

Federal Parks & Recreation

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Landscapes still a Salazar goal in outdoors initiative

Secretary of Interior Ken Salazar once again June 25 said that protecting treasured landscapes is one of his goals for an Obama administration America's Great Outdoors Initiative.

Before a listening session on the initiative in Annapolis, Md., the secretary told the press, "I hope in the months ahead we will prepare a report for the President and Congress relative to a Great Outdoors agenda. Included in that agenda I hope that we will identify landscapes of national significance across the country."

As significant landscapes he mentioned the Chesapeake Bay (where the press availability took place), and the "Great Lakes, San Francisco Bay Delta, the Colorado Plateau and many others."

In response to a question from *FPR* about what he personally would like to see the initiative accomplish, Salazar said "some additional wildlife refuges and potentially some additional national parks." But he made sure to add, "We would listen to the people and obviously work with the governors and Congressional delegations."

That last phrase on consultation addresses perhaps an ongoing dispute between House Natural Resources Committee Republicans and the Interior Department over alleged administration plans to designative unilaterally national monuments. Salazar has repeatedly said the administration will not unilaterally designate monuments, but will consult with the public and local governments first. (See related article on monuments on page 9.)

Still, House Natural Resources Committee Democrats as well as Republicans did approve June 16 a resolution (H

Res 1406) seeking internal Interior Department documents regarding possible new monuments.

Private property rights groups such as the American Land Rights Association (ALRA) contend that the America's Great Outdoors Initiative is a smokescreen for a campaign to designate national monuments. "This listening session is about the plan that is part of the battle between the House Natural Resources Committee and the White House and Interior Departments over the release of secret documents describing the full extent of the Obama Great Outdoors Initiative," said the association in a bulletin to its members.

Procedurally, ALRA President Chuck Cushman complained to us that the administration is being less than open about its listening sessions. "They held meetings in Montana with only notices to the enviro groups," he said. "One day notice if any at all. Many ranchers were over 300 miles from closest meeting. Not good."

The rubber will meet the road in September when administration leaders are to submit specific initiative recommendations to President Obama.

Before the Annapolis listening session, Salazar joined with Maryland Gov. Martin O'Malley (D), Sen. Benjamin Cardin (D-Md.), Rep. John Sarbanes (D-Md.) and Under Secretary of Agriculture Harris Sherman in praising the Chesapeake Bay.

The Great Outdoors Initiative held additional listening sessions June 28 in Charleston, S.C., and July 1 in Seattle, Wash. Another session is scheduled for July 8 in Los Angeles.

The administration under the lead of the Council on Environmental Quality will have its hands full trying to come up with a conservation consensus after the listening sessions. Citizens have focused on everything from a demand for guns to broad conservation agendas.

Instead of beginning the initiative with a set of concrete proposals

the administration said it will listen to interest groups and the American people first. If and when the initiative is fleshed out, insiders believe it could include:

- * full funding for the Land and Water Conservation Fund,
- * revitalization of the National Park System in time for its 100th Anniversary in 2016,
- * the designation of a number of national monuments on Bureau of Land Management land,
- * an omnibus public lands and parks bill (as is in the works now in Congress), or
- * all of the above.

The source of the billions of dollars to accomplish such ambitious goals will be most controversial and has of course not been identified. However, Salazar has given broad hints in a dozen Congressional hearings that he has his eye on offshore oil and gas royalties. And, perhaps, on a sharp increase in onshore oil and gas royalties.

Hill leaders say they will prepare lean spending bills

House subcommittees this week began marking up fiscal year 2011 appropriations bills with spending caps essentially the same as fiscal 2010 final levels.

But Democratic Majority Leader Steny Hoyer (D-Md.) said the House will, in total, trim President Obama's 2011 request by \$7 billion. The Obama budget had already proposed flat spending, at best, for most park and rec programs.

Whether an Interior subcommittee will actually mark up a bill in July remains to be seen. Political infighting may prevent action. But subcommittees have already begun work on Agriculture and Transportation bills.

Congress is headed out today on a week-long July 4 Holiday and won't return until July 12. So House and Senate appropriators will have four weeks to write spending bills before Congress is

scheduled to leave for a month-long vacation August 6. If committees do write bills, floor action is still a distant possibility because of the political infighting.

Meanwhile, the chairman of the Senate subcommittee that controls much park and rec spending, Sen. Dianne Feinstein (D-Calif.), said June 23 that Senate Democratic leaders have given her the go-ahead to write a fiscal year 2011 spending bill.

