

Federal Parks & Recreation

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Volume 27 Number 13, July 3, 2009

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House, Senate panel approve spending hikes in DoI bill

The House and Senate are thus far acting quickly on a fiscal year 2010 Interior and related agencies appropriations bill that would provide a 17 percent increase in spending, bill-wide.

The House approved its bill (HR 2996) June 26 by a 254-173 margin and the Senate Appropriations Committee approved its version of a bill June 25. Congress is now on a July 4 holiday but the Interior bill should be a top priority for the Senate when Congress returns July 6.

However, Senate Republicans are expected to dig in their heels on the floor and demand a difficult-to-find 60 votes to begin consideration of the bill.

For most park and rec programs - such as NPS operations, Forest Service recreation, state conservation grants - the House and the Senate committee were within shouting distance of one another.

PARK SERVICE CHALLENGE: The House and the Senate committee did part ways on Park Service Centennial Challenge grants, with the House approving \$25 million and the Senate committee no money. Sen. Lamar Alexander (R-Tenn.), ranking minority member of the Senate subcommittee on Interior appropriations, said no funding was a good idea, temporarily.

"We did not include money for the matching program," said Alexander in committee June 25. "I think that is also prudent because there was substantial new money for that in the stimulus bill. The matching program whereby private friends of different parks can come up with private money to match created a lot of excitement when Presi-

dent Bush announced it. It certainly did in our part of the country in the Great Smoky Mountains National Park. While we are taking a break, I think it is something we may want to revisit in future years."

The National Parks Conservation Association (NPCA) doesn't think a breather is wise. "The Senate bill however provides no federal funding for the Park Service's public-private matching grant program, as requested by the Administration, and which has been used to fund important projects and programs in national parks across the country," said Kristen Brengel, legislative director for NPCA. "The president requested \$25 million, which House appropriators included in their bill; we hope this funding will be maintained in the final bill."

For the other piece of the Bush administration's Centennial Initiative - increased appropriations for operations and maintenance - the Senate committee and the House both approved more than \$100 million. The House committee increased Park Service operations by \$129 million over fiscal 2009 and the Senate increased it by essentially the same, \$130 million.

Said Sen. Dianne Feinstein (D-Calif.), chairman of the Senate subcommittee on Interior appropriations, "We will continue the discretionary funding side of the Centennial Challenge (she meant Centennial Initiative). These funds have allowed for the hiring and retention of 3,000 park rangers, law enforcement rangers and maintenance personnel, which has made a real difference in the quality of our national parks."

LWCF FEDERAL AND STATE: Both the House and the Senate committee followed the Obama administration's lead and approved a significant increase in spending for the Land and Water Conservation Fund (LWCF.) But both also followed the administration lead and diverted some LWCF money to a Forest Legacy program administered by the Forest Service and to endangered species protection.

For the state side of LWCF the House increased the allocation by \$10 million over the \$30 million approved by the House Appropriations Committee June 18, bringing the total to \$40 million. The Senate committee approved \$35 million.

Rep. Norman Dicks (D-Wash.), chairman of the House subcommittee on Interior appropriations, said on the House floor June 25, "There is tremendous demand for more parkland and for recreational facility development. It is more and more vital to get people, and especially kids, out in nature and outdoors doing active recreation."

Much of the pressure for the additional money came from Rep. James McGovern (D-Mass.) He led House opposition to an amendment proposed, but eventually withdrawn, by Rep. Jason Chaffetz (R-Utah) that would zero out funding for the state side of LWCF in fiscal 2010. Chaffetz is a member of a new House Sunset Caucus that is trying to eliminate what caucus members believe are unnecessary programs. Although Chaffetz withdrew the amendment, he has introduced his proposal in bill form (HR 2916), so it is still alive.

The Sunset Caucus, cochaired by Chaffetz, argues that Congress each year must pay for several hundred education, economic and business programs, many of which could be deleted. Said Chaffetz June 17 on the announcement of the new caucus, "State and local governments should be responsible for maintaining their own parks. Refocusing federal resources on federal parks would save taxpayers the \$30 million allocated for these grants in next year's budget and \$150 million over five years."

