



THE CONSERVATIONIST

STANDING UP FOR OUR RIGHT TO THE OUTDOORS

Herring: Connecting the Gulf Disaster to the Pinedale Anticline

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On June 4th, a judge in Washington, D.C. will hear the first arguments in a lawsuit brought against the U.S. Department of the Interior by the Theodore Roosevelt Conservation Partnership.

This lawsuit isn't about failed blow-out preventers on oil wells but it is about the same unholy marriage of the energy industry and the federal agencies that are supposed to be regulating it, and the resulting sacrifice of wildlife and other public resources. Instead of the boundless blue Gulf, this disaster has unfolded, for years now, on the wind-swept Pinedale Anticline and other public lands in Wyoming, Colorado, and New Mexico, as federal agencies have permitted the energy industry to drill thousands of wells for natural gas, industrializing landscapes that were once prime winter range for antelope and mule deer, and other wildlife from sage grouse to a rare desert elk herd.

"Ever since 2000, these agencies, from the Bureau of Land Management (BLM) and the Mineral Management Services (MMS) to the entire Department of Interior, have ignored every concern except for energy development on the public lands that they are supposed to be managing," said Dr. Rollin Sparrowe, a wildlife biologist with more than forty years experience, resident of Daniel, Wyoming, and a board member of the TRCP. "We've tried every way we could to try and settle this without going to court, but they simply do not respond, even when we present the documentation of eight years of severe impacts to our wildlife."

The permit for the Deepwater Horizon drilling operation that is now spilling millions of gallons of oil into the Gulf was issued under a "categorical exclusion" from the National Environmental Policy Act, meaning that it was exempt from any extensive study of what impacts the well might have to the ocean or fisheries. Thousands of the permits for public lands gas developments are issued under the categorical exclusions, too, meaning that the drilling can go forward on the fast-track, with little or no review of their impact on wildlife or other resources. The public comments part of the process has also been bypassed. The results have been predictable. "There's been a cultural change in the BLM and the MMS where employees have decided that they didn't have to balance energy development with any other concerns, just issue the leases, get on with the show, and let somebody else worry about the impacts later. And that has been a disaster," Sparrowe said.

The initial arguments will be to decide whether the Theodore Roosevelt Conservation Partnership has standing to bring the lawsuit, which basically states, according to Sparrowe, “the Department of the Interior made a contract with the American people to develop an important part of our public lands for oil and gas, while protecting other values like wildlife and hunting opportunities. They have failed at that, and even after years of those failures, they are still letting industry write all the rules.”

Field & Stream has been reporting the building conflict over public lands energy development since Ted Kerasote’s “Drilling the Wild” appeared in the October, 2003 issue. My own story, “The Killing Fields” was in the May, 2006 issue. That Field & Stream writers were questioning energy development was controversial to some readers, and a storm of letters followed the reports. But to anyone close to the issue, watching the developments unfold, it was clear that what we were witnessing was unprecedented. In describing the work of these federal agencies, Colorado biologist Len Carpenter told me, in an interview for a story I wrote for magazine Outdoor America, “What we are seeing is the work of a new generation that has no connection to the land...over the past hundred years, the natural resources of our country have become political spoils. Don’t take it for granted that there are people out there looking out for you. It has to be you. If you are a hunter or a fisherman who loves the outdoors, you have to speak up.” And speaking up is what the TRCP, and Dr. Rollin Sparrowe, a lifelong outdoorsman who retired to the game-rich Upper Green River of Wyoming to fish and hunt, is doing.