The Senate Appropriations Committee confirmed on background that Chairman Daniel Inouye (D-Hawaii) has told his subcommittees to prepare to mark up. But the committee said no mark-ups will be held until Democratic leaders give the full committee a spending allocation, as the House is in the process of doing.

The betting until now has held that the Senate would not write appropriations bills before the November 2 elections because of all the controversies facing the measures. Those odds still look pretty good.

Feinstein also inferred that the Senate leaders had assigned a spending cap to the bill she would prepare as chairman of the Senate subcommittee on Interior appropriations. "We're going to work within a very strict cap," Feinstein said at a hearing on the reorganization of the Minerals Management Service. Again, no Senate caps have been assigned yet.

Although Hoyer projected a slight reduction in the administration's spending request, a good possibility remains that Congress will in the end choose to extend fiscal 2010 spending levels. That would benefit most park and rec programs because the administration has proposed, at best, flat spending for fiscal 2011.

Meanwhile, for fiscal 2011 the Senate Budget Committee April 26 did approve a budget (S Con Res 60) that recommends an increase in natural resources spending above the budget request of President Obama.

However, Senate consideration of the committee budget would constitute a miracle because the odds are high against either the Senate or the House taking up a multi-year budget this year, let alone approving one. Thus, Hoyer is talking of an abbreviated budget.

The Senate Budget Committee adopted a "mark" prepared by chairman Kent Conrad (D-N.D.) that would increase spending for a Natural Resources line item by \$940 million, from \$38.7 billion this year to \$39.6 billion in fiscal 2011. That line item includes EPA and a host of other agencies not directly related to management of the public lands.

Climate bill possibilities endless; big cheese meet

House and Senate Democratic leaders now have before them a seemingly infinite number of options for moving climate change legislation this year. The implications for park and rec program vary from option to option.

One thing is becoming increasingly clear: Congress will not finish a climate bill until it holds a lame-duck session after the November 2 elections. Until the election Democratic leaders will almost certainly avoid the political heat that would go with passage of a bill.

Still, Congressional Democrats and President Obama said June 29 that they will continue working on legislation throughout the summer, particularly in the Senate. Senators who attended a White House meeting with the President reportedly said they expect to move a bill this year, even if it is less ambitious than the bills now on the table.

The ball is in the Senate's court and Senate committees may begin preparing legislation soon for the Senate floor, even if the legislation is deferred for some time. Although Senate Majority Leader Harry Reid (D-Nev.) asked his committees to prepare bills before Congress began a July 4 Holiday today (July 2), that didn't happen.

Even if the Senate passes a weak bill, that may not matter because a post-election conference committee will have freedom to put together a strong final bill.

Conservation programs enter the conversation in many ways. The House approved an ambitious cap-and-trade climate bill (HR 2425) on June 26, 2009, that would revise fundamentally management priorities on federal and nonfederal lands to emphasize adaptation to climate change. In addition the bill would establish a Natural Resources Climate Change Adaptation Fund that would provide billions of dollars to protect natural resources.

The Senate Environment and Public Works Committee (EPW) approved a similar climate change bill (S 1733) on Nov. 5, 2009. Those bills have not advanced in the Senate because of opposition from Republicans and centrist Democrats. So Sens. John Kerry (D-Mass.) and Joseph Lieberman (I-Conn.) wrote a less ambitious draft bill that is pending before the EPW committee; that measure includes conservation provisions similar to those in S 1733 and HR 2425.

After the White House meeting, The Wilderness Society encouraged the senators and Obama to produce a strong bill, with conservation money. "Directing new resources to protecting natural resources and rebuilding and restoring degraded forestland will protect our clean water, clean air and vital wildlife habitat in the face of a warming climate, and create quality jobs that can't be outsourced," said David Moulton, director of climate policy and conservation funding for society

Conservation programs may have a second option. Some Senate Democrats are urging their leaders that in lieu of a cap-and-trade bill the Senate take up a renewable energy bill (S 1462) approved by the Senate Energy Committee June 17, 2009. That bill could also be combined with "must pass" legislation addressing the BP Deepwater Horizon oil spill in the Gulf.

The renewable energy bill in turn

could become a target for an amendment that would guarantee full funding for the Land and Water Conservation Fund (LWCF.) That possibility heated up June 24 when House Natural Resources Committee Chairman Nick Joe Rahall (D-W.Va.) revised an old energy bill of his (HR 3534) that would guarantee full funding for LWCF. (See related article page 7.)