But McGovern, in asking his colleagues to reject the Chaffetz amendment, wrote, "Given the proven track record of this successful partnership program, its broad appeal, and significant rate of return on investment, we urge you to oppose the Chaffetz Amendment."

FPR has also obtained a summary of state LWCF projects in Chaffetz's Third

Utah District since 1967. They total 1,278 and more than \$10 million. That's both state and matching federal money.

In the Senate, Alexander singled out the LWCF program for praise. "I'm also glad to see the increased funding for the Land and Water Conservation Fund, including the state side which has to do with the city parks," he said. "As most of us know the city parks are the most important parks because they are closest to our homes."

FIRE FIGHTING: Senate and House appropriators from both sides of the aisle spoke up for additional fire-fighting money for both the Forest Service and the Interior Department.

For instance, Feinstein said June 23 that for fire suppression alone the Senate bill includes \$1.8 billion. "That's what's been spent on average for the last three fiscal years," she said. "What that means is we are finally stepping up to the plate and acknowledging the actual costs of fighting fires instead of going into the fiscal year and then running out of money and then there is a big flurry to find money to cover this in other accounts or within a supplemental."

She added, "I am hopeful with this level of funding we are going to put an end to this cycle of agencies having to borrow money and then hoping Congress will replenish it. So with any luck this funding will be enough to get us through 2010."

Alexander was in accord. "As the chairman said perhaps the most important part of the bill financially is that we are being honest about fire fighting," he said. "We admire the United States Forest Service fire-fighting ability but we don't want the U.S. Forest Service to become the U.S. Fire Department."

FS RECREATION: Both the House and the Senate committee upped the ante for Forest Service recreation. The House recommended \$293 million, or \$13 million more than the administration requested. The Senate committee exceeded the administration recommendation by \$10 million.

FS LEGACY: The House took exception to the administration request for \$50 million for a Forest Service Forest Legacy program, doubling it to \$100 million. The Senate committee added \$5 million, or a recommendation of \$55 million. Both the House and the Senate committee would use money from the LWCF account to pay for the Legacy program.

TEDDY ROOSEVELT ELK HUNT: NPCA'S Brengel objected to a proposed elk hunt in the Senate committee bill. "NPCA strongly opposes language added to the bill that would allow a public elk hunt at Theodore Roosevelt National Park (in North Dakota)," she said. "The Park Service is now developing strategies for controlling the park's burgeoning elk population; the rider would preempt and override the Park Service's work and erode longstanding agency policy."

The Senate committee is working off a spending cap for its bill almost as generous as a House cap. The Senate ceiling for discretionary spending is \$32.1 billion, compared to a House ceiling of \$32.3 billion. While that is a \$200 million difference, the Senate cap is still \$4.5 billion above a fiscal 2009 appropriation of \$27.6 billion.

Feinstein did warn that the House bill includes another \$350 million in non-allocation spending, "which means their total is much higher than ours. So that will definitely be a subject for conference."

Here is a comparison of the Senate committee, the House, the administration and fiscal 2009, where the numbers are available:

* **PARK SERVICE OPERATIONS:** Senate committee, \$2.262 billion; House, \$2.261 billion; administration request, \$2.266 billion; fiscal 2009 appropriation, \$2.132 billion;

* **NPS CENTENNIAL CHALLENGE:** Senate committee, no money; House, \$25 million; administration, \$25 million; Obama administration, \$25 million; fiscal 2009, no money;

* **FEDERAL LWCF:** Senate committee, \$262 million; House, \$212.4 million; administration, \$199 million; fiscal

2009, \$160 million;

* STATE LWCF: Senate committee, \$35 million; House, \$40 million; administration, \$30 million; fiscal 2009, \$20 million;

* FOREST LEGACY: Senate committee \$55 million; House, \$100 million; administration, \$50 million; fiscal 2009, \$50 million;

* SAVE AMERICA'S TREASURES: Senate committee, not available; House, \$31 million; administration, \$20 million; fiscal 2009, \$20 million;

