

## BLM Drops Sage-Grouse Habitat from Oil & Gas Auction

Article By:

Ingrid Rechten

Kamila Lis-Coghlan

---

The [recent decision](#) by the Bureau of Land Management (BLM) to remove hundreds of thousands of acres of federal land from its December 13th oil and gas auction is at least a temporary victory for environmentalists, whose efforts to protect the Greater Sage Grouse have led them to challenge the Trump administration's policy of accelerating drilling on public lands.

As we first explained in [FWS Announces ESA Protection for the Gunnison Sage-Grouse](#), the Greater Sage Grouse is a ground-dwelling bird with a range across 165 million acres, primarily in Wyoming, Montana, Nevada, and Idaho. Because the Greater Sage Grouse depends on large swaths of sagebrush for its habitat, the recent boom in energy development across the region has threatened the species' survival. Under the auspices of the President's 2017 [Executive Order on Promoting Energy Independence and Economic Growth](#), BLM has [relaxed regulations](#) for energy developers and significantly [expanded the acreage](#) available for oil and gas leases, bringing the agency into conflict with groups seeking to protect the bird. Earlier this year, the Western Watersheds Project and the Center for Biological Diversity [sued BLM](#) in the United States District Court for the District of Idaho, arguing that BLM was unlawfully restricting the public from participating in decisions regarding energy-development leases of Greater Sage Grouse habitats.

At issue were guidelines that the agency issued in January to "simplify and streamline" the leasing process. Where the public had previously been afforded 30-day comment and protest periods, the [new guidelines](#) allowed individual BLM offices to eliminate the initial public comment period entirely and to limit protest to no more than 10 days. In the District Court case, Idaho Chief Magistrate Judge Ronald Bush agreed with the plaintiffs, issuing a [preliminary injunction](#) which prevents BLM from offering energy development leases in Sage Grouse territory for the pendency of the case unless the agency uses the prior, lengthier public participation process.

BLM confirmed that the decision to remove the parcels—which include nearly 150,000 acres of Greater Sage Grouse habitat—from the upcoming auction was [motivated by the injunction](#). The agency noted that the affected parcels will be offered during BLM's next quarterly sale in March. It remains to be seen how environmentalists will leverage this temporary victory, and how effective the 30-day comment and protest period will prove for Sage Grouse conservation efforts.

National Law Review, Volume VIII, Number 312

Source URL: <https://natlawreview.com/article/blm-drops-sage-grouse-habitat-oil-gas-auction>