It may help that the lead author of the Senate's renewable energy bill, committee chairman Jeff Bingaman (D-N.M.), also is the lead author of a bill (S 2747) that would guarantee full funding for LWCF.

Despite all the ifs and maybes Senate Majority Leader Harry Reid (D-Nev.) continues to say he is committed to moving a climate change bill through the Senate this year. As he said last week, "There are a lot of strong passions and arguments but there is clear agreement (among Democrats) on the need to move forward this summer on comprehensive clean energy legislation."

He added, "We're going to write a bill that sets reasonable goals over a reasonable timeframe that will benefit both our environment and our economy. We're going to write a bill that can pass the Senate."

Supreme Court lets stand Florida beach restoration

The Supreme Court last month endorsed a State of Florida initiative to replenish beaches after major storms. Adjacent landowners had charged that the state was effectively taking their land without compensation.

But the court in an 8-0 decision held that Florida law gives the state a right to repair beaches even if the repair limits the private landowners' contact with the ocean.

The decision is filled with legal and real estate jargon. In the following key statement by Justice Antonin Scalia "littoral landowners" refer to the private property owners and an "avulsion" refers to the replenishment

in the beach made by the state.

Scalia held, "Two core Florida property-law principles intersect here. First, the State as owner of the submerged land adjacent to littoral property has the right to fill that land, so long as it does not interfere with the rights of the public and of littoral landowners.

"Second, if an avulsion exposes land seaward of littoral property that had previously been submerged, that land belongs to the State even if it interrupts the littoral owner's contact with the water."

The landowners had argued that the replenishment by the state effectively shifted the private ownership from the water's edge to the landward border of the beach.

In even more jargon used in the debate before the Supreme Court, property owners said their rights should begin at the mean high water line (MHWL) and not at the erosion control line (ECL) established after the renourishment project.

Argued the landowners in their petition to the Supreme Court, "Lost in this exchange of rights are (the property owners') ability to own, possess, and exclude persons from the beach between their homes and the MHWL. Rather, after the recording of the ECL, commercial vendors are allowed on the beach between the ECL and the new MHWL in front of (landowners') homes."

The case arose from state implementation of a four-decade old Florida law called the Beach and Shore Preservation Act that authorizes beach replenishment projects after storms. Florida has restored about 198 miles of the state's 825 miles of beaches under the act. The state said no property owner had ever claimed rights to restored beaches before now.

In the case before the court, *Stop the Beach Renourishment, Inc. v. Florida Dept. of Environmental Protection of June 7, 2010*, the state restored 6.9

miles of beach in Destin and Walton Counties by adding 75 feet of dry sand.

The case made it to the Florida Supreme Court, which sided with the state. That the Florida court became involved triggered an assertion by the landowners that the court effectively carried out an unconstitutional taking of property without compensation.

That charge in turn triggered concern among several states that the Supreme Court would for the first time hold that a state court unconstitutionally took private property. "Since the States ratified the Fifth Amendment in 1791, however, this Court has never held that a court can be subject to a claim for just compensation under the Takings Clause," said the 26 states in an amicus curiae brief to the court.

Although the judges ruled 8-0 on the case before them, they did philosophize about the possibility that a court could in some circumstances unconstitutionally take property without compensation, just as the executive or legislature could.

The concerned states included California, Arkansas, Delaware, Illinois, Iowa, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, Ohio, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Virginia, Washington, West Virginia and Wyoming.

For copies of the Supreme Court's decision go to: <http://www.supremecourt.gov/opinions/slipopinions.aspx>. Scroll down to Item 73, 08-1151, *Stop the Beach Renourishment, Inc. v. Florida Dept. of Environmental Protection of 6/17/10*.

Senate panel looks at Valles Caldera; part of omnibus?

The Senate Energy Committee continues to put in place numerous candidates for an omnibus lands bill for later this year.

Most recently on July 1 the committee held a hearing on legislation (S 3452) that would transfer the Valles Caldera National Preserve in New Mexico from Forest Service land managed by a trust to the National Park System.

Faced with a potential turf battle between NPS and the Forest Service, the Obama administration essentially (1) let each agency make its case and (2) deferred to Congress on a final decision.

Under Secretary of Agriculture Harris Sherman told the committee the Forest Service was best suited to restore the health of the forest, which is clogged with conifers that pose a severe fire threat.

