

Steve Lyons
P.O. Box 1291
Paonia, CO 81428
April 17, 2012

William H. Stallings, Chief, Transportation, Energy and Agriculture Section
Antitrust Division, U.S. Department of Justice
450 Fifth Street, N.W., Suite 8000
Washington, DC 20530
Re:Civil Action No. 12-cv-00395-RPM-MEH

Dear Chief Stallings,

I am a retired resource consultant for the Delta County Schools, Delta County, Colorado and I am writing to you today as a concerned citizen to ask that justice be served in the the Civil Action No. 12-cv-00395-RPM-MEH.

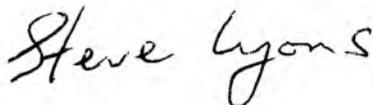
I ask that you reconsider the proposed settlement against SGI and Gunnison Energy. There are compelling reasons to do this:

- The proposed fine of \$275,000 for each company, along with what they already paid for the leases, brings their cost up to what they would have paid if the lease sale had been fair. This amounts to no penalty at all. This sends the message to the companies involved that there is no real financial consequence to attempting to cheat the government. So why not do it? Put some teeth into the fine: require at least \$1.6 million to settle.
- Under the proposal, SGI and Gunnison Energy do not have to admit guilt. If they are guilty, find them so and make them take the appropriate consequences. To not do so gives the impression to citizens like me that these companies, as part of the oil and gas industry, are being given a free "get out of jail" pass as a result of their immense lobbying and what many consider the corruption of our judicial system to favor moneyed special interests.
- SGI and Gunnison Energy are being allowed to retain leases it appears they obtained fraudulently. Take these leases away unless they can prove they came by them without breaking the law.
- When a young man named Tim DeChristopher disrupted a BLM gas lease sale out of his environmental concerns and for no personal or financial gain, the DOJ fined him and put him in prison for two years. To compare the proposed settlement with SGI/Gunnison Energy to what was given to Mr. DeChristopher leads me to question the DOJ's deferential treatment of the Gas & Oil industry. I ask you to look into the case against Tim DeChristopher and compare it to the case against SGI and Gunnison Energy. I have attached an article on Tim DeChristopher and, of course, you can find out all the details of his situation easily. Please look into this and how it relates to the case against SGI and Gunnison Energy.
- It is quite possible that SGI and Gunnison Energy have violated the law in other gas lease sales. I urge you to investigate this and take action if wrong-doing is found.

Thank you for asking for public comment and taking my concerns seriously,

Sincerely,

Steve Lyons



theguardian

Tim DeChristopher on trial for sabotaging oil and gas land auction

The climate activist, who bid \$1.7m for land parcels for which he could not pay, faces up to 10 years in jail if found guilty

Bibi van der Zee

guardian.co.uk, Monday 28 February 2011 08.06 EST

[Article history](#)



Tim DeChristopher has been charged with making a false statement and violating the Federal Onshore Oil and Gas Leasing Reform Act. Photograph: Douglas C. Pizac/AP

The trial has begun of a US activist accused of sabotaging an oil and gas land auction by bidding \$1.7m (£1.05m) for land parcels that he could not pay for. Tim DeChristopher, whose case has attracted support from high-profile environmentalists including actor Daryl Hannah and environmentalist Bill McKibben, faces up to 10 years' jail if found guilty.

At an auction in Utah on 19 December, 2008 – the last before the end of George Bush's term in office, and seen as a gift for the oil and gas industry – 130,000 acres of land near pristine areas of Utah such as Nine Mile Canyon and Dinosaur National Monument were due to be sold off.

DeChristopher, then a 27-year-old economics student at Utah, walked into the auction and signed up as Bidder 70. He proceeded to bid on a number of parcels, driving up prices and buying \$1.7m of land for himself. The auctioneers called a five-minute break, and DeChristopher was taken into custody. He has since been charged with two felonies; making a false statement, and violating the Federal Onshore Oil and Gas Leasing Reform Act. The auction was suspended, and the lots later withdrawn by Barack Obama's interior secretary, Ken Salazar.

The case has attracted support from leading US environmentalists. Last year McKibben, Nasa scientist James Hansen, and Naomi Klein co-authored a letter calling for support for Bidder 70, as DeChristopher has become known. A film is being made about the case and will be released shortly after the verdict. A group called Peaceful Uprising have been organising rallies in his support.

In pre-trial hearings, DeChristopher has been forbidden to use the "necessity defence" which was used in the famous Kingsnorth Six trial in the UK, when a jury acquitted activists of causing criminal damage to a coal-power station chimney. The decision means that DeChristopher will not be permitted to argue that he was acting in order to prevent greater environmental damage.

The defence team also sought to argue that the case is politically motivated, by demonstrating that in other cases where bidders have failed to pay, they have not been prosecuted. DeChristopher claims that at least 25 other cases have not been prosecuted. This argument was also blocked by Judge Dee Benson.

DeChristopher, referred to by both opponents and supporters as a "monkey wrencher" – a tribute to the 1975 Edward Abbey novel The Monkey Wrench Gang in which the protagonist appoints himself protector of the remaining desert regions of the American south-west and becomes a pioneer in the art of "eco-tage" – told the Guardian: "I was very nervous when I went in to the auction but when I won my first parcel I felt totally calm and peaceful. It felt like the first time my actions had really been in line with my sentiment. Up to that point I knew that climate change was a really huge issue, and yet in response to that I was riding my bike and writing letters to Congress."

The trial is scheduled to finish on Thursday.

Ads by Google

Baaken and Niobrara Event

Keynote Executives & Geoscientists Register Today Denver CO. - May 14

www.HartDUO.com