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• Californians for Western Wilderness • Chaco Alliance
• Diné Citizens Against Ruining Our Environment • Earthworks
• Food & Water Watch • Frack Free Four Corners • Grand Canyon Trust
• PNM Shareholders for a Responsible Future • Pueblo Action Alliance
• Sierra Club • Tewa Women United • To Nizhoni Ani
• Watershed Alliance • Western Watersheds Project
• White Mountain Conservation League • 350.org**

July 2, 2018

U.S. Bureau of Land Management
Arizona State Office
Attn. Raymond Suazo, State Director
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U.S. Bureau of Land Management
Safford Field Office
Attn. Lawrence Thrasher, Project Lead
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Re: Request to Cancel Oil and Gas Leasing Plans in Northern Arizona

Dear Director Suazo, Mr. Thrasher,

The undersigned organizations call on the Arizona State Office of the U.S. Bureau of Land Management (“BLM”) to cancel its September public lands oil and gas lease sale with lands near Petrified Forest National Park and the Little Colorado River in northern Arizona. We also write to express opposition to the Bureau’s and the Trump administration’s plans for future oil and gas leasing on the Arizona Strip near Grand Canyon National Park and Grand Canyon Parashant-National Monument.

Federal agencies manage, for the American people, approximately 27.7 million acres, or 38.2% of the land area in Arizona. The BLM is the largest federal land manager in the state, holding 12.2 million acres of public land and 17.5 million acres of public minerals in trust. Thus, BLM’s decisions to lease public lands and minerals for oil and gas can have serious implications for much of state.

Although there is currently no federal oil and gas production in Arizona, recent actions by the Trump Administration indicate that this could change. National oil and gas leasing guidance issued in January requires BLM field offices to offer public lands nominated by the fossil fuel industry (called Expressions of Interest, or “EOIs”) in quarterly oil and gas lease sales unless the BLM Washington Office allows otherwise. See BLM, *Instruction Memorandum 2018-034: Updating Oil and Gas Leasing Reform – Land Use and Lease Parcel Reviews*, [hereinafter IM 2018-034], <https://www.blm.gov/policy/im-2018-034>. A search of the BLM’s National Fluids Lease Sale System reveals that industry has submitted approximately 66 Expressions of Interest (“EOIs”) to drill and frack 145 parcels spanning hundreds of thousands of acres of public lands and minerals in northern Arizona, some near Grand Canyon National Park and Grand Canyon-Parashant National Monument. See U.S. Dep’t of Interior, *National Fluids Lease Sale*

System: Lands Nominated for Oil and Gas Leasing, “Geo. State = Arizona,” <https://nflss.blm.gov/eoi/list>. As of yet, the BLM has not approved these EOIs for lease. But, because IM 2018-034 requires BLM to offer for lease all eligible and available parcels nominated through EOIs within six months after receiving the nomination, the threat is imminent. Many of the pending EOIs in Arizona have passed or are nearing that deadline.

Oil and gas leasing atop the Little Colorado River and near Petrified Forest National Park is even more certain. Recently disclosed decisions on BLM’s National NEPA Register “ePlanning” reveal that the BLM has approved two sets of EOIs in Apache and Navajo Counties thereby paving the way for the agency to auction off publicly-owned lands and minerals within five miles from Petrified Forest National Park. See BLM, *Permit West Expression of Interest for Apache County Oil and Gas Leases I*, DOI-BLM-AZ-G010-2018-0024-DNA, <https://bit.ly/2ICOFoD>) (hereinafter “Apache County DNA”); BLM, *Permit West Expression of Interest for Navajo County Oil and Gas Leases I*, DOI-BLM-AZ-G010-2018-0027-DNA, <https://bit.ly/2KNTTLd>. The BLM approved these EOIs without any environmental analysis, public input, or tribal consultation. Instead, through a Determination of NEPA Adequacy, the agency claimed that the governing land use plan, the Phoenix District Resource Management Plan (“RMP”), which BLM approved in 1989, “[was] subject to robust public input” and that “tribal consultation was adequate for the [resource management plan].” Apache County DNA at 3.

