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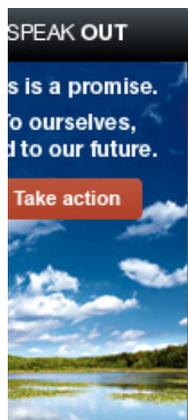
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Groups Take on Last Minute Bush Oil Shale Rules

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Development would be very costly to wildlife and natural areas

January 6, 2009

Denver, CO — Today a coalition of conservation groups formally notified the Bush administration they intend to challenge several last minute rules paving the way for oil shale production in Colorado, Utah, and Wyoming. The groups say the Bureau of Land Management, or BLM, violated the Endangered Species Act by refusing to consider the effects commercial oil-shale development will have on endangered and threatened species. The agency has 60 days to respond to the letters.

"Getting oil out of shale deposits is an unproven technology, costly in every way," said Earthjustice attorney Ted Zukoski. "The Bush administration's 11th-hour, mad dash to open the door for oil shale development threatens the air, water, wildlife and natural areas across three states. We will fight to protect the water we drink, the air we breathe, our wildlife and wild places."

To turn oil-shale into a usable fuel source, the rock, or shale, must be strip-mined and baked off-site or cooked in place underground to release a substance that can be turned into oil. This process will destroy habitat, cause air pollution, and heavily deplete scarce water resources in the arid West. The BLM estimates it will require three barrels of water to produce one barrel of oil.

Oil shale production would also require the construction of as many as 10 new polluting power plants in the three states, leading to dramatic increases in emissions of greenhouse pollutants that cause global warming.

The notice letters separately challenge two final decisions issued by the BLM in November. One involves that agency's issuance of **final regulations** setting out the terms for a commercial oil-shale industry in the Rocky Mountain West. The other involves the BLM's finalization of **land-management plans** that open 2 million acres of public lands in this region to oil-shale and tar-sands leasing. With these final decisions, leases could be issued shortly.

Oil shale development will harm birds such as the Mexican spotted owl and greater sage grouse, as well as rare wildlife like the black-footed ferret. These are species state and federal agencies have spent years trying to recover. Numerous plant species that grow only in shale soils are also threatened by oil-shale production.

Conservation groups are not alone in voicing concern over the impacts of oil-shale development on wildlife, rivers, and public lands. The U.S. Fish and Wildlife Service, as well as the states of Colorado and Wyoming and wildlife management agencies, have all raised concerns about impacts to the states' natural resources. The Denver Water Board, which provides drinking water to millions of Denver-area residents, told BLM that development of oil shale could undermine the Board's attempt to balance needs of Front Range water users and imperiled wildlife that rely on Colorado's rivers.

Documents obtained by the groups through the Freedom of Information Act show that the Fish and Wildlife Service raised concerns to the administration about the dangers that such development will have on threatened and endangered wildlife. The documents show that from very early on the BLM was made aware of the impacts -- which are, in some cases, devastating for species -- but chose to turn a blind eye to its legal duties, as well as requests by the Fish and Wildlife Service, to adopt necessary conservation measures.

In short, the documents demonstrate that Fish and Wildlife Service officials believed that depletion

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of water resources from commercial oil-shale development would put species in jeopardy and that leaving the area alone was the only environmentally sound option. The Fish and Wildlife Service also thought that even with conservation measures, it would be difficult to conclude that development would have no impact on species.

The groups represented by Earthjustice are the Center for Biological Diversity, The Wilderness Society, Defenders of Wildlife, Sierra Club, Red Rock Forests, Southern Utah Wilderness Alliance, Wilderness Workshop, Biodiversity Conservation Alliance, Center for Native Ecosystems, Colorado Environmental Coalition, and Western Colorado Congress.

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