

FOR IMMEDIATE RELEASE

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**Coalition of hunters and conservationists challenge BLM's Fortification Creek Plan
*Lawsuit filed to protect prized Wyoming elk herd, fragile landscape, and water quality***

Sheridan, Wyo. — The Powder River Basin Resource Council, Wyoming Outdoor Council, and the National Wildlife Federation, represented by the Western Environmental Law Center, filed a lawsuit today in the U.S. District Court for the District of Columbia to protect the remote Fortification Creek area of northeast Wyoming's Powder River Basin from an ill-advised and controversial plan to open this area to industrial scale gas development.

The Powder River Basin is one of the nation's most prolific coal, oil, and natural gas producing regions. In just the last decade, this basin has experienced an explosion of gas development. There are now over 37,000 gas wells, and thousands of miles of roads, pipelines, powerlines, and other industrial infrastructure crisscrossing the land to support the gas development.

In the middle of all this development is the Fortification Creek area – the last remaining sanctuary of primarily undeveloped lands in the Powder River Basin. But, the Bureau of Land Management (BLM) now has plans to open Fortification Creek to gas development, threatening the water quality of the Powder River and, according to wildlife biologists, risking the future viability of the rare and isolated Fortification Creek elk herd whose existence is already imperiled due to the surrounding oil and gas production.

In August 2011, BLM approved a resource management plan amendment allowing 483 new coalbed methane gas wells in the rugged and fragile 100,000-acre Fortification Creek Planning Area, which includes a 12,000-acre Wilderness Study Area. Unfortunately, BLM approved the plan without fully analyzing and mitigating the significant impacts on Fortification Creek's resources, including the prized Fortification Creek prairie elk herd, which have nowhere else to go if its habitat is destroyed. Instead, BLM illogically assumed that impacts from this industrial-scale project would not cause significant harm and did not prepare a rigorous environmental impact statement as required by the National Environmental Policy Act.

Three wildlife biologists, two of whom are retired BLM employees, have documented the failure of BLM's current proposal to protect the elk and its habitat in the Fortification Creek area and support the coalition's lawsuit. The BLM "needs to get it right," says retired BLM wildlife biologist Larry Gerard, who spent more than 30 years working in BLM's local Buffalo Field Office, and opposes BLM's plan to develop Fortification Creek.

“On paper BLM has prioritized the protection of this area and the elk habitat for decades,” says Gerard. “Unfortunately, in one fell swoop, they have proposed to dramatically change direction and negatively impact elk habitat and other fragile resources in the area. The leases in the area contain protective stipulations but BLM has ignored these stipulations in its analysis and chosen not to exercise the agency’s rights to protect the area.”

The Fortification Creek Area is known for its steep terrain, deep washes and slopes of highly erosive arid soils -- characteristics easily damaged by development and not reclaimable. According to BLM, over 80% of the planning area has severe erosion hazard potential and roughly 60% of the area has poor reclamation potential.

“I’m concerned that BLM is approving development in areas that can’t be reclaimed,” said Robert Sorensen, a rancher and hunter who lives near the Fortification Creek Area. “I first rode through the Fortification Creek Area in 1962 as a deer hunting guide and I remain amazed at the wildness, ruggedness and hunting opportunities there. I want future generations to be able to enjoy the beauty of the area.”

The elk hunting in the Fortification Creek area is some of the most prized in Wyoming. Opportunities to hunt the Fortification elk herd are in high demand by resident hunters. An “any elk” license in Fortification consistently ranks as one of the hardest Wyoming licenses to draw.

“In Wyoming, we shouldn’t have to sacrifice our elk for energy development,” said Lew Carpenter, NWF’s Regional Representative for Wyoming. “In its analysis of the project, the BLM trivialized the importance of this herd. This is a clear failure to acknowledge Wyoming’s well-established hunting custom and culture, and a failure to recognize the rarity of such a plains elk herd.”

The BLM’s approved plan could cause significant reductions in the elk’s habitat and a corresponding decline in the herd’s population.

“In the Powder River Basin, where tens of thousands of wells have already been drilled, and hundreds of thousands of acres of habitat already disturbed, Fortification is the last refuge left in the Powder River Basin and drilling has to be done right with consideration of wildlife and the fragile landscape,” said Gary Packard, a neighboring rancher and member of the Powder River Basin Resource Council. “For years, we’ve tried to get BLM to require better protections but the agency seems more inclined to listen to an ailing natural gas industry than folks like us who have lived out here for multiple generations.”

It is important to note when evaluating the Fortification Creek drilling plan that thousands of the constructed gas wells in the Powder River Basin currently lie dormant. According to the Wyoming Oil and Gas Commission, as of May 1, 2012, 10,834 coal-bed methane wells are idle or shut-in and over 500 are orphaned surrounding Fortification Creek. Bruce Hinchey of the Petroleum Association of Wyoming testified to the Wyoming legislature’s Joint Minerals Committee last Friday that the economics of coalbed methane prevent companies from making a profit. He said, “At these prices you cannot drill a well and make one dime. You’re in the hole from day one.” Given that there are thousands of untapped already-drilled wells – as well as the

fact that coalbed methane prices are at historic lows – the coalition believes there is little need to threaten the fragile resources of Fortification Creek with this ill-advised plan.

The complaint can be found at the following link:

http://www.westernlaw.org/sites/default/files/FortificationCreek_Complaint_e-filed_061912.pdf

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Photos of the Fortification Creek area and its elk herd are available upon request for use in stories. To arrange an interview with Robert Sorensen or Gary Packard, please contact Jill Morrison, contact information at top.