* PRESERVE AMERICA: Senate committee, not available; House, \$6 million; administration, \$3 million; fiscal 2009, no money;

* NATIONAL FOREST SYSTEM: Senate committee, \$1.56 billion; House, \$1.565 billion; administration, \$1.507 billion; fiscal 2009, \$1.51 billion;

* FOREST TRAILS: Senate committee, not available; House, \$85.3 million; administration \$82.1 million; fiscal 2009, \$81.2 million;

* FIRE FIGHTING FS: Senate committee, not available; House, \$2.376 billion; administration, \$2.244 billion. The House and Senate committee approved a contingency fund to fight emergency fires of \$282 million;

* FIRE FIGHTING DOI: Senate committee, not available; House, \$933 million; administration, \$900 million. The House and Senate committee approved a contingency fund to fight emergency fires of \$75 million;

* NATIONAL LANDSCAPE CONSERVATION SYSTEM: Senate committee, not available; House, \$74 million; administration, \$72 million; fiscal 2009, \$67 million;

* NATIONAL WILDLIFE REFUGE SYSTEM: Senate committee, \$488.6 million; House, \$503 million; administration, \$483 million; fiscal 2009, \$468 million; and

* BLM RECREATION MANAGEMENT: Senate committee, not available; House, \$67.7 million; administration, \$67.7 million; fiscal 2009, \$63.7 million.

Obama team begins to take shape, except at Park Service

With the notable exception of the National Park Service, the Obama administration is rapidly putting in place an outdoor policy team, in the Interior Department and the Forest Service.

A month ago NPS Pacific Regional Director Jon Jarvis was believed to be on the glide path to be the next agency director. That was before the name of former Colorado Gov. Roy Romer (D), a mentor to Secretary of Interior Ken Salazar, surfaced.

Jarvis still appears to be the front-runner but there are no guarantees. Jarvis is lined up with Bill Wade, chair of the executive council of the Coalition of National Park Service Retirees. The association often reflects the opinion of the NPS rank and file, said, "That's fine. Anybody coming from the senior leadership of the National Park System is fine with us. He is certainly among the best, if not the best. His values are solid, I understand."

Wade said the lack of a director - if nominated, Jarvis would still have to be confirmed by the Senate - has delayed important initiative. "Once he gets in there and establishes relations with the higher ups the agency should be able to get moving," Wade said. He cited as an example Park Service implementation of Congressional instructions to allow concealed weapons in national parks where state parks permit them.

Meanwhile, in the Department of Agriculture, reaction has been largely favorable to the selection of Forest Service Northern Regional Forester Tom Tidwell as the new chief. He will replace Gail Kimbell. She is scheduled to retire July 2. The chief does not require Senate confirmation.

One key indicator - the National Association of Forest Service Retirees - gave Tidwell a warm, if correct, reception. "Retirees are pleased that the Secretary continued the valuable tradition of naming a career professional to head the U.S. Forest Service," said George Leonard, president of the association, in an E-mail. "Tom Tidwell has excellent credentials in resource management and agency administration. Both of these areas are essential for success in leading a resource management agency."

Ranking Senate Energy Committee Republican Lisa Murkowski (Alaska) gave voice to the rumor that Kimbell was asked to retire. "While some would suggest Kimbell does not represent the desires of the new administration and should retire, I have always found her decisions and leadership to be both measured and in the best interest of the land she was asked to conserve," said Murkowski. Murkowski offered Tidwell a cool greeting, saying she looked forward "to working with" him.

Murkowski's counterpart, Senate Energy Committee Chairman Jeff Bingaman (D-N.M.), was more enthusiastic. "Secretary Vilsack's pick for the new Forest Service chief is a great choice," he said. "Tom Tidwell is experienced, he has a respected record of working with diverse interests, he knows the agency's traditions and culture, and he has a good grasp of the issues, challenges and opportunities facing the Forest Service."

