

## **Interior Secretary David Bernhardt, Who Previously Represented The Oil Industry And Oil Companies Drilling In Sage Grouse Habitat, Oversaw The Trump Administration's Attempt To Reverse Obama-Era Cooperative Sage Grouse Management Plans**

**The Policy Change Was Praised By Bernhardt's Former Clients, Including The Largest Industry Association Of Oil Companies Drilling In Sage Grouse Habitat**

### **The Independent Petroleum Association of America (IPAA), a Former Bernhardt Client, Thanked Him For His Work Weakening Protections for Sage Grouse Habitat**

David Bernhardt was Recused from Working on Particular Matters Involving IPAA until August 3, 2019 Under EO 13770 [[Bernhardt Ethics Agreement](#), 8/15/17]

On June 21, 2017, Samantha McDonald, The Director Of Government Relations For The Independent Petroleum Association Of America, Emailed Interior's Deputy Director, Office Of External Affairs, Timothy Williams, And Asked, "Did The Members Of The Sage Grouse Review Team Get Named?" [OS-2017-001063 (Sage Grouse Comms from Industry), Page 22]

In July 2017, IPAA Director of Government Relations Samantha McDonald emailed Interior's Deputy Director, Office of External Affairs Timothy Williams, requesting "one more call" with Williams in his "sage grouse review capacity," on behalf of Chesapeake, ConocoPhillips, EOG Resources and Western Energy Alliance. The organizations had "a pretty specific sage grouse issue they'd like to have addressed in the final report," that had to do with a "sage grouse map issue." The report issued by the Interior Department in August 2017 "committed to developing a process to incorporate revised habitat maps." [July 18, 2017 email from Samantha McDonald to Timothy Williams, accessed [6/21/19](#)]

In December 2017, IPAA Submitted Formal Comments Suggesting Amendments to the Sage Grouse Plan. [[Analysis: Oil And Gas Companies Linked To David Bernhardt Own A Fifth Of Oil And Gas Leases In Sage-grouse Habitat](#)," *Center for Western Priorities*, 03/14/19]

David Bernhardt Held A Sage Grouse Meeting On August 3rd, 2017. [Michael Doyle, "[Bernhardt's schedules reveal his wide-ranging portfolio](#)," *E&E*, 12/21/17]

Bernhardt Held A Meeting On Sage Grouse On September 1, 2017. [[David Bernhardt's Calendar](#), 09/01/17]

Bernhardt Held A Meeting On Sage Grouse On October 23, 2017. [[David Bernhardt's Calendar](#), 10/23/17]

Assistant Deputy Secretary Todd Willens's Calendar Suggests That David Bernhardt Actually Recused Himself From One Meeting On Sage Grouse. Senator Barrasso requested that a "high level WY group coming to DC on the sage grouse issue" meet with David Bernhardt,

but because Bernhardt recused, the delegation met instead with Todd Willens. [Todd Willens Calendar, [12/14/17](#)]

**In March 2018, IPAA Signed Onto A “Thank You” Letter To Bernhardt For His Actions “That Rescinded And Revised Mitigation Policies That Far Exceeded Statutory Authority.” The Letter References Issues Related To Bernhardt’s Role In The Sage-grouse Review.** [[IPAA letter to David Bernhardt](#), 03/17/18]

**Final Sage Grouse Plans Included Opening More Public Lands To Leasing And Allowing Waivers For Drilling To Encroach on Greater Sage Grouse Habitats.** “The Trump administration moved forward Thursday with plans to ease restrictions on oil and natural gas drilling, mining and other activities across millions of acres in the American West that were put in place to protect an imperiled bird species. Land management documents released by the U.S. Interior Department show the administration intends to open more public lands to leasing and allow waivers for drilling to encroach into the habitat of greater sage grouse. Critics warned the changes could wipe out grouse colonies as drilling disrupts breeding grounds. Federal officials under President Barack Obama in 2015 had adopted a sweeping set of land use restrictions intended to stop the birds’ decline.” [[Associated Press](#), 12/6/18]

### **Safari Club International, a Former Bernhardt Client, Also Publicly Supported Efforts to Revisit Sage Grouse Protections**

**Bernhardt Provided The Safari Club International Foundation With "Legal Services."** [[David Bernhardt OGE 278](#), accessed via ProPublica, 04/19/18]

