

Alaska Wilderness League * Blue Frontier Campaign * Californians for Western Wilderness
Center for Biological Diversity * Center for Oceanic Awareness, Research, and Education
Clean Ocean Action * Coastal Coordination Program, The Ocean Foundation
Conservation Lands Foundation * Conservation Law Foundation * Defenders of Wildlife
Earthjustice * EcoFlight * Endangered Habitats League * Environment America
Environmental Protection Information Center * Eyak Preservation Council
Friends of Alaska National Wildlife Refuges * Greenpeace USA * Hands Across the Sand
Horsemen of New Mexico * Information Network for Responsible Mining
Klamath Forest Alliance * League of Conservation Voters * Los Padres ForestWatch
National Audubon Society * National Parks Conservation Association
Natural Resources Defense Council * New Mexico Sportsmen * Northern Alaska Environmental Center
Northern Plains Resource Council * Ocean Conservancy * Ocean Conservation Research * Oceana
Save Our Shores * Sierra Club * Southern Environmental Law Center
Southern Utah Wilderness Alliance * Surfrider Foundation * The Lands Council
The Wilderness Society * Western Environmental Law Center
Western Organization of Resource Councils * Wilderness Workshop

June 24, 2014

Dear Representative:

On behalf of our millions of members and supporters, we write to express our strong opposition to H.R. 4899, the *Lowering Gasoline Prices to Fuel an America That Works Act of 2014*. Under the guise of lowering gas prices, this bill seeks to undermine how the Department of the Interior (DOI) manages federal lands onshore and offshore and to prioritize oil and gas development over the other multiple uses of these lands and waters. It is a clear giveaway to the fossil fuel industry, at the expense of millions of Americans, who rely on our public lands and oceans for other uses, such as hunting, protection of water supplies, fishing, transportation, recreation, and many others.

The bill contains numerous troublesome provisions. We've chosen to highlight a few of these.

Title I would dramatically expand offshore drilling by requiring the Secretary of the Interior to lease at least 50% of unleased acreage with the greatest resources (Section 10101) as well as force lease sales in Virginia, South Carolina and California (Sections 10201, 10202 and 10203). These lease sales would be held without adequate National Environmental Policy Act (NEPA) review (Section 10204). Subtitle C would also provide states with 37.5% of offshore revenues that can be used for any purpose, creating perverse incentives for increased environmentally damaging offshore drilling, even in areas that are extremely sensitive, are already under stress from pollution, overfishing, ocean acidification and warming, or are used by other important ocean industries that support local communities.

Section 10410 would undermine the National Ocean Policy by forbidding the Bureau of Ocean Energy Management (BOEM) and Bureau of Safety and Energy Enforcement (BSEE) from coordinating with coastal states, and the public in regional ocean planning efforts that improve ocean management and increase stakeholder engagement. This restriction would come at the expense of commercial and recreational fishing, national security interests and military operations, shipping and marine transportation and other important ocean users that benefit from BOEM and BSEE's planning engagement. It would also disenfranchise states, businesses, and citizens that currently participate in

the development of these ocean plans. In addition, the section contains a frivolous and duplicative reporting requirement, requesting information the administration has already produced several times.

Title II contains sweeping language that would take key land management decisions away from the Bureau of Land Management (BLM). Section 21111 sets arbitrary deadlines for the BLM to approve applications for permits to drill, providing for automatic permit approval if the BLM has not made a decision within 60 days. Section 21121 penalizes public participation in Federal decisions by requiring citizens, who may be adversely affected by oil and gas lease sales or permitting decisions, to pay a non-refundable \$5,000 fee to exercise their rights to file appeals of leasing and permitting decisions.

Title II Chapter 2 contains a number of provisions that would effectively put the oil and gas industry in charge of the Interior Department's onshore oil and gas program while, simultaneously, eliminating public input and environmental review. For example, Section 21202 would force the BLM to lease lands chosen by the oil and gas industry, essentially moving management decisions from the BLM, the expert agency charged with this task, to the oil and gas industry. It would require BLM to offer for lease at least 25 percent of lands nominated by the industry. Further, under Section 21202, any acreage offered for lease is not subject to protest and is legislatively categorically excluded from environmental review under NEPA. In so doing, this section bars the public, state, and local governments from providing input or protesting unlawful leasing decisions. Section 21203 obligates the BLM to offer leases on lands designated as open to leasing within 18 months of plan approval; Section 21204 requires the BLM to offer leases under obsolete plans while new plans that may change land use designations are being prepared; and Section 21205 abolishes the BLM's new oil and gas policy intended to balance oil and gas development with the protection of all other values on our public lands.

Sections 21302 and 21303 seek to jumpstart development of a dirty fuel - oil shale - on public lands by codifying the Bush Administration's flawed commercial oil shale leasing program. For more than 100 years industry has attempted, and failed, to produce commercial quantities of oil from oil shale, yet this bill attempts to lock millions of acres of public land into oil shale development. A headlong rush to subsidize unproven oil shale development threatens to overtax already dwindling water supplies in the arid West.

Sections 23001-23008 would undermine a broadly supported management approach for the National Petroleum Reserve-Alaska (Reserve). Specifically, they seek to nullify the existing National Petroleum Reserve-Alaska Integrated Activity Plan (IAP), to instruct the Secretary of the Interior to choose a new preferred alternative and to institute a plan for drilling including potentially within the Reserve's five Special Areas, lands identified as having high value for wildlife habitat and native subsistence.

Provisions within both titles of H.R. 4899 would compromise the ability of citizens and our courts to ensure that federal leasing actions comply with fundamental federal laws. Under the bill, private enforcement actions would be subjected to unreasonable expedition requirements and limitations periods (Sections 10701, 10702, 10703, 21143 and 21144); the authority of federal judges to remedy legal violations would be significantly constrained (Sections 10704 and 21146); some citizens would be denied the ability to recover the costs of successful enforcement actions (Section 21147); and others would be threatened with liability for the legal fees incurred by prevailing industry parties (Section 10705).

In sum, H.R. 4899 is an unnecessary, irresponsible giveaway to Big Oil and Gas that prioritizes fossil fuel extraction over every other use of our public lands and oceans. This bill requires DOI to approve leases,

permits and projects no matter what the potential environmental, economic, or public health impacts may be on affected communities. And rather than promote transparency and public input on decisions, it limits and even penalizes public scrutiny of decisions on the use of public lands and oceans by eviscerating NEPA. This bill is designed to open new lands and our oceans to more drilling with less oversight. Instead of spending its time plotting new ways to turn over more of our public resources to the oil and gas industry, we urge Congress to keep other uses of public lands in mind and look for opportunities for renewable energy development.

We urge you to oppose H.R. 4899.

Sincerely,

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