Conservation groups lauded Tidwell. Alan Front, senior vice president of The Trust for Public Land (TPL), said, "In TPL's work over many years with Mr. Tidwell across the West, including his most recent stint as Northern Regional Forester in Montana, we and the lands we work to protect have been the beneficiaries of his wisdom, judgment, and deep commitment to America's irreplaceable natural bounty."

Tidwell, who is expected to assume the chief's position July 2, has a 32-year career with the Forest Service. He has served in the field and at headquarters (legislative affairs) and has worked in rural forests and urban forests.

Meanwhile, the Obama administration's nomination of the former director of the Nevada State Office of the Bureau of Land Management (BLM), Bob Abbey, as BLM director is receiving praise, with one exception. The BlueRibbon Coalition, which represents powered recreation users and the recreation industry, expressed apprehension about Abbey's post-retirement association with the Center for Biological

Diversity, Public Employees for Environmental Responsibility (PEER) and Rangers for Responsible Recreation.

Coalition executive director Greg Mumm said, "The goals of these groups are directly opposed to BLM's multiple-use mandates. Congress needs to ensure Abbey's affiliation with these radical groups will not impede his ability to fulfill BLM's multiple-use mission."

The Senate approved one more Obama administration nominee June 18 - Hilary Chandler Tompkins as Interior Department Solicitor. An unidentified Republican senator had placed a "hold" on Tompkins's nomination. With her confirmation Secretary of Interior Ken Salazar now has in place deputy assistant secretary David Hayes, solicitor Tompkins, assistant secretary of Interior for Policy Management and Budget Rhea S. Suh, and assistant secretary of Interior for Fish and Wildlife and Parks Thomas Strickland, who doubles as chief of staff.

Tompkins is a member of the Navajo Nation and worked most recently as chief counsel to New Mexico Gov. Bill Richardson (D.) She once served in the Clinton administration as a trial lawyer in the Environment and Natural Resources Division of the Justice Department.

At the agency level, in addition to Abbey at BLM, the administration June 9 nominated the Fish and Wildlife Service's (FWS's) Southeast Director Sam Hamilton as the new FWS director. Hamilton is a 30-year FWS veteran. His nomination requires Senate approval.

Hamilton's nomination garnered generally favorable reviews with one notable exception. The environmental group PEER said Hamilton has not worked hard enough to protect endangered species.

PEER said that from 2004-2006 the southeast office of FWS conducted 5,947 consultations with federal land management agencies on projects that might affect imperiled species, and objected to only one. By contrast, PEER said, over the same three-year period the

Rocky Mountain FWS office conducted 586 consultations and offered 100 objections.

"Under Sam Hamilton, the Endangered Species Act has become a dead letter," said PEER Executive Director Jeff Ruch, who said the White House announcement of Hamilton's selection touted his "innovative conservation" work. "Apparently, the word 'no' is not part of 'innovative' in Mr. Hamilton's lexicon," said Ruch.

In the Department of Agriculture the Obama administration is scrambling. Its nominee for under secretary of Agriculture in charge of the Forest Service, Homer Lee Wilkes, withdrew his name June 8 for personal reasons. Wilkes is a veteran of the Natural Resources Conservation Service from Mississippi and is not an expert on forest policy.

Wilkes's withdrawal opens the way for the administration to nominate a forestry professional for the job.

Dems disagree on new highway measure; House backs rec

The Democratic establishment disagrees with itself over whether to extend the existing surface transportation law for 18 months or to write a new, six-year law.

On June 25 leaders of the Senate committee that writes surface transportation laws teamed up with the Obama administration to support an 18-month extension of the existing law. That would give Congress breathing room while it wrote a massive, six-year law.

But the short-term fix goes against the grain of the House Transportation Committee. Its subcommittee on Highways and Transits June 24 approved a six-year bill, the Surface Transportation Authorization Act of 2009 (no number yet.) House Transportation Committee Chairman James Oberstar (D-Minn.) said he intends to move the bill to the House floor by the end of the month.

That bill, while it would preserve

all major park and rec programs, has one overarching limitation: It doesn't yet say how much money should be spent on programs. The bill leaves blank all numbers, except one, until committee leaders meet with House leaders and the House Ways and Means Committee to find money to pay the fare. The one exception is the bottom-line price tag of \$450 billion.

