

<https://www.ksl.com/article/46554964/lawsuit-challenges-trump-administration-approval-of-enefit-oil-shale-development-in-uintah-basin>

Lawsuit challenges Trump administration approval of Enefit oil shale development in Uintah Basin

By Cara MacDonald, KSL.com | Posted - May 18th, 2019 @ 10:14am

VERNAL — Several Utah environmental conservation groups filed a lawsuit against the Trump administration on Thursday in a challenge to a Bureau of Land Management-approved commercial oil shale mine and processing facility on public lands in northeast Utah.

The decision made by the BLM earlier this year allows Estonian-owned Enefit American Oil to begin production of an oil shale mine on public lands near Vernal in the Uintah Basin, according to a news release by EarthJustice. The project is controversial due to its heavy water usage and proximity to the Green River, where delicate fish habitats may be disturbed.

The suing conservation groups had delivered a [60-day notice of intent to sue to the BLM in early March](#), asking the bureau to retract its approval of the Enefit American Oil Utility Corridor Project due to violations of the Endangered Species Act. When the BLM did not do so within the window, the conservation groups decided to go through with the lawsuit, according to an EarthJustice news release.

Filed in the U.S. District Court in Utah, the lawsuit makes the case that the U.S. Fish and Wildlife Service failed to address potential harm to endangered fish living in the Green River, thus breaking the law, according to the EarthJustice. The organizations are also concerned that the large scale project will drain billions of gallons of water from the Green River, which would not only harm animals but also contribute to greenhouse gas pollution and worsen air quality in the Uintah Basin.

A [final analysis of the Enefit corridor project](#) conducted by the BLM in 2018 investigated the environmental impacts and economic benefits of the project, which will be located 40 miles south of Vernal. The proposal stated that Enefit American Oil would construct 19 miles of water supply pipeline, 29 miles of power lines, 10 miles of oil product line and 5 miles of roads in the area, according to the BLM press release.

(The project is) going to result in sucking up to 10,000 acre-feet of water per year from the Green River at a time when climate change and drought are having a drastic impact and are likely to have even worse impacts in the future.

—Attorney Ted Zukoski, Center for Biological Diversity

The pipeline would be consistent with the Trump administration's goal of American oil independence and it would help facilitate the creation of jobs and infrastructure in the rural areas of the Uintah Basin, according to the BLM press release. The construction of the project is expected to provide 85-110 jobs over the course of several years for northeastern Utahans.

Still, the conservation groups believe the economic benefits do not outweigh the environmental costs.

"(The project is) going to result in sucking up to 10,000 acre-feet of water per year from the Green River at a time when climate change and drought are having a drastic impact and are likely to have even worse impacts in the future," Ted Zukoski, a senior attorney at the Center for Biological Diversity, told KSL.com. "This oil shale facility will also result in all kinds of air pollution going into the Uintah Basin which, in certain winters over the past few years, has had worse air quality than Los Angeles."

Once fully operational, the suing organizations believe the Estonian-owned Enefit American Oil facility would produce 50,000 barrels of oil daily over the course of the next 30 years, according to the EarthJustice news release.

Enefit American Oil is owned by an Estonia-based global shale processing company, [according to the BLM](#). As of March of 2019 Enefit mined an estimated 17 million tons of oil shale each year and employed nearly 8,000 individuals.

The company plans to adhere closely to environmental standards in the construction of the new utility corridor. It intends to recycle the water it uses, stick to air quality standards and restore land once it is done using it, [according to Enefit's website](#).

Still, Zukoski said the project will require around 10,000 acre-feet of water from the Green River each year, potentially having an impact on habitats of endangered fish. The fish at risk in the oil shale production process in the Uintah Basin would include the Colorado pikeminnow and the razorback sucker, according to the EarthJustice news release.

"The end product of this will be liquid fuel that's supposed to go in your car and it requires much more energy and has much more of a climate change impact (carbon footprint) than conventional oil and gas," Zukoski said. "For all these reasons this is a project that is extremely damaging to the environment."

Zukoski added that the Center for Biological Diversity and other suing organizations think it's wrong to approve Enefit's project without looking into environmental solutions more thoroughly. "There are alternatives to getting water to the site," he said. "Like building wells or trucking water there."

When contacted for comment, BLM spokeswoman Kimberly Finch said the BLM doesn't comment on pending litigation and declined to make a statement about the Enefit pipeline.

The groups filing the lawsuit include the Center for Biological Diversity, Living Rivers/Colorado RiverKeeper, Natural Resources Defense Council, Grand Canyon Trust, the Sierra Club, Utah Physicians for a Healthy Environment and Waterkeeper. The groups have sought representation by attorneys at Earthjustice, Grand Canyon Trust and the Center for Biological Diversity.