**In June 2017, Safari Club International Released A Statement Saying They Supported Secretary Zinke’s Order Establishing The Sage Grouse Review Team.** “Safari Club International supports the Secretarial Order signed by Department of the Interior Secretary Ryan Zinke to improve sage grouse conservation and strengthen consultation between the federal government and the western states of Oregon, Washington, California, Nevada, Idaho, Utah, Montana, North Dakota, South Dakota, Wyoming, and Colorado.” [[Safari Club International Press Release](#), 06/12/17, via the Wayback Machine, accessed 05/09/19]

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## **ConocoPhillips, a Member of the US Oil and Gas Association, a Former Bernhardt Client, Also Sought to Influence the Sage Grouse Plan**

**Conocophillips Is A Member Of The U.S. Oil And Gas Association.** [Conoco Phillips 2017 Trade Association Memberships, [accessed 02/20/19](#)]

**David Bernhardt is Recused from Working on Particular Matters Involving the U.S. Oil and Gas Association until August 3, 2019 Under EO 13770.** [[Bernhardt Ethics Agreement](#), 8/15/17]

- **Bernhardt Was Also Recused from Working on Particular Matters Involving the U.S. Oil and Gas Association until July 29, 2018, Under 5 CFR § 2635.502.** [[Bernhardt Ethics Agreement](#), 8/15/17]

**Assistant Deputy Secretary Todd Willens Had A Meeting With ConocoPhillips In October 2017.** The meeting description includes an email from ConocoPhillips that explains that the company was requesting a meeting with the DOI Sage Grouse Task Force Team so they could “contribute toward the stakeholder prospect my providing our perspective...” [Todd Willens Calendar, [10/06/17](#)]

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## **Samson Resources, a Former Bernhardt Client, Has a Long History of Operating on Federal Lands With Significant Sage Grouse Habitat**

**David Bernhardt Lobbied On Behalf of Samson Resources, Co.** David Bernhardt, in 2012 and 2013, lobbied the federal government on behalf of Samson Resources Co., which is an oil and gas company with operations “primarily in the Rocky Mountain, Mid-Continent, and East Texas regions.” [Center for Responsive Politics, Lobbying, Bernhardt, David L, [2012](#), [2013](#), accessed 01/18/17; [Bloomberg](#), accessed 01/18/17]

**Samson Resources Has a Long History of Leasing Federal Land.** In October 2008 “the Bureau of Land Management...brought in more than \$19 million in revenues from the sale of 64 federal oil and gas leases in New Mexico, Texas and Oklahoma,” including “\$3.78 million by Samson Resources Co. of Tulsa, Okla., for 1,240 acres in Oklahoma’s Roger Mills County.” In another example, “the Bureau of Land Management (BLM) received a petition for reinstatement of competitive oil and gas lease WYW178348 from...Samson Resources” and others “for land in Converse County, Wyoming.” BLM, in July 2018, proposed “to reinstate the lease.” [*The Associated Press State & Local Wire*, 10/22/08; [“Notice of Proposed Reinstatement of Terminated Oil and Gas Lease WYW178348,” Federal Register](#), [07/10/18](#)]

- **In 2017, Samson Resources Acquired Oil and Gas Assets in Wyoming.** Samson Resources, in 2017, “entered into a binding agreement to acquire oil and gas assets located in Converse County in the Powder River Basin of Wyoming, including assets in the “Frontier, Shannon, Niobrara and Mowry formations.” [*MarketLine Financial Deals Tracker*, 11/04/17]

**Sage Grouse Are Most Prevalent In Wyoming, Colorado And Utah.** “Sage grouse are most prevalent in Wyoming, Colorado and Utah, home to prolific ‘tight’ gas reservoirs as well as the Niobrara tight oil play.” [*Oil Daily*, 06/20/14]

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**Jeremy Norton, An Employee At Samson Resources From 2009-2015, Was Nominated For The Royalty Policy Committee (RPC).** [DocumentCloud, 17 01162ce, pgs. 167-69, accessed [06/21/19](#)]

### **Ur-Energy, a Former Bernhardt Client, Has Operations Within a Sage Grouse Core Area**

**David Bernhardt Represented Ur-Energy USA Inc. from 2009 to 2012.** [U.S. Senate Committee on Energy and Natural Resources Statement by David Bernhardt Pertaining to His 2017 Nomination To Be Deputy Secretary]