NPS Deputy Director Daniel Wenk said that the site by all measures qualifies as a unit of the National Park System. But, he concluded, "It's up to Congress to determine who is most qualified to manage it."

When Congress designated the preserve on 88,900 acres of Santa Fe National Forest land in 2000, it transferred management to a Valles Caldera Trust with the idea the trust could raise money and be self-sustaining.

But, said chief sponsor Jeff Bingaman (D-N.M.), who chairs the Senate Energy Committee, the trust needs to come up with \$15 million for construction and maintenance and he doubts that will happen. So, he said, "I believe the National Park Service is best suited to manage the preserve while ensuring its long-term conservation."

Bingaman has said he anticipates the Senate will prepare an omnibus lands bill this year as a follow-on to an omnibus lands bill Congress approved last year (PL 111-11 of March 30, 2009.)

The committee has not yet begun to assemble a new omnibus yet, but that doesn't mean one will not be prepared. "Under the (Senate) process we continue to move single bills and it's up to the Majority Leader to call them to the floor," said the staff member.

If and when the stars align, Senate Majority Leader Harry Reid (D-Nev.) will make the call on Senate consideration of an omnibus bill. Only at that point would the committee ready a comprehensive measure for Senate floor consideration.

As for any political problem that might newly threaten the process, the staff member said, "I don't think anything has changed. We're continuing to process single bills."

Obvious candidates for the omnibus are the Valles Caldera bill and measures to designate wilderness and trails in central Idaho, to authorize year-round recreation in ski resorts, to extend a popular federal land sales bill, to designate a national park in Delaware (the state has none now), designate a handful of national heritage areas, and much more. Here's a summary of a few candidates:

CENTRAL IDAHO ECONOMIC DEVELOPMENT AND RECREATION ACT (CIEDRA): S 3294, HR 5205. The Senate committee held a hearing June 16 on this bill from Idaho's two Republican senators. While the Obama administration generally endorsed the bill, Idaho Gov. C.L. "Butch" Otter (R) said he opposed it just before the hearing.

Motorized recreation interests are also mounting a last-minute attack against the bill because it would close snowmobile and mountain bike trails. The Blue Ribbon Coalition (BRC) said in a bulletin to its members, "BRC and the Idaho Recreation Coalition are working hard to stop CIEDRA, but the situation looks grim, as both Idaho's Senator's are now co-sponsors. Hope is not lost, however, as Idaho's Governor Butch Otter has written a letter opposing CIEDRA."

Still, with two Republican senators behind it, S 3294 has crucial support in the Senate and the House passed a predecessor bill on July 24, 2006. Simpson introduced a new version of the bill (HR 5205) this year.

SKI RESORT SUMMER USES: The House Natural Resources Committee Dec. 16,

2009, approved this legislation (S 607, HR 2476) that would authorize ski resort owners to provide year-round recreational opportunities on public lands. The Senate Energy Committee held a hearing on a Senate bill from Sen. Mark Udall (D-Colo.) Oct. 29, 2009. Rep. Diana DeGette (D-Colo.) introduced the House bill.

FEDERAL LAND TRANSACTION FACILITATION ACT: The Senate Energy Committee June 21 approved this legislation (S 1787) that would allow the Bureau of Land Management (BLM) to sell lands cleared by all land management plans, not just plans completed prior to 2000, as the old law does. Sen. Bingaman and Rep. Martin Heinrich (D-N.M.) introduced the legislation (S 1787, HR 3339.) Under an existing law BLM may only sell lands cleared for disposition by land management plans completed prior to 2000. BLM has raised more than \$100 million from the land sales. Most of that money is used for conservation and acquisition.

MONUMENTS: An omnibus bill could also provide a home for national monuments that the Interior Department is evaluating, if the monuments aren't designated by Presidential proclamation under the Antiquities Act of 1906. An internal Interior Department document indicates that the department is evaluating 14 such monuments.

DELAWARE NATIONAL PARK: Sens. Thomas Carper (D-Del.) and Edward Kaufman (D-Del.) introduced this bill (S 1801) to establish a National Park System unit in their state of Delaware. Rep. Mike Castle (R-Del.) introduced a counterpart bill (HR 3893) October 21. The energy committee held a hearing on it May 19. Delaware, the first state to vote to join the union, is also the only state without a unit of the National Park System. Carper and Kaufman would change that by designating a First State National Historical Park. The park would include historical sites, such as an area in Dover where local officials decided to ratify the U.S. Constitution.

