

**Testimony to the U.S. House of Representatives
Committee on Small Business April, 17 2008
By William Dvorak , Owner Dvorak Expeditions - Nathrop, CO**

Chairwoman Velazquez, members of the Committee, thank you for the opportunity to speak to you. My name is Bill Dvorak and I was raised on a small ranch about 20 miles north of Sheridan, Wyoming near the Montana border. I went to Mesa Junior College in Grand Junction, Colorado, received my undergrad degree from BYU in Provo, UT and my Masters degree from the University of Colorado in Boulder. I've hunted large and small game and fished since I was 8 or 9 years old, about 50 years.

I have been outfitting and guiding hunting, fishing and river trips in Colorado, Utah, Wyoming, New Mexico and Texas for the last 30 years. Many of the rivers I outfit on are right in the heart of oil and gas development. While outfitting and guiding these trips I cover tens of thousands of miles each year and have developed an intimate understanding of the west and it's ecosystems. In the last few years I have seen unprecedented energy development throughout the Intermountain West.

Everyone you will be hearing from today agrees that oil and gas development is a legitimate and important use of our public lands. The problem is that over the past 6 ½ years oil and gas development has become the predominant use of public lands where oil and gas resources exist. In fact the current policy being pursued by the BLM is so out of balance that there is a rising chorus of concern among growing numbers of state and local elected officials, game and fish departments, hunters, anglers, ranchers, farmers, and other residents of the rural West.

The current rate of development is proceeding at an extremely rapid pace and causing equally unprecedented impacts and pressures to the communities, economies and landscapes of the region. Local towns are straining under the tremendous influx of workers and related industrial activity. Small businesses are closing their doors because they can no longer find employees who will work for what they can afford to pay. Ranchers and outfitters are scaling back, quitting, or working themselves into the ground trying to keep up. It is important to remember that the wildlife, rivers, streams, and entire landscapes that are the economic foundation of the region depend on conserving key habitats. If we don't figure out how to do

oil and gas development with a smaller impact on our public lands, the other uses of these lands will continue to suffer.

I was based in Grand Junction in 1982 on May 2nd when Exxon pulled out of the Colony oil shale project and 2,200 jobs disappeared overnight. It will always be referred to on the Western Slope of Colorado as “Black Sunday.” It has taken years for the economies of the towns affected by the pull out to recover and they did so by concentrating their efforts on the recreational and scenic values of the area. The hunting, fishing, wildlife viewing, hiking, backpacking, climbing, mountain biking, rafting, kayaking, and quality of life are what reestablished their economic base. These are the things most at risk with the current energy development at all costs ethos that is so prevalent in the Rocky Mountain states today. It used to be that our public lands were managed for multiple uses, hunting, fishing, recreation, grazing, and extraction of natural resources. Unfortunately this has changed over the past decade as oil and gas development has become the dominant use in many areas of public lands that other people and businesses depend on for their livelihood.

In the Rocky Mountain West today, the BLM and Forest Service have opened 36 million acres of public lands to energy leasing and development. There are 126,000 new wells planned to be drilled in the next decade. Nearly 80% of the lands that the BLM manage in the Rocky Mountains are available for drilling and the agencies and industry are pushing to increase that number. There is a rush to lease right now while the climate is favorable because once a lease is issued it becomes a property right for industry and cannot be taken away.

From an economic perspective, I believe we need to be aware of the other uses of public lands and the important role they play in the Rocky Mountains and in Colorado specifically. The latest U.S. Fish and Wildlife survey on this subject reports that in the Rocky Mountain region fishing expenditures totaled \$3.2 billion, hunting expenditures totaled \$2.2 billion, and wildlife watching expenditures were \$4.5 billion in 2006. In Colorado specifically, fishing contributed \$581,923,000, hunting \$448,206,000 and wildlife watching \$1,394,067,000 in the same year. Clearly hunting and fishing are an important part of the Western economy and conserving pristine habitat on public lands plays a critical role in maintaining the ability for individuals, outfitters, and groups to partake in these activities.

I would like to make it clear that I am not opposed to the development of domestic energy supplies, just to the single minded approach that is being taken that disregards all other values and uses of public lands. In many cases the ranchers and outfitters that are being forced out of business have been working their land and outfitting businesses for five or six generations. It is not fair or right for these multi-generational businesses to lose their livelihoods so one industry can have nearly open access to our public lands.