**Ur-Energy’s Lost Creek Property Lies Within a Sage Grouse Core Area in Wyoming.** Wyoming “developed a ‘core-area strategy’ to help protect the greater sage-grouse species within certain core areas of the state. The Lost Creek property is within a designated core area and are thus subject to work activity restrictions from March 1 to July 15 of each year. The timing restriction precludes exploration drilling and other non-operational based activities which may disturb the sage-grouse.” [[“2018 Annual Report Form 10-K,”](#) Ur-Energy Inc., For the Fiscal Year Ended 12/31/18]

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## **Brownstein Hyatt Farber Schreck (BHFS), Bernhardt's Former Lobbying Firm, Represented Special Interest Groups Seeking to Weaken Protections for Sage Grouse**

**David Bernhardt was Recused From Working On Particular Matters Involving BHFS-E PC Until August 3, 2019 Under EO 13770.** [Bernhardt Ethics Agreement, [8/15/17](#)]

- **Bernhardt Was Also Recused from Working on Particular Matters Involving BHFS-E PC Until August 1, 2018, Under 5 CFR § 2635.502.** [Bernhardt Ethics Agreement, [8/15/17](#)]
- **David Bernhardt was Recused From Working On Particular Matters Involving Brownstein Hyatt Farber And Schreck, LLP Until August 3, 2019 Under EO 13770.** [Bernhardt Ethics Agreement, [8/15/17](#)]
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**BHFS Represented A Subsidiary Of The Second Largest Leaseholder Of Sage Grouse Habitat In Colorado.**

- **The Second Largest Leaseholder Of Sage Grouse Habitat In Colorado Is Sandridge Exploration And Production LLLC, Owning 47,002 Acres Of Sage Grouse Habitat.** [All data from LR 2000, accessed 07/10/2017]
- **Sandridge Exploration And Production LLC Is A Subsidiary Of Sandridge Energy, Inc.** [[Company Overview of SandRidge Exploration and Production, LLC](#), accessed 05/09/19]
- **In 2008 And 2009, Sandridge Energy Inc. Used BHFS To Lobby The Federal Government.** [*Bloomberg*, accessed 09/11/17, Search for SandRidge Energy, United States Senate Lobbying Disclosure Act Database, accessed 09/11/17]
- **In 2009, David Bernhardt Worked As A Lobbyist For BHFS.** [Search for David Bernhardt, United States Senate Lobbying Disclosure Act Database, accessed 09/11/17]

**BHFS Represented The Seventh Largest Leaseholder Of Sage Grouse Habitat In Colorado.**

- **The Seventh Largest Leaseholder Of Sage Grouse Habitat In Colorado Is The Bill Barrett Corporation, Holding 17,493 Acres Of Sage Grouse Habitat.** [All data from LR 2000, accessed 07/10/2017]
- **Bill Barrett Corporation, In 2009 And 2010, Used BHFS To Lobby The Federal Government.** [Search for Bill Barrett Corporation, United States Senate Lobbying Disclosure Act Database, accessed 09/12/17]
- **Those Same Two Years, David Bernhardt Worked As A Lobbyist For BHFS.** [Search for David Bernhardt, United States Senate Lobbying Disclosure Act Database, accessed 09/12/17]

**BHFS Represented The Parent Company Of The Fourth Largest Leaseholder Of Sage Grouse Habitat In Montana.**

- **The Fourth Largest Leaseholder Of Sage Grouse Habitat In Montana Is Denbury Onshore LLC.** [All data from LR 2000, accessed 07/10/2017]
- **Denbury Onshore LLC Operates As A Subsidiary Of Denbury Resources Inc.** ["Company Overview of Denbury Onshore, L.L.C.," Bloomberg, accessed 09/12/17]
- **In 2009 And 2010, Denbury Resources Used BHFS To Lobby The Federal Government.** [Search for Denbury Resources, States Senate Lobbying Disclosure Act Database, accessed 09/12/17]
- **Those Same Two Years, David Bernhardt Worked As A Lobbyist For BHFS.** [Search for David Bernhardt, United States Senate Lobbying Disclosure Act Database, accessed 09/12/17]

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