GETTYSBURG EXPANSION: Pennsylvania Sens. Arlen Specter (D) and Robert B.

Casey (D) have introduced legislation (S 3159) that would add the Gettysburg Railroad Station to Gettysburg National Military Park. The energy committee held a hearing on it May 19. The bill would also add a 45-acre tract south of the battlefield to the park. The National Trust for Historic Gettysburg currently operates the railroad station. In 2006 the Gettysburg Borough Council rehabilitated the station but, Specter said, doesn't have the money to operate it. The House passed a counterpart bill (HR 4395) March 19 introduced by Rep. Todd Russell Platts (R-Pa.)

NATIONAL HERITAGE AREAS: At least 11 bills have been introduced that would designate new national heritage areas around the country and three study bills have been introduced. Three designation bills have received attention in either the Senate or the House. Two are in position to move: One (HR 324) would designate a Santa Cruz Valley National Heritage Area in Arizona; it was approved by the House Sept. 23, 2009. A second (S 2892) to designate an Alabama Black Belt National Heritage Area was approved by the Senate Energy Committee June 21.

Rahall links guaranteed LWCF to BP's Gulf oil accident

House Natural Resources Committee Chairman Nick Joe Rahall (D-W.Va.) said June 24 he will try again this year to move a comprehensive energy bill that would guarantee full funding for the Land and Water Conservation Fund (LWCF.) The committee will begin marking up a bill July 14, Rahall said.

The measure would also guarantee full funding for the Historic Preservation Fund at \$150 million per year.

At a June 30 hearing Rahall asked Secretary of Interior Ken Salazar if full funding for LWCF would help him with his oft-repeated goal of protecting treasured landscapes. Salazar said, "The answer is yes. . . Our view has been that it is time for America to move forward with a new conservation agenda to meet the challenges of the 21st Cen-

ture. And as the chairman is well aware, the Land and Water Conservation Fund has not been fully funded since the 1960s. How we move forward with that is something we look forward to with you on that issue."

Rahall is attempting to parlay BP's Deepwater Horizon accident in the Gulf of Mexico into support for a revised energy policy bill (HR 3534.) The revised measure makes significant changes in the old version of HR 3534 Rahall introduced last year, giving the bill a shot at enactment in the fall.

How far HR 3534 gets remains to be seen. The measure could be swept into climate change legislation, be attached to an annual appropriations bill or move on its own.

LWCF and the Historic Preservation Fund are a sidelight of the draft bill. The brunt of the measure attempts to insure that offshore and onshore oil and gas development doesn't harm the environment and to insure the oil and gas industry pays the freight for operating on public lands.

The existing Land and Water Conservation Fund Act authorizes \$900 million per year for conservation purposes, but appropriators routinely put up much less than the full amount.

LWCF is financed by offshore oil and gas royalties and the account now stands at more than \$18 billion.

The initial version of HR 3534 introduced by Rahall last fall would have guaranteed full funding for LWCF, but it would not have guaranteed full funding for historic preservation programs. The new version would provide full funding for both programs.

Said the National Trust for Historic Preservation in a weekly bulletin, "However, after months of grassroots advocacy the Coalition to Fully Fund the Historic Preservation Fund, Rep. Rahall relented and included a provision providing mandatory full funding for the HPF."

There are several other initia-

tives in play in addition to the Rahall bill that could provide full funding for LWCF. Perhaps most promising is climate change legislation. That could happen two ways.

First, Congress might approve a tax on carbon in a comprehensive climate control bill and allocate some of the money to LWCF. The House approved a comprehensive bill (HR 2454) June 26, 2009, that would provide full funding for LWCF, although the money would not be guaranteed and would not be available for several years. The Senate Environment and Public Works Committee approved a counterpart bill (S 1733) Nov. 5, 2009, that would guarantee full funding for LWCF, but again not for several years. Finally, Sens. John Kerry (D-Mass.) and Joe Lieberman (I-Conn.) have drafted a compromise bill that would guarantee money for LWCF, much like HR 2454 and S 1733.

Second, if Congress shies away from a carbon tax and passes a less ambitious energy bill, such as one (S 1462) the Senate Energy Committee approved June 17, 2009, that could also be a target for an LWCF amendment. It doesn't hurt that the lead author of S 1462, committee chairman Jeff Bingaman (D-N.M.), is also the lead author of a bill (S 2747) that would guarantee full funding for LWCF.

