

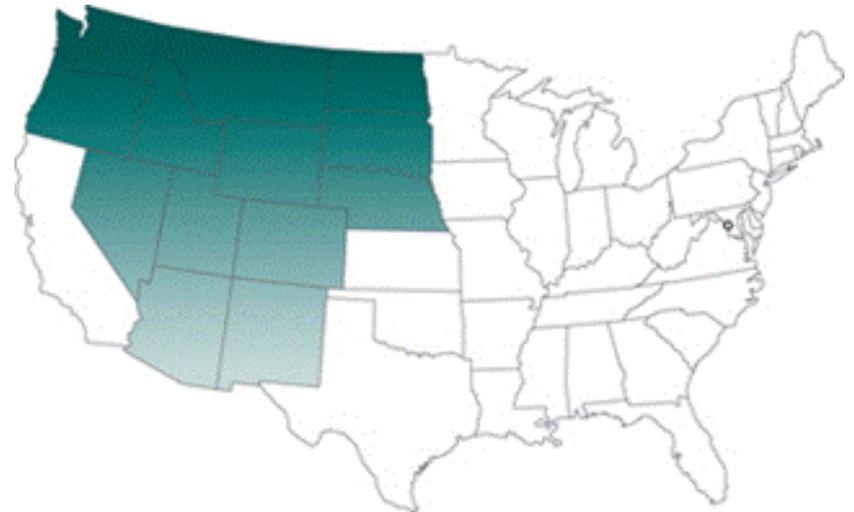


State Primacy on Public Lands

Kathleen Sgamma
VP of Government & Public Affairs

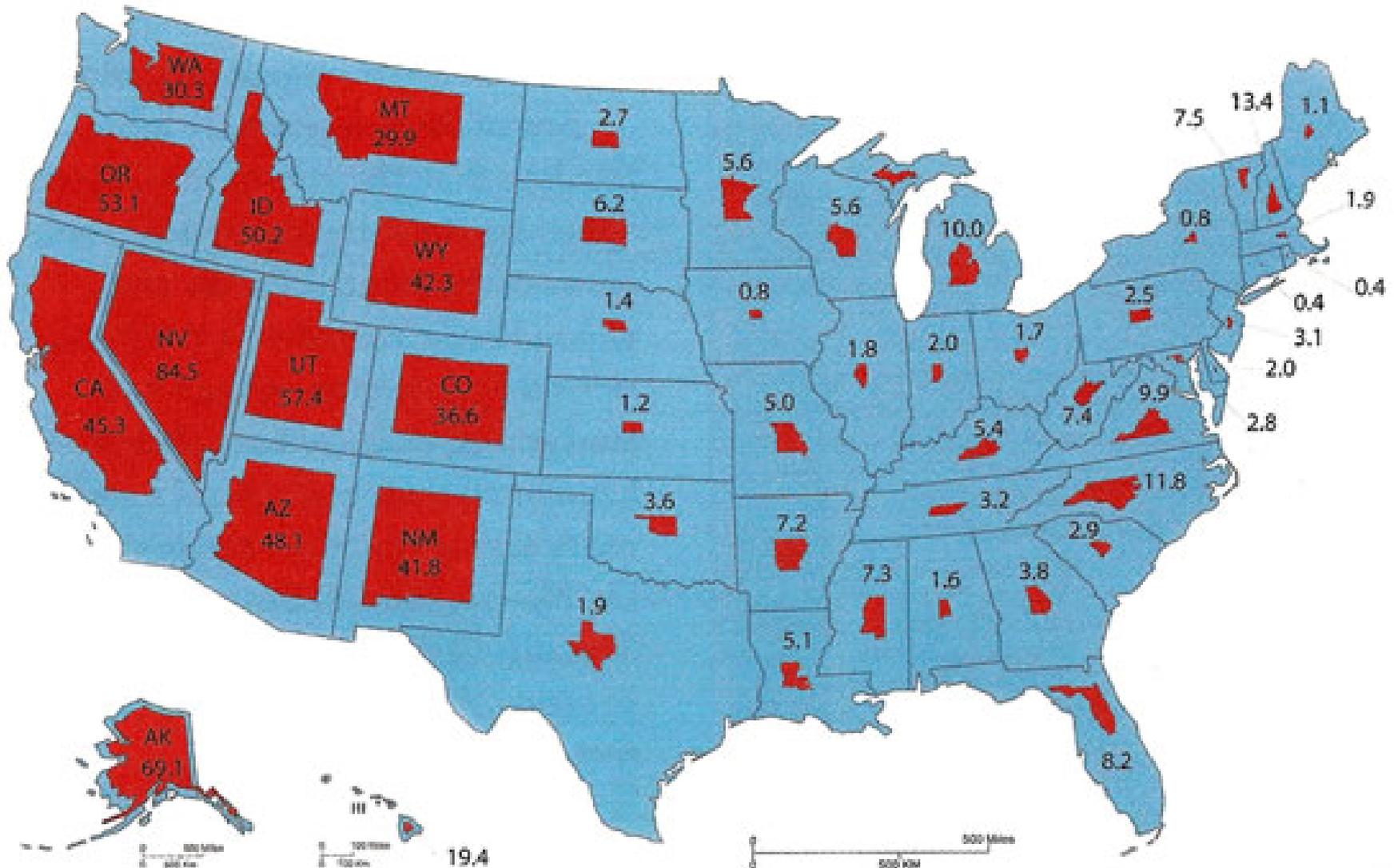
Western Energy Alliance

- Founded in 1974
- Over 450 member companies
- Focused on federal issues
- Independent producers with an average of 15 employees



WHO OWNS THE WEST?

