

Local environmental organization wants public review
By Ruth Heide

The Alamosa-based San Luis Valley Ecosystem Council filed suit on Tuesday in U.S. District Court to force the U.S. Fish and Wildlife Service to conduct an environmental review before Lexam Energy Exploration is allowed to drill two 14,000-foot exploration wells on the newly-created Baca Wildlife Refuge, which borders the Great Sand Dunes National Park and Preserve.

SLVEC claims the USFWS, an agency of the U.S. Department of the Interior, has failed to follow the National Environmental Policy Act, which requires an environmental analysis of the proposed action, along with a public review of the analysis.

" We feel this is a process question that needs clarification," said Christine Canaly, director of the environmental group.

Baca National Wildlife Refuge was created in 2004 with the acquisition of the 97,000-acre Baca Ranch. Some 31,000 acres of that ranch became part of the Great Sand Dunes National Park, previously a national monument, and the rest became the wildlife refuge.

The refuge is public land, but Lexam Explorations owns or leases rights to the minerals under the national wildlife refuge. The law gives a mineral owner or lessee the right to reasonable use of the surface to extract minerals.

Canaly said the SLVEC claims that although the mineral rights are privately owned, potential impacts from drilling on the publicly owned land must be studied and the public be given the opportunity to comment on those findings.

The Fish and Wildlife Service was wrong when it said because it can't prevent Lexam from exercising its rights, an environmental analysis isn't necessary, according to the lawsuit. The USFWS has ample legal authority to protect the refuge, according to SLVEC.

Exploration by Lexam has already "impacted hundreds of acres," and left visible scars, the conservation group said. It wants to ensure the public is fully informed of Lexam's drilling plans and that alternatives and measures to reduce the impacts are explored before drilling starts.

SLVEC points out that biologic inventories of the new refuge are not complete and the refuge's management plan isn't due to be adopted for four more years. So far, inventories have revealed at least 28 rare, threatened, or endangered species on the refuge.