The BLM’s secretive steps to approve leasing near these important areas, and to explicitly forego tribal consultation, undermines the public’s trust in the BLM and validity of the decisions made by the agency. It is also in direct contradiction of the purposes of the National Environmental Policy Act (“NEPA”), 42 U.S.C. §§ 4321–4370h, and its implementing regulations, 40 C.F.R. § 1500, *et seq.*, which require the BLM to “insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken,” 40 C.F.R. § 1500.1(b)–(c), and “encourage and facilitate public involvement in decisions which affect the quality of the human environment.” *Id.* § 1500.2(d).

Indeed, because of the BLM’s omission of any substantive environmental review, the public is deprived of *any* information relating to the hydrocarbon resources that are being targeted, the type of development that could potentially ensue, and the potential social and environmental consequences of that development. Our research of publicly-available information shows past drilling on non-federal land in the Holbrook Basin has targeted crude oil, carbon dioxide, and helium. Development is particularly concerning because producing oil and gas from formations in Navajo County requires the use of acidizing and fracking. See Olufela Olukoga, *Oil and Gas; and Helium Production Potential of Oil and Gas Assets in Navajo County, Arizona* 1, 77–79, 133 (2016), <http://azoilgas.com/wp-content/uploads/2016/08/Blackstone-Exploration-Engineering-Report.pdf>.¹

¹ In its Navajo County report, Blackstone states that, “results reveal that there are consistently three reservoir rocks with oil and gas shows that are of primary interest: the deep Devonian; the Permian Fort Apache limestone and the Coconino sandstone with oil or gas shows. Also, the Pennsylvanian carbonates and shales with intrusive igneous rocks are an additional target for exploration. The sandstones with shows can be placed on primary production, while the carbonates, dolomites, anhydrites, shales and igneous rocks with shows must be acidized and fractured to produce economic quantities of oil and gas.” *Oil and Gas; and Helium Production Potential of Oil and Gas Assets*

Because leasing conveys development rights to industry, the effect of BLM’s secretive DNAs and IM 2018-034, to which those DNAs cite, is to lock in development rights without the public and environmental scrutiny that NEPA requires. Although we are aware that BLM may choose to conduct additional environmental analysis if industry exercises its development rights, any analysis *after* BLM conveys development rights would be too little, too late. Indeed, federal courts have recognized that leasing oil and gas parcels without full “no surface occupancy” (“NSO”) stipulations is an “irretrievable commitment of resources.” *Conner v. Burford*, 848 F.2d 1441, 1452 (9th Cir. 1988). Here, there are no stipulations proposed for any of the parcels in Apache and Navajo Counties. Thus, should BLM lease these parcels, the agency would waive any opportunity to protect these lands from the devastating impacts of oil and gas development or the development of other minerals.

In sum, the Trump administration’s issuance of IM 2018-034 and BLM’s resulting expansion of oil and gas leasing into northern Arizona, is public policy diametrically opposed to the needs of our region’s future. At a time when climate-driven flow declines in the Colorado River threaten historic shortages, and Arizona faces forest closures and increasing fire hazards from drier, warming conditions, an expansion of fossil fuel development that is intensive both in its greenhouse gas pollution and water use is antithetical to prudent public policy. So, too, is facilitation of oil and gas industrialization on public lands adjacent to the national parks and monuments that drive the American Southwest’s robust tourism economy.

As a result of these concerns, we demand that the BLM immediately suspend any further action on the approved EOIs in Apache and Navajo Counties and any and all EOIs near Grand Canyon National Park and Grand Canyon-Parashant National Monument. These areas present unparalleled recreational, cultural, historical, and geological opportunities for the American people, and the BLM must ensure that it “looks before it leaps” before committing our land to decades of destructive fossil fuels. At a minimum, BLM must complete an up-to-date RMP and an Environmental Impact Statement to analyze and disclose the potentially significant impacts from opening up Arizona to oil and gas and other mineral development.

Sincerely,

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in Navajo County, Arizona 1 (2016), <http://azoilgas.com/wp-content/uploads/2016/08/Blackstone-Exploration-Engineering-Report.pdf>.

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