But LWCF supporters have been down this road many times before. The big hitch has always been the antipathy Congress feels to locking in additional spending. And now of course Congress will almost certainly be more preoccupied with restoring the Gulf of Mexico coastline than with conservation spending around the country.

Salazar insists on federal land protection in Gulf

Secretary of Interior Kin Salazar June 25 defended the Obama administration from charges it was not allowing enough aggressive dredging to cope with the BP oil spill along the Louisiana coastline.

"Efforts are continuing to make

sure we are protecting the people and places of the Gulf Coast," he said. "We also don't do it in a way that will damage those places. Right now the controversy going on with Gov. (Bobby) Jindal (R-La.) is really about that. We will not back down. We will make sure the wildlife refuges are in fact protected."

Salazar said he was referring to requests from Louisiana to increase dredging near federal sites in the Gulf that are threatened by the oil.

The Department of Interior has identified eight national parks and 36 wildlife refuges as at risk from the BP spill. It has deployed more than 520 Fish and Wildlife Service personnel to deal with the spill and more than 150 Park Service officials. Altogether from federal, state, local and private sources more than 40,000 people are fighting the spill.

In addition to Gulf Islands National Seashore off Mississippi and Florida, the endangered park units include Jean Lafitte National Historical Park & Preserve in Louisiana; the De Soto National Monument, Everglades National Park, Dry Tortugas National Park, Big Cypress National Preserve and Biscayne National Park in Florida; and Padre Island National Seashore in Texas.

The situation this week with the national parks in the Gulf appears to be the same - more oil is arriving on the shore but the parks are all open for business. "However," NPS warns, as it has warned right along, "depending on future oil impacts, some temporary closures may occur."

In addition the oil is beginning to encroach on national wildlife refuges, particularly in Louisiana. The Fish and Wildlife Service (FWS) said that larger and larger quantities of oil are reaching the Bon Secour National Wildlife Refuge in Louisiana. Clean-up crews are working on the refuge.

The National Wildlife Federation and two other conservation groups last month asked President Obama to set aside

a quarter of BP's \$20 billion escrow account, or \$5 billion, for restoring Gulf habitat. "Despite BP's public claims, when oil infiltrates sensitive coastal marshlands, it really can't be cleaned up," said Larry Schweiger, president and CEO of National Wildlife Federation. "That's why investments to rebuild the lost wetlands are critical to rebuilding healthy and prosperous Gulf coast communities."

GOP monuments resolution more ambitious than first believed

The House Natural Resources Committee filed a report with the full House June 23 that indicates the committee is seeking considerably more documents about the Obama administration's national monuments plan than was originally indicated.

When the committee June 16 approved a resolution (H Res 1406) requesting additional information Democrats and Republicans alike painted it as a search for the pages of just one document. However, the committee report says the resolution seeks not just the one document, but all other Interior Department paperwork related to it.

The report says the committee is asking for "copies of all Department of the Interior documents, maps, records (including electronic records), communications and other information dating from July 1, 2009, and later referring to or relating to a specific internal draft document of the Department of the Interior concerning the potential designation of National Monuments."

Meanwhile, ranking House Natural Resources Committee Republican Doc Hastings (R-Wash.) continues to investigate the possibility that the Interior Department is considering national monument designations for agencies other than the Bureau of Land Management (BLM.) The documents that H Res 1406 is seeking evaluate 14 possible monuments, all on land managed by BLM.

In an addendum to the House committee report, Hastings wrote, "We now know that other agencies were involved

in preparing this document - not just (BLM.) The e-mails reveal that other Department of the Interior agencies including the National Park Service, Fish and Wildlife Service, Bureau of Indian Affairs, and the Bureau of Reclamation were involved in contributing to this document. What were the proposals for new designations or actions within each of these agencies?"

It is not clear if House Democratic leaders will bring up the resolution on the floor. That committee chairman Nick Joe Rahall (D-W.Va.) sided with the Republicans may persuade the leadership to take a vote on the resolution.

But Hastings said the committee's vote should be enough to persuade the administration to free the documents. "The Committee's favorable vote should result in the American public getting answers to these questions," he said. "The Department should promptly transmit a complete copy of the document along with the 2,016 pages of related material they have identified and gathered as being responsive to our request but are nevertheless deliberately withheld from the public."

Hastings and his fellow committee Republicans June 16 finally won a skirmish in their battle to obtain internal Interior Department documents that analyze the possible designation of national monuments.

