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The Wilderness Society ◇ Colorado Mountain Club ◇ Natural Resources Defense Council
Wilderness Workshop ◇ Sierra Club ◇ Center for Native Ecosystems ◇ Rock the Earth**

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BLM'S ROAN PLAN VIOLATES FEDERAL LAW, GROUPS SAY
Federal agency's failure to take a hard look at drilling impacts lands it in court

Denver, Colo. – The Bureau of Land Management ignored federal law and failed to properly consider development alternatives in promoting industrial gas drilling on western Colorado's wildlife-rich Roan Plateau, according to a lawsuit filed by conservation and wildlife groups in Denver District Court today.

On August 14, the BLM intends to lease all 55,000 acres of public land around the rugged, undeveloped plateau west of Rifle, ignoring the wishes of Gov. Bill Ritter, Colorado congressional leaders, local elected officials and tens of thousands of ordinary Coloradans who have called for balanced management of the Roan's public lands. The planned auction of leases would commit future federal administrations to let industry drill much of the Roan's unspoiled backcountry, which includes some of Colorado's most important wildlife habitat.

The plaintiffs, a coalition of ten conservation and wildlife groups, argue that the agency violated federal law by failing to consider a reasonable range of alternatives, by failing to properly analyze impacts from their final plan and by arbitrarily ignoring likely drilling impacts beyond 20 years. The BLM also violated federal law by failing to analyze foreseeable impacts to air quality and wildlife populations and the cumulative impact of adding more than 1,500 new wells in the Roan planning area to the thousands of wells surrounding the plateau's unspoiled public lands, according to the lawsuit.

They asked the court to set aside the Roan Plateau resource management plan and bar the BLM from leasing the area in August.

"The BLM has repeatedly rejected the West Slope's request to consider options that would allow the natural gas to be developed while protecting the millions of dollars local economies get every year from hunting, fishing, camping and other recreation," said Steve Torbit, regional director of the National Wildlife Foundation. "The mule deer that spend the summer on the Roan migrate to the Piceance Basin to winter. Yet the BLM makes no assurance that the state's largest deer herd will be able to maintain itself at anything like its current abundance. It's too bad Coloradans have to go to court to protect its wildlife heritage from this agency's mindless devotion to industry's demands."

Since winter, state officials have been investigating a number of industrial spills, including cancer-causing benzene that drillers and other operators neglected to report in a timely fashion. Wildlife experts worry that even one modest spill could wipe out one of the state's rare populations of genetically pure Colorado River cutthroat trout that persist in the Roan's isolated streams.

"What's the rush?" said Ken Neubecker, an angler and member of Colorado Trout Unlimited, one of the plaintiffs in the case. "TU volunteers have put in hundreds of hours on water quality monitoring and stream projects to improve the habitat of those cutthroat streams. We don't have to jeopardize the Roan's wildlife and rare trout in order for industry to get at the gas. It will still be there when we have the technology and a truly protective plan for development. But once a stream is poisoned and the trout population destroyed, they are gone forever."

According to the BLM, industry has already leased the vast majority of the more than 1.6 million acres of agency lands in the Piceance Basin. Drillers also own or control many of the private lands in the Roan Plateau Planning area, including tracts on top of the plateau. More than 1,300 producing natural gas wells have been drilled in the area, and the state has issued permits to drill almost 900 more.

By leasing the entire plateau now, BLM's plan would provide industry little or no incentive to further reduce or eliminate impacts to public lands, including lands that the BLM itself determined have wilderness quality. In 2000, drillers in the Piceance Basin claimed directional drilling was too expensive. Since then, not only has directional drilling become the industry standard, operators have found it saves them money. By 2007, Williams Company, one of the major operators in the basin, claimed it could hit an underground target half a mile from a drill pad. Some 80 percent of the gas under the Roan can already be reached from the sides and from private lands on top, and further advances are all but assured.

"The bottom line is that western Colorado stands to lose one of its most valued natural resources because it has become a pawn in a single-minded drilling push led by the industry and Washington," said Steve Smith of The Wilderness Society, another plaintiff in the case. "The natural gas industry is already at maximum capacity, and the BLM could easily take the time to be sure they do things right on the Roan. If we want to help Colorado, the government should be charging ahead with clean energy and efficiency investments, not rushing to sacrifice some of our most important wildlife and recreation areas."

In hearing after hearing and through multiple public comment processes, local government officials, sportsmen, outfitters and tens of thousands of citizens have urged that options like these be considered and have called for a management plan that respects other public uses besides energy development.

"Balance seems to have become an orphan in this administration's mad rush to develop all resources without consideration of the economy and culture of local communities," said Torbit. "Apparently, these guys will only consider the wishes of local communities when it agrees with their plans."

Earlier this year, the BLM rejected a request by Gov. Bill Ritter to expand wildlife habitat protections and lease the plateau in phases to provide better economic returns for Colorado and allow industry to develop more sophisticated, less-damaging drilling technologies. BLM officials have rebuffed efforts by U.S. Sen. Ken Salazar to hold off leasing while he seeks Congressional approval for Ritter's recommendations.

BLM also ignored the recommendations of its own field staff and those of the Colorado Division of Wildlife, failed to consider the impact of its plan on the region's declining air quality, and rejected alternatives that would protect the Roan's backcountry recreation and wilderness-quality lands, in spite of overwhelming public support and the agency's own analysis that such lands are a limited and quickly diminishing resource in the Piceance Basin.

"We've done everything possible to avoid this lawsuit, but BLM offered us no other choice," said Jim Angell, who filed suit on behalf of the 10 groups. "When a government agency ignores its legal obligations, it's up to citizens to hold them accountable."

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