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Grouse summit: Status quo won't do

By Brodie Farquhar

The way Gov. Dave Freudenthal sees it, sage grouse conservation in Wyoming is something like a junior high school dance.

"All the boys and girls are lined up along the walls, waiting for someone to ask someone else to dance," he said.

Freudenthal used the analogy to help kick off the first Wyoming Sage Grouse Summit in Casper Wednesday. Ranchers, oil and gas men, biologists, conservationists and state and federal officials are meeting to consider a newer, smarter way of conserving sage grouse while tapping the energy wealth of the Cowboy State.

Everyone seems to be waiting for someone else to make the first concession, the governor said.

The first move onto the dance floor Wednesday was made by Terry Cleveland, director of the Wyoming Game and Fish Department. After a presentation on just how grim the situation is for the sage grouse in the West, Cleveland indicated he'd be willing to trade a "chip or two," if that would get things rolling with the energy industry and other governmental agencies offering ways to move beyond the status quo.

Gene George, a Casper-based geologist and energy consultant, countered that industry too is willing to deal. He asked if Wyoming Bureau of Land Management Director Bob Bennett would be willing to make some adjustments in drilling permits and stipulations, if industry would voluntarily bring the BLM's seasonal drilling stipulations into drilling projects on state and private lands.

Bennett said he'd like to explore that idea for the sake of flexibility.

Speaker after speaker emphasized that the status quo approach was not tenable -- conserving sage grouse and sage grouse habitat while also developing the rich gas, oil and coal-bed methane fields of Wyoming.

Freudenthal warned of a court fight in Boise, Idaho, where the conservation group Western Watersheds is suing the U.S. Fish and Wildlife Service in hope of getting the sage grouse listed for protection under the Endangered Species Act.

With a court hearing set for July 9, the governor said there were a range of potential outcomes, from the court upholding the Fish and Wildlife Service's decision not to list the sage grouse, to a court directive that the species must be listed.

Even if the federal agency's decision is sustained by the court, the governor predicted there would be appeals and further challenges from conservationists as more research and data are developed.

The issue of whether the species should receive federal protection “will be with us for years,” Freudenthal said, adding that litigation is not an effective way to resolve the issue.

He said that the predominant amount of research has forced him to conclude that the status quo cannot continue.

The BLM’s Bennett extolled the new Healthy Lands Initiative by the Department of Interior as a hopeful, new framework for addressing tough issues including sage grouse on a landscape scale, working with all interested parties.

“We’ve got to think out of the box,” Bennett said. He sees a need for different management approaches, ranging from conservation of habitat to provide large areas with no development allowed, to restoration of areas that have already been drilled.

Above all, Bennett said, he wants to avoid either/or scenarios -- protecting the sage grouse vs. energy development.

“We can do both, but not necessarily on the same piece of ground, at the same time,” he said.

Game and Fish’s Cleveland said sage grouse demographics have been on a downward trend ever since the arrival of Europeans, losing about 45 percent of their habitat in North America.

“Research near Pinedale and in the Powder River Basin shows that best management practices are insufficient to protect sage grouse when well pads exceed one per square mile,” he said. Further, a quarter-mile buffer zone around breeding grounds is not sufficient.

He noted that industry is trying a variety of things to minimize energy development stresses on sage grouse -- including directional drilling, piping condensate rather than trucking it, busing workers, burying power lines and reinjecting produced water. Yet officials might consider undeveloped blocks, no surface occupancy on key blocks of land, and coordinated development.

“We need to consider long-term measures,” not piecemeal steps, Cleveland said.

Because so much is unknown about protecting sage grouse and their habitat, Cleveland said everyone’s in for an endless round of implement, monitor and adapt to what is learned.

“If the sage grouse is listed, we have failed,” he said, adding that a sage grouse listing would be more disruptive than Wyoming’s experiences with wolves and grizzly bears.

Stephen Allred, assistant secretary of Interior for minerals, said failure would be catastrophic for Wyoming’s people and the economy. He said the BLM doesn’t have the luxury of stopping energy development so it can study sage grouse and come up with definitive answers. Stopping energy development is not an option, he said.

“Tomorrow, when we continue these discussions, we need to set goals, and Interior will be an active participant,” Allred said. “It is critical we leave with a path forward.”