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Challenges Facing Domestic Oil and Gas Development: Review of Bureau of Land Management/U.S. Forest Service Ban on Horizontal Drilling on Federal Lands

Witnesses

Panel 1

The Honorable Bob Abbey

Director, Bureau of Land Management

The Honorable Joel Holtrop

Deputy Chief, U.S. Forest Service

Accompanied By:

Tony Ferguson

Director, Minerals and Geology Management, U.S. Forest Service

Maureen Hyzer

Forest Supervisor, George Washington and Jefferson National Forests, U.S. Forest Service

Panel 2

Maureen Matsen

Deputy Director of Natural Resources and Senior Advisor on Energy, Commonwealth of Virginia

David Miller

Standards Director, American Petroleum Institute

Lee Fuller

Vice President of Government Relations, Independent Petroleum Association of America

Craig Mayer

General Counsel, Pennsylvania General Energy Company, L.L.C.

Kate Wofford

Executive Director, Shenandoah Valley Network

Amy Mall

Senior Policy Analyst, Natural Resources Defense Council

Subcommittee Members Present

Doug Lamborn, Energy and Mineral Resources Subcommittee Chairman (R-CO)

Glenn Thompson, Conservation, Energy, and Forestry Subcommittee Chairman (R-PA)

Rush Holt, Energy and Mineral Resources Subcommittee Ranking Member (D-NJ)

Tim Holden, Conservation, Energy, and Forestry Subcommittee Ranking Member (D-PA)

Edward Markey, Natural Resources Committee Ranking Member (D-MA)

John Fleming (R-LA)

Chuck Fleischmann (R-TN)

Bill Flores (R-TX)

John Duncan, Jr. (R-TN)

Scott Tipton (R-CO)

Randy Hultgren (R-IL)

David Rivera (R-FL)
John Sarbanes (D-MD)
Jim Costa (D-CA)

On July 8, 2011 the House Committee on Natural Resources Subcommittee on Energy and Mineral Resources and House Committee on Agriculture Subcommittee on Conservation, Energy and Forestry held a joint subcommittee oversight hearing to discuss the future of oil and gas development on federal lands. The hearing was held in response to recent activities of the U.S. Forest Service and the Bureau of Land Management (BLM). In early June, the U.S. Forest Service put forth a draft plan that would ban horizontal drilling in the George Washington National Forest while the BLM has recently held hearings to review policies for hydraulic fracturing on federal lands in the western United States.

Energy and Mineral Resources Subcommittee Chairman Doug Lamborn (R-CO) focused his opening statement on the impact that a ban on horizontal drilling on federal lands would have on jobs and energy security. Representative Glenn Thompson (R-PA), chairman of the Subcommittee on Conservation, Energy, and Forestry, reiterated these concerns in his opening statement. Representative Rush Holt (D-NJ), ranking member of the Energy and Mineral Resources Subcommittee, expressed dismay at the title of the hearing which he felt implied that the administration had banned horizontal drilling on all federal lands when the ban would actually apply only to the George Washington National Forest. "Distortion in the title of today's hearing makes me wonder how grounded in evidence this discussion will be," said Holt. Representative Ed Markey (D-MA) focused his opening statement on the detrimental environmental impacts of hydraulic fracturing, explaining that the process could eventually turn portions of the forest into "lifeless dunes."

Bob Abbey of the BLM and Joel Holtrop of the U.S. Forest Service both emphasized in their opening statements that their organizations have no plans to ban horizontal drilling on federal lands. Abbey explained that the BLM supports energy development, adding that 2010 was the second most productive year in history for natural gas development under the BLM. Holtrop stressed in his testimony that the U.S. Forest Service draft plan is site specific and does not represent a broader policy of prohibiting horizontal drilling on federal lands.

Representatives John Fleming (R-LA), Bill Flores (R-TX), and Scott Tipton (R-CO) focused their questions on proving that hydraulic fracturing does not detrimentally impact human health or the environment. Both Fleming and Tipton said that wells are far deeper than the water table and the numerous layers of casing make the process safe. Fleming asked why there is suddenly concern about drilling in the George Washington National Forest where it has been done for 60 years and Flores asked why horizontal drilling was specifically being targeted. Tony Ferguson, director of Minerals and Geology Management at the U.S. Forest Service, explained that vertical drilling has occurred in the forest for decades but horizontal drilling would be new to the area. Flores responded that horizontal drilling has less of an environmental impact than vertical drilling and concluded that, "This ban is the wrong thing to do."

Representative John Sarbanes (D-MD) and Holt were encouraging of the BLM and U.S. Forest Service activities. Sarbanes noted, "I don't want the audience to go away thinking that your deliberate, careful approach isn't supported." Holt cited an incident where hydraulic fracturing fluid with radioactive material was sent to a sewage facility that could not remove it and asked the witnesses to strongly pursue the issue and revise regulatory plans to ensure that radioactive waste is accounted for.

On the second panel, Maureen Matsen, David Miller, Lee Fuller, and Craig Mayer harshly criticized the activities of the U.S. Forest Service and the BLM. Matsen said in her testimony that the ban would be detrimental to the effective collaboration between the commonwealth of Virginia and the two agencies. Miller explained that the American Petroleum Institute's well standards are stringent and protect water resources. Fuller called the activities unjustified and added that they "[target] long-standing, well regarded technologies." Mayer stated that the U.S. Forest Service does not have the authority to ban horizontal drilling in the George Washington National Forest, adding that the move is "aggressively attacking industry." He said that the agency is purposely evading federal law by trying to "grant itself regulatory authority." Kate Wofford and Amy Mall discussed the impacts of horizontal drilling on rural communities and the environment. Wofford, whose organization works to support farmers and the local governments in the Shenandoah Valley, explained in her testimony that communities in the area have reservations about drilling and that they are grateful that the draft plan has addressed their concerns. Mall's testimony stressed the need for more research on the effects of the process on water resources.

Holt focused his questions on the impact that horizontal drilling would have on agriculture, the biggest source of income in Virginia. He explained that three of the five largest agricultural communities that would be impacted have announced opposition to horizontal drilling in the George Washington National Forest. He asked Matsen if she disagreed with their concerns. Matsen responded that her organization agrees with their desire to proceed with caution but does not support a ban. Fleming asked Wofford if she had survey information to support this claim that communities were opposed to horizontal drilling. She responded that she was confident that the statements of public officials have reflected community opinions. Fleming was not satisfied with this, responding, "I don't want to know what you're confident about, I want data." Flores asked Wofford what community members in the Shenandoah Valley are most concerned about with horizontal drilling. Wofford explained that clean water is a major issue but the main concerns are about the whole process including exploration, wastewater treatment, and heavy truck traffic.

Written witness testimonies, an archived webcast, and other information can be found at the [House Committee on Natural Resources web page](#).