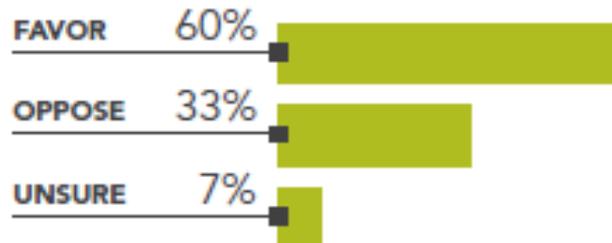
Federal Land as a Percentage of Total State Land Area



Data source: U.S. General Services Administration, *Federal Real Property Profile 2004*, excludes trust properties.

Strong Support for Oil and Natural Gas Development on Public Lands

A majority of voters support increased energy production on multiple-use public lands, which do not include national parks and wilderness areas. Only one-third are opposed.



Upon hearing the following...

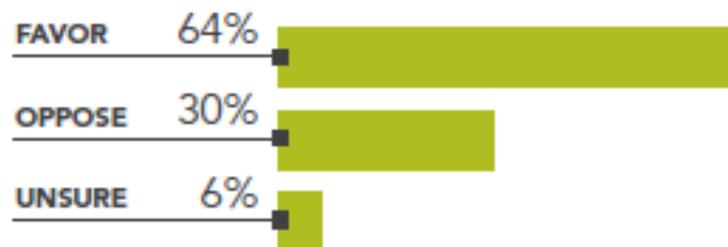
53% more likely to support

The federal government owns one-third of the land in the U.S. Most is designated for multiple uses such as ranching, mining, timber, hunting, recreation and energy development. This land is managed for the benefit of all Americans and produces taxes and resources for the country.

56% more likely to support

The U.S. has approximately 700 million acres of public land designated for multiple uses. This land is separate from the 150 million acres designated as national parks and wilderness areas.

Support increases when voters were informed that tax revenue generated from oil and natural gas development goes to essential services such as military and transportation infrastructure.



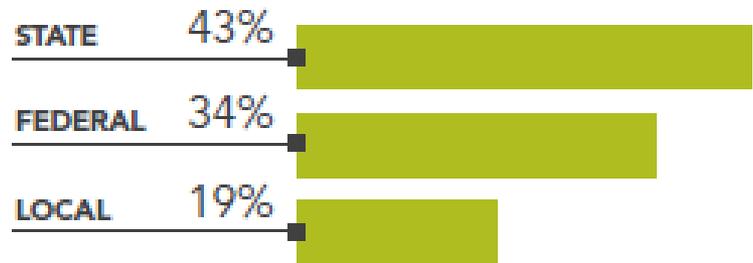
Strong Support for State Regulation

When informed that activities on public lands are currently managed by the federal government, more than one-third, 38%, of voters felt the prime authority should be transferred to states while 39% felt prime authority should be shared between federal and state governments. Only 21% felt the government should remain the sole prime authority.



77% of voters support increasing state authority

Which level of government should be the prime authority for energy development, including hydraulic fracturing.



A majority, 62%, does not want central control of energy development.



Strong Support for State Wildlife Management

Nearly three in four voters, 73%, agreed state agencies should be most responsible for managing wildlife, while only 24% stated the federal government should be responsible.

Support for state wildlife management is strong regardless of region and ideology

RESPONSE	FEDERAL	STATE
Rural	14%	82%
Suburban	22%	74%
Urban	30%	65%
Conservative	14%	84%
Moderate	30%	59%
Liberal	39%	57%



79% support updating the Endangered Species Act to give state wildlife agencies more control. Only 16% opposed updating the law.

Federal Land Freedom Act

- Senator Inhofe (R-OK) and Representative Diane Black (R-TN)
- State control of energy development and production on all available federal land
 - State with a leasing, permitting and regulatory program may seek to transfer responsibility from the federal gov't
 - State action shall not be subject to NHPA, ESA and NEPA

Delegation Model

- Office of Surface Mining & Reclamation
 - Administration of the Surface Mining Control and Reclamation Act (SMCRA)
 - Delegated to CO, MT, NM, ND, UT and WY
- Worked well for decades
- Some rumor of recent interference



BLM Fracking Rule

- Contrast that delegation with the recent “variance” provisions
- MOU versus a real regulatory mechanism





Kathleen Sgamma

VP of Government & Public Affairs

(303) 501-1059

ksgamma@westernenergyalliance.org