The Democratic-controlled committee approved without opposition the Republican resolution (H Res 1406.) It seeks all pages of a document that assesses the qualifications of 14 areas for designation as monuments. The Republicans already have several pages of the document. All the 14 assessed areas are managed by BLM.

When Hastings and Rep. Rob Bishop (Utah), ranking Republican on the House subcommittee on National Parks, first introduced a privileged resolution (H Res 1254), they demanded all Interior Department documents related to a Treasured Landscapes program. On May 5 the House committee rejected that request

because, as Rahall said at the time, it was too sweeping. Still, the committee refused to endorse the resolution and send it to the House floor by a narrow 20-to-22 margin.

But this time Hastings and Bishop are only seeking pages related to the one department document, and documents related to it. They already have obtained pages 15-to-21; they are now asking for pages 1-14, pages 22 on and all information that led up to the document.

When the committee considered the first Republican resolution on May 5, Rahall opposed it as too sweeping, but he said he would support an attempt to obtain the single document.

Hastings and Bishop launched the monuments controversy in February. They released a seven-page Interior Department document that indicated the Obama administration "is considering" the acquisition of billions of dollars of land, all for BLM. In addition the Republicans say the document indicates Interior is considering the designation of 14 new national monuments on BLM land.

Since then Secretary of Interior Ken Salazar has repeatedly assured Congress and the public that the document was for internal planning purposes only. He has also said the Obama administration would follow a public process before the White House designates more national monuments.

The 14 possible monuments are located in Arizona (1), California (4), Colorado (1), Montana (1), Nevada (1), New Mexico (2), Oregon (1), Utah (2) and Washington (1). The Interior document says 1,618,140 acres would be involved, including 397,210 acres of state and private land. Acquisition of the land would cost more than \$2 billion.

The administration did respond in part to the demands of Hastings and Bishop on May 4, the night before the committee considered the first Republican resolution. It forwarded 383 pages of materials related to the request.

Notes

Biking, walking gains different.

A new report says pedestrian trips have gained significantly in the last 15 years as a percentage of all trips taken, but bicycle trips have increased only marginally. The report, prepared by the Pedestrian and Bicycle Information Center at the behest of Congress, says that pedestrian trips have jumped from 7.9 percent of all trips to 10.9 percent of all trips, a three percent increase. However, bicycle trips increased by only 0.3 percent from 0.7 percent to one percent. The report notes that the methodology used to count trips has changed significantly. Fifteen years ago the center used phone interviews. Now it uses travel logs. Of note the center reports that pedestrian and bicycle trips are somewhat safer. Bike fatalities dropped by 22 percent and pedestrian fatalities by 12 percent. Congress has steadily increased spending on pedestrian and bicycle improvements from \$6 million in 1990 to \$783 million in fiscal year 2009, and that doesn't count an estimated \$400 million in economic stimulus money. The report, *Assessing National Trends in Bicycling and Walking*, is available at <http://www.walkinginfo.org>.

West govts promise to cooperate.

Western governors June 28 repeated their commitment to work with each other across borders to manage wildlife in landscape-sized areas. The members of the Western Governors' Association said they would put together within three years data needed to back wildlife decisions. They are working through a Western Governors' Wildlife Council with a \$3 million grant from the Department of Energy. The states have begun eight pilot projects to develop compatible systems. Sally Jewell, president and CEO of REI, told the governors, "Ecosystems don't know political boundaries, so conservation of the most important wildlife corridors, water and forest resources require cooperation across multiple public and private entities." More information on the projects is available at: www.westgov.org. The western governors met in Whitefish, Mont., in an annual summer get-together.

Upcoming fire threats vary. Federal officials last month predicted a mixed bag for the upcoming fire season, with some states being hit by early fires (Alaska) and other states by late fires (the Northwest.) The immediate concern is Alaska, said Rick Ochoa, a meteorologist with the National Interagency Fire Center, because of a low snowpack and a dry spring. As for the rest of the West, Ochoa described a "Tale of Two Cities." "In the Southwest we had a lot of snow this winter," he said. "In the Northwest corner of the country we have had a very dry winter. This spring it has been very wet (in the Northwest), exactly the opposite of the Southwest, which had a very wet winter." Secretary of Agriculture Tom Vilsack and Secretary of Interior Ken Salazar hosted the briefing. Salazar was not optimistic about the upcoming season. He said the perilous situation requires a full array of strategies "including prescribed burns, community partnerships, additional resources, and thinning of excess vegetation." Forest Service Chief Tom Tidwell described the numbers of personnel and equipment that are available for the upcoming season: 15,000 federal firefighters, 3,000 state firefighters, 1,700 fire engines, 19 tankers, eight modular airborne fire fighting systems supplied by the national guard, and 80 single engine aircraft. This will cost money. In the fiscal 2011 budget request for the Forest Service the Obama administration proposed a restructuring of sorts of its fire suppression budget. The budget calls for three levels of funding beginning with \$595 million for standard suppression spending, \$291 million for an emergency FLAME fund and \$282 million for a new contingency emergency fund controlled by the President.

