Kanza Cemetery, Colorado
www.findagrave.com*

In 2014, the industry nominated Kanza Cemetery in Elbert County, Colorado for oil and gas leasing. This cemetery has been in use for over 100 years,²⁸ and contains gravesites for homesteaders who founded the nearby community of Rush in the early 20th century.²⁹

In spite of acknowledging potential conflicts with the cemetery, BLM still auctioned off this sacred ground to the industry – for \$26 per acre.³⁰

Dishonorable Mention:

St. Christopher’s Episcopal Mission, UT

Nominated for UT BLM’s Feb. 2015 Oil & Gas Lease Sale³¹

In 2014, the oil and gas industry nominated portions of the St. Christopher’s Episcopal Mission for oil and gas development. Over the years, in addition to providing a place of worship, the mission has served as a hospital, school and food bank, and its well remains the primary water source for many nearby Navajo families.³²

Native American Burial, WY

Nominated for WY BLM’s August 2012 Oil and Gas Lease Sale³³

In 2012, industry sought permission to lease a “prehistoric burial” ground for oil and gas drilling.

Number Five: Already Hazardous Areas

Some industry members have also nominated several dangerously contaminated areas that are already in serious need of remediation and restoration. Although to many these sites serve as reminders of the costly impacts of irresponsible development, some members of the oil and gas industry have recklessly nominated these sites for further development, despite the fact that the proposed activity could put taxpayers on the hook for even more clean-up costs.

U.S. Magnesium Superfund Site, UT

Nominated for UT BLM's Aug. 2013 Oil & Gas Lease Sale³⁴



*U.S. Magnesium Superfund Site on the shores of Utah's Great Salt Lake
www.epa.gov*

A particularly egregious nomination fell within the U.S. Magnesium Superfund Site in Utah. At the site, decades of magnesium processing have contaminated air, soil and water in the area, and “are threatening the health of workers and the environment.”³⁵ The site is also located next to the Great Salt Lake, which “attracts millions of birds per year and houses many unique plants and animals as well as certain species of federal and state concern.”³⁶

Superfund sites are among the most contaminated lands in the country, requiring billions in taxpayer dollars to clean up.³⁷ Designated by the EPA, they are subject to an extensive clean-up process that typically involves environmental studies, soil removal and groundwater remediation. Drilling for oil and gas could impede this clean-up and further endanger workers and the Great Salt Lake's fragile ecosystem.

Dishonorable Mention:

Rio Algom Mining Company's "Contaminated Groundwater Plume," UT

Nominated for UT BLM's Feb. 2015 Oil & Gas Lease Sale³⁸

In 2014, the industry sought to lease lands where past uranium mining had created a "contaminated groundwater plume." Had the industry been successful in its efforts to obtain this lease, it would have unwittingly "become a liable partner in the management of the plume."³⁹

Number Four: National Parks

Many believe that national parks are "America's best idea,"⁴⁰ and it's hard to argue when places of surpassing natural beauty and cultural wonder – like Grand Canyon and Yellowstone – are preserved for the benefit of present and future generations. Over the years, our national parks have only grown in popularity, so much so that in 2013 alone, they generated \$9.2 billion in revenue for our economy and supported 238,000 jobs.⁴¹ But even our national parks are now being targeted by the industry, as leasing has been proposed on the doorstep of several iconic parks, including Arches and Canyonlands in Utah.