It pains me to listen to my friends and neighbors talk about being able to light the water in their taps on fire when they are turned on. Others tell me about how many more sterile bulls and aborted calves they have now compared to before drilling began and how the water released on their land from Coal Bed Methane development killed their grass and contaminated their wells. They've had to cut back on their herds because they can't find hands who will work for a ranch hands pay.

Outfitters have shared stories with me about how their hunters say they will not be back as long as oil and gas companies can come into areas that used to only be accessible by foot or horse. I have clients on my fishing and river trips who question me on the impacts to the region, the possibility that the rivers we float on might be contaminated or the fishery negatively impacted. It is hard to fault them for asking tough questions when they see petroleum foam that can burn the skin if you are exposed to it. Recently I witnessed some of this foam completely covering a section of the Green River through Desolation and Gray Canyons where I outfit.

Recently we had 4 or 5 spills, only one of which was reported, in Garden Gulch on the western flanks of the Roan Plateau that feeds into the Colorado River, another River I outfit on. This was particularly difficult for me to hear about because I fly my passengers on my Desolation and Gray Canyon trip on a small plane from Grand Junction, Colorado. All they see on the flight and near the landing zone on the mesa is oil and gas wells and the accompanying roads, pipelines and infrastructure that go with them. I would love to be able to tell my clients that this development isn't going to impact their back country experience in Colorado, but I simply cannot say that with conviction given the pace of development right now and the fact that it is often done without regard for fish, wildlife, and water resources.

In Colorado, sportsmen and small business owners that depend on public lands celebrated when the state legislature recently passed legislation that regulates the oil and gas industry with enforceable rules by the Colorado Oil and Gas Conservation Commission. These rules are very similar to ones in the BLM Gold Book, which, unfortunately are mostly only guidelines that are rarely enforceable.

These Colorado rules are based on 10 oil and gas guidelines developed by a retired BLM employee active in the Colorado Mule Deer Association and a retired US Fish and Wildlife biologist who has recently been appointed to the game and fish commission and is active in the Colorado Wildlife Federation. These rules have been endorsed by over 70 hunting, fishing, recreation and conservation organizations throughout our state.

The law that provided the impetus for these rules, CO HB 1298, had unprecedented support and went through the entire legislative process unanimously. It is remarkable that this bill was approved by the appropriate House and Senate Committees, as well as on the floor of the House and Senate without a single vote being cast against it. This historic legislation in Colorado reflects the fact that Coloradans see the need for oil and gas development and support it when it is done in a responsible way, but we recognize that the BLM has fast tracked development in recent years and our resources in Colorado are paying the price. Unfortunately, because our federal public lands are not under the jurisdiction of the state, these new rules can't fix all the problems we face with oil and gas development in Colorado.

It is clear to me and many of the guides, outfitters and small businesses that I work with that we need real change at the national level to ensure that energy development can take place in a responsible way and the lifestyles and businesses that have been built around public lands for generations can continue to flourish.

I am proud to say that I am currently involved in an effort to develop real solutions to the challenges we face in the west and push for those changes in Congress and in the incoming administration. Sportsmen for Responsible Energy Development, a collaborative campaign that was kicked off yesterday involving the National Wildlife Federation, Trout Unlimited and The Theodore Roosevelt Conservation Partnership, is a historic effort to bring sanity and balance to our public lands energy policy.

Together we have developed the Sportsmen's Bill of Rights on Energy Development that involves 10 Rights that all sportsmen should enjoy on our public lands. We are pushing to have our recommendations incorporated into new energy legislation and administrative rules so future management of our public lands truly does balance multiple uses and doesn't focus on misguided energy extraction. With the Sportsmen's Bill of Rights in place, small businesses that depend on public lands will be sustained into the future.

We should all be able to tell our children and grandchildren we did what we could during our lives to leave them something, to give them the same quality of life we have had, to know that they will take their children and grandchildren to the same places our parents and grandparents took us to learn how to hunt, fish, hike, and develop an appreciation for the world around us. I am here before you today and out on the front lines tomorrow making sure I can say those things to my own family in old age and do so with a clear conscience.

To quote a favorite Native American proverb, "We don't inherit the land from our ancestors, we borrow it from our children." It's time we considered the values of our western culture and show future generations what it means to be a responsible steward of our natural resources.