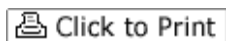


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Oil shale leasing rules may provoke lawsuit

By DENNIS WEBB

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Six environmental groups are threatening to sue the federal government in connection with its planning for oil shale development, saying the Interior Department illegally denied an opportunity for public protest.

The groups voiced their concerns in a letter to Interior Secretary Dirk Kempthorne last week.

The day the letter was sent, a department official signed a decision amending Bureau of Land Management resource management plans to facilitate oil shale development, and issued final rules for commercial oil shale leasing.

The groups say federal environmental and land management laws require that the BLM provide an opportunity for the public to protest the plan amendments.

Unless the final decision is withdrawn and a protest period allowed, "we will have no choice but to consider initiation of litigation in federal court to protect our rights," they said in their letter.

"There aren't a lot of options left if they're going to foreclose all public participation opportunities along the way," Nada Culver, a senior counsel with the Wilderness Society, said Friday.

Also threatening to sue are the Center for Biological Diversity, the Natural Resources Defense Council, Red Rock Forests, Western Resource Advocates and the Wilderness Workshop.

The amended management plans set aside nearly 2 million acres in Colorado, Wyoming and Utah for possible oil shale development.

The Interior Department says the three states could contain up to 800 billion barrels of recoverable oil.

Energy companies say the leasing rules finalized this week are necessary in helping them try to plan for oil shale development.

Matt Spangler, a BLM spokesman in Washington, said he hadn't seen last week's letter from environmental groups and couldn't specifically comment on it.

However, he provided a past statement from the government asserting the Interior Department approved the plan revisions to comply with a 2005 Energy Policy Act deadline, and the BLM protest period doesn't apply. The action is consistent with other federal law and regulations, the government says.

“In addition, the strategic importance of unconventional energy resources, such as oil shale and tar sands, in enhancing the nation’s domestic energy supplies factored into the decision,” the government statement said.

Environmental groups have accused the Bush administration of rushing numerous public lands decisions in its waning days, in some cases curtailing opportunity for public comment in the process. Culver said that occurred in the case of oil shale.

“I don’t think there’s any urgency that would have foreclosed complying with the regulations,” she said.

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