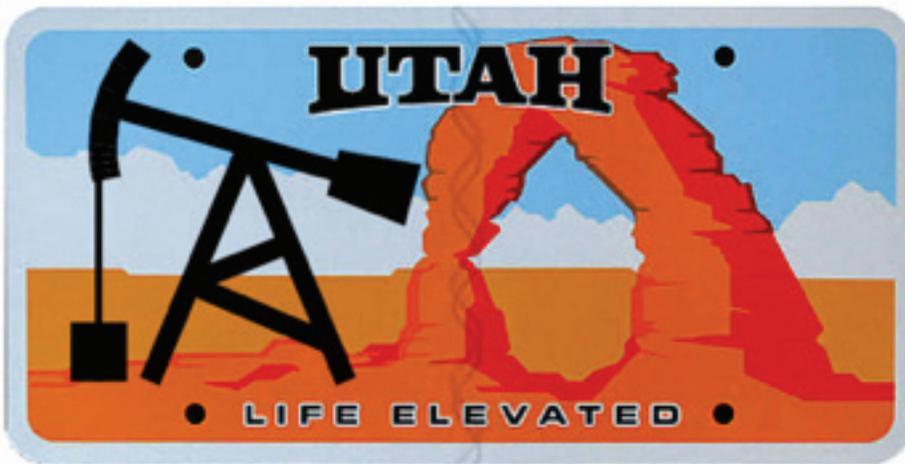
Arches and Canyonlands National Parks, UT

Nominated for UT BLM's Dec. 2008 Oil & Gas Lease Sale⁴²



*A sunset at Arches National Park in southeastern Utah.
www.blog.usa.gov*

In the waning months of 2008, the industry nominated dozens of leases next to Arches and Canyonlands national parks. These parks anchor the thriving recreation economy of nearby Moab, which has become a mecca for hikers, mountain bikers and recreational drivers. Had these leases been sold, then drill rigs “might have been visible through the center” of Delicate Arch, the landmark famously featured on Utah’s license plate.⁴³ A lawsuit stopped the leases (opposition also came from the National Park Service (NPS)), and led to a series of internal reviews that culminated in the 2010 oil and gas leasing reforms. These reforms have ushered-in vastly improved coordination between the BLM and NPS (as well as with the public), and helped avoid similar conflicts with other national parks.



Dishonorable Mention

Dinosaur National Monument’s Visitor’s Center, CO

Nominated for CO BLM’s May 2013 Oil & Gas Lease Sale⁴⁴

In 2013, the oil and gas industry nominated a parcel right next to Dinosaur National Monument’s visitor’s center. The BLM rejected this nomination after the NPS and the public raised concerns.

Chaco Culture National Historical Park, NM

Nominated for NM BLM’s Feb. 2014 Oil & Gas Lease Sale⁴⁵

In 2014, the industry nominated thousands of acres of leases near Chaco Canyon – a national park and World Heritage Site – including one lease within a few hundred feet of the park’s boundary.

Number Three: Farms

Water is the lifeblood of farming, particularly in the arid west. That's why farmers throughout the region are growing increasingly concerned about oil and gas development encroaching on their fields and threatening their water supplies.

North Fork Valley, CO

Nominated for CO BLM's Feb. 2013 Oil & Gas Lease Sale⁴⁶



*A healthy vineyard in Colorado's North Fork Valley.
www.5280.com*

Nowhere has this conflict played out more visibly than in Colorado's North Fork Valley. In recent years, the valley has undergone an agricultural renaissance, and now supports dozens of organic farms and one of only two "viticultural areas" in the state (read: great for vineyards). Nevertheless, the oil and gas industry has repeatedly sought to lease thousands of acres throughout the valley, including along irrigation ditches that water organic farms and vineyards. As one North Fork farmer put it, "All it takes is one spill, and we're toast."⁴⁷

Dishonorable Mention:

Rio Arriba County, NM

Nominated for NM BLM's Jan. 2013 Oil & Gas Lease Sale⁴⁸

In 2013, industry attempted to lease several thousand acres in and around several traditional agricultural communities in northern New Mexico's Rio Arriba County.

Number Two: Drinking Water

Escalating demand and increasingly unreliable supplies of water are forcing communities throughout the West to make tough choices about their ability to meet existing (let alone future) demand.⁴⁹ That's why it's so critical that we protect and avoid contaminating our existing water supplies. Unfortunately, the oil and gas industry continues to endanger our precious water supplies with irresponsible leasing proposals.