Highway repair fails in Senate.

The Senate at press time had still failed to pass legislation (HR 4213) that would (1) make sure that recreation programs share in some \$900 million of new surface transportation money and (2) make sure that each state receives a proportionate share of the money. The provision is trapped in a tax/stimulus bill that Senate leaders have been unable to get to the Senate floor. A

solid Republican Party has blocked several attempts to bring HR 4213 to the floor. Democratic leaders keep trimming provisions from HR 4213 that began as a more than \$100 billion stimulus plan. The House approved the bill May 28, including the transportation provision that both House and Senate leaders had agreed to. The transportation provision is needed because Congress last year in providing new money in a giant 2009 economic stimulus law (PL 111-5 of Feb. 17, 2009) penalized some programs and some states. Among the programs penalized were Recreational Trails, Safe Routes to School and Metropolitan Planning. In PL 111-5 Congress put up almost \$1 billion for Projects of National and Regional Significance and National Corridor Infrastructure Improvements. But in enacting those programs Congress cut only six of 13 state highway formula programs in on the money, including some outdoor programs. So in the new tax bill, HR 4213, Senate and House leaders are attempting to redress the imbalance by including all transportation programs and all states.

Livability money available. The Departments of Transportation and Housing and Urban Development (HUD) are teaming up to provide \$75 million in grants to communities to make them more livable. In announcing the grants June 21 the departments said they are attempting to avoid single-shot programs to coordinate transportation, land use, housing and development in one program. The Department of Transportation will allocate \$35 million in Transportation Investment Generating Economic Recovery money and HUD will allocate \$40 million in Sustainable Community Challenge Grants. The Obama administration and Democratic committee leaders are committed to making livability a major goal of an upcoming, multi-year surface transportation bill. In fiscal year 2011 alone the administration is asking for \$527 million in livability grant money.

OHV defender Collins honored. Clark Collins, who founded the BlueRibbon Coalition to advocate for off-highway vehicle use 23 years ago, has been selected for the American Motorcyclist Association Hall of Fame.

Collins will be inducted November 19. According to the coalition, Collins established the organization to give powered recreation interests a voice in the debate over public land protection in the West. Adena Cook, who worked for the coalition when Collins first started out, said, "Hundreds of thousands of acres and miles of trail would be closed today had he not done this and been successful."

Conference calendar

JULY

14-16. **The International Convention of Allied Sportfishing Trades in Las Vegas.** Contact: American Sportfishing Association, 225 Reinekers Lane, Suite 420, Alexandria, VA 22314. (703) 519-9691. <http://www.asafishing.org>.

16-20. **National Association of Counties** annual conference in Reno, Nev. Contact: National Association of Counties, 440 First St., N.W., 8th Floor, Washington, DC 20001. (202) 393-6226. FAX (202) 393-2630. <http://www.naco.org>.

AUGUST

2-6. **National Speleological Society** annual meeting in Essex Junction, Vt. Contact: National Speleological Society, 2813 Cave Ave., Huntsville, AL 35810-4331. (256) 852-1300. <http://www.caves.org>.

2-10. **Outdoor Retailer Summer Market 2010** in Salt Lake City. Contact: Outdoor Industry Association, 4909 Pearl East Circle, Suite 200, Boulder, CO 80301. (303) 444-3353. <http://www.outdoorindustry.org>.

12-16. **American Fisheries Society** annual meeting in Pittsburgh. Contact: American Fisheries Society, 5410 Grosvenor Lane, Suite 110, Bethesda, MD 20814-2199. (301) 897-8616. <http://www.fisheries.org>.

SEPTEMBER

7-10. **National Association of State Park Directors** annual meeting in Santa Fe, N.M. Contact: Philip K. McKnelly, NASPD Executive Director, 8829 Woodyhill Road Raleigh, NC 27613. (919) 676-8365. <http://www.naspd.org>.