

October 12, 2017

Dear Representative,

On behalf of our millions of members and supporters, we write to express our strong opposition to draft legislation before the House Natural Resources Subcommittee on Energy and Mineral Resources that would transfer management authority for the permitting of federal oil and gas resources to states. The Opportunities for the Nation and State to Harness Onshore Resources Act (ONSHORE Act) essentially hands control of America's federal lands over to a handful of primarily Western states and private interests. Americans value their public lands for family outings, hunting, fishing, camping, and many other activities. Our public lands and resources should be preserved for future generations, not handed off to the highest bidder. The diminution of America's public lands to exclusively benefit the fossil fuel industry, while also limiting the right of all Americans to participate in how their lands are governed, is fundamentally objectionable.

The ONSHORE Act would:

- **Delegate to states exclusive authority to issue and enforce drilling plans, including drilling and well permits, on federal lands.** Federal agencies are required by law to manage our public lands and resources for multiple use -- including environmental protection and community health -- for present and future generations. States, on the other hand, often lack the funding, staffing, and expertise necessary to manage the workload that is associated with overseeing federal oil and gas development. Many states currently lack the resources to manage their own oil and gas programs. For the most part, states have not committed to conducting their operations in a balanced and transparent manner given that they have a greater financial incentive than the federal government to drive development, regardless of the impacts.
- **Prioritize fracking and drilling for oil and gas over all other values.** It paves the way for more than 113 million acres of "preferred oil and gas leasing areas" to be exempt from the National Environmental Policy Act (NEPA),¹ as well as over 57 million acres of split-estate resources.² Doing so obstructs the public's right to participate in the management of their lands, while eliminating science-based evaluation of potential harms to the environment and public health from being disclosed.

¹ https://www.blm.gov/sites/blm.gov/files/EPCA_III_Inventory_Onshore_Federal_Oil_Gas.pdf

² https://www.blm.gov/public_land_statistics/pls15/pls2015.pdf

- **Abandon key regulatory safeguards and long-established best management practices.** It calls for a review of the Integrated Activity Plan (IAP) for the National Petroleum Reserve-Alaska (NPR-A). Finalized in 2013, the IAP protects some 13 million acres of special conservation areas while allowing for some oil and gas development. Opening sensitive areas of the NPR-A to oil and gas development would threaten essential habitat for sensitive wildlife and the health of frontline communities.
- **Eliminate public involvement and remove commitments that ensure transparency during the oil and gas permitting process.** It also denies the public and other stakeholders the right to seek redress when land management decisions are made that are in contradiction to the law.
- **Provide no definition of “sufficient funds” that must be accounted for before taking on the significant task of managing our public lands.** Instead, this bill creates revenue incentives for issuance of state permits and exposes states to significant liability issues for reclamation costs.
- **Refuse to enforce any federal regulation, guidance or permit requirement regarding hydraulic fracturing, or fracking.** Instead, the bill would defer to state regulations, creating a patchwork of inconsistent or non-existent guidelines for fracking and fracking-related activities.

This legislation attempts to address a problem that does not exist. Industry already has an overabundance of access to federal lands at current prices. The oil and gas industry currently has thousands of leases they are not using. As of fiscal year 2016, less than half of the public lands leased by industry are under production. Companies continue to sit on over 6,000³ unused drilling permits and non-producing leases covering 14 million acres.⁴ Despite regulations that require relinquishing non-producing leases after ten years, many of these unused leases are easily extended and held in near perpetuity by industry, paying rental rates that are absurdly low.⁵

The ONSHORE Act will place our valued public lands at significant risk and curtail public involvement in their responsible management for present and future generations. Thank you for your consideration of our concerns. We strongly urge you to oppose the ONSHORE Act.

Sincerely,

350.org

³ <https://medium.com/our-wild/what-trumps-energy-plan-actually-means-839a41016e>

⁴ <https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/oil-and-gas-statistics>

⁵ <https://wilderness.org/sites/default/files/TWS%20Hoarders%20Report-web.pdf>

Alaska Wilderness League
American Rivers
Athens County Fracking Action Network
Bold Alliance
Center for Biological Diversity
Citizens Coalition for a Safe Community
Citizens for a Healthy Community
Clean Water Action
Defenders of Wildlife
Earthjustice
Environmental Law & Policy Center
Eyak Preservation Council
Food & Water Watch
Friends of the Earth
Gas Free Seneca
Great Old Broads for Wilderness
Green America
GreenLatinos
Hip Hop Caucus
KS Wild
Los Padres ForestWatch
National Parks Conservation Association
Natural Resources Defense Council
New Mexico Interfaith Power and Light
New Mexico Sportsmen
Northern Alaska Environmental Center
Northern Plains Resource Council
Power Shift Network
River Guardian Foundation
Seneca Lake Guardian a Waterkeeper Affiliate
Sierra Club

Southern Utah Wilderness Alliance
The Wilderness Society
Waterkeeper Alliance
Western Environmental Law Center
Western Leaders Network
Western Watersheds Project
WildEarth Guardians