Denver and the Front Range's Drinking Water Reservoirs, CO

Nominated for CO BLM's Nov. 2011⁵⁰ and Feb. 2013 Oil & Gas Lease Sales⁵¹

In 2011 and again in 2013, the industry tried to obtain several leases in South Park, which provides approximately 40 percent of Denver and Aurora's drinking water.⁵² Some of those leases fell within a quarter-mile of Spinney Mountain Reservoir, a major water storage reservoir for the City of Aurora (and "gold medal" trout fishery, to boot).⁵³ A spill here – in 2014, there were two reported every day in Colorado⁵⁴ – could be disastrous for the Front Range (there are over 2.6 million people in the Denver-Aurora-Lakewood area).⁵⁵ The BLM, to its credit, rejected those nominations, and has agreed to prepare an MLP for the area, to re-evaluate its leasing strategy and address the concerns of water providers, Park County and other stakeholders.



Spinney Mountain Reservoir, South Park, CO
www.fly-fishing-discounters.com

Dishonorable Mention:

San Juan-Chama Project (Albuquerque and Santa Fe's Drinking Water), CO

Nominated for CO BLM's Feb. 2013 Oil & Gas Lease Sale⁵⁶

In 2012, the industry nominated two parcels "in close proximity to critical pieces of existing Federal water collection and diversion structures" associated with the San Juan-Chama Project, which "is critical to the water supply of the City of Albuquerque, the City and County of Santa Fe, and fifteen other municipalities, Pueblos, and irrigation districts."⁵⁷ This nomination led the Bureau of Reclamation to file a formal protest requesting that the parcels be withdrawn, which the BLM agreed to do.

Town of Shoshoni's Municipal Water Supply, WY

Nominated for WY BLM's Aug. 2011 Oil & Gas Lease Sale⁵⁸

In 2010, the industry nominated lands "near the town of Shoshoni's municipal water supply. . . ." The BLM rejected this nomination due to the "risk of impacts from undesirable events . . . from operations related to exploration and extraction of hydrocarbon resources."⁵⁹ Such events are increasingly common in Wyoming, as more gallons of oil were spilled in 2014 – over 220,000 – since at least 2009.⁶⁰

Number One: Towns and Communities

Oil and gas companies are increasingly targeting western communities, nominating neighborhoods, town parks and even lands next to schools for leasing and drilling. This is happening in populated places, like Colorado's Front Range, as well as rural communities grappling with the impacts of oil and gas development for the first time.

Cebolla, NM

Nominated for NM BLM's Jan. 2013 Oil & Gas Lease Sale⁶¹

Cebolla is a small, agricultural community nestled in the mountains of northern New Mexico. American Indians first farmed the area

centuries ago, developing irrigation networks later expanded by Spanish settlers. Many of their descendants remain to this day, continuing Cebolla's rich farming and ranching tradition.

Yet, in spite of this tradition, the industry is actively seeking to lease land beneath Cebolla's homes and ranches, which has caused many in the community to raise concerns for how that would impact their traditional ways of life and water resources. This is particularly concerning to the town's residents because Cebolla, along with much of eastern Rio Arriba County, has little history with oil and gas drilling.⁶²

Dishonorable Mention

Lands in Close Proximity to Hotchkiss High School and North Fork Montessori School, CO

Nominated for CO BLM's Feb. 2013 Oil & Gas Lease Sale⁶³

In 2012, the industry tried to lease lands less than a quarter-mile from a high school and Montessori school in the community of Hotchkiss. Fortunately, the BLM declined to lease those lands, citing their "close proximity" to the schools.⁶⁴

The Town of Dean, MT

Nominated for MT BLM's Oct. 2014 Oil & Gas Lease Sale⁶⁵

In 2014, the industry nominated most, if not all, of the town of Dean, a small community at the foot of the Beartooth Mountains in southwestern Montana.

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