The measure would extend for six years such programs as transportation enhancements (still at 10 percent of total allocations for the Surface Transportation program), recreational trails, scenic byways, federal and Indian land roads, and Safe Routes to School. All the programs except enhancements would receive individual allocations of unspecified amounts.

Secretary of Transportation Ray LaHood is leading the call for a temporary extension of the existing Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU.) At a hearing of the Senate Environment and Public Works (EPW) Committee June 25 he said the Highway Trust Fund is running out of money and a stopgap rescue is needed.

LaHood laid out the bad news, "Based on current spending and revenue trends, DOT estimates that the Highway Account of the Highway Trust Fund will encounter a shortfall in August 2009. Based upon current economic assumptions, we estimate that an additional \$5-to-\$7 billion will be needed in the Highway Account to manage the cash flow and pay all of our bills on time through the end of the current fiscal year."

That's not all. "And we estimate that another \$8-10 billion will be needed to cover the anticipated cash shortfall in fiscal year 2010," he said. "Left unchecked, the situation would only worsen in the coming years." So he proposed "an immediate 18-month highway reauthorization through March 2011, and that Congress immediately replenish the Highway Trust Fund to prevent a shortfall this August." In total, he said Congress must come up with \$20 billion.

The chairman of the House Trans-

portation Committee, Rep. James Oberstar (D-Minn.), and the chairman of the subcommittee on Highways, Rep. Peter DeFazio (D-Ore.), oppose an 18-month extension, although they recognize the need for additional money. On June 25 DeFazio said, "Worst of all, every day we wait we continue to be more locked into inadequate funding and the failed policies of the Bush Administration."

DeFazio proposed a solution - a transaction tax on crude oil securities. That would raise \$190 million to fill the gap between the \$450 million needed to pay for the House Transportation Committee bill and the amount of money the Highway Trust Fund gasoline tax would produce in the six-year period, he said.

Oberstar, DeFazio and committee Republican leaders led by Rep. John Mica (Fla.) protested the extension idea June 24 in a letter to President Obama, expressing "profound disappointment." Said the committee members, "Your proposal fails to acknowledge the severity and urgency of the challenges facing the nation's surface transportation system at this crucial time."

But on June 25 senior Democratic senators took Obama's side. At a hearing with LaHood before the Senate EPW Committee, Sen. Frank Lautenberg (D-N.J.) said, "It looks to me the only option we have now is an extension of the current bill long enough to give us time to catch our breath, catch up with the funding problem and catch up with any emergency problems."

Said committee chairman Barbara Boxer (D-Calif.), "That's why I too favor this short-term extension, because we have so much work to do across party lines with the administration to get it right."

'LIVABILITY' EXPLAINED: While LaHood and others talk of a temporary extension of SAFETEA-LU they are also suggesting revisions to it. Said LaHood, "(Possible revisions) include making better use of cost-benefit analysis in investment decisions, creating a new program to improve the movement of people and goods in metropolitan areas,

and promoting livable communities." That last concept, "livable communities," has important connotations for the outdoor community.

Oberstar and DeFazio addressed the concept in their House Transportation Committee bill, establishing a new Office of Livability. That office would oversee such outdoor programs as transportation enhancements, recreational trails, scenic byways, Safe Routes to School and a new U.S. bicycle route system.

The bike route program would provide grants to states and Indian tribes (80 percent federal money) to establish a national system. The money would be used for construction (at least half of all expenditures), planning, mapping, signage and promotional materials.

The House committee bill is available at <http://transportation.house.gov/>. Scroll down to the lower middle portion of the front page.

State parks take budget hits, but even more may be coming

With state governments facing the deepest budget cuts in memory, park and rec departments are resorting to a wide variety of survival measures.

Some - such as California and Georgia - are up against it. As has been widely reported, California Gov. Arnold Schwarzenegger (R) has proposed a two-step strategy that would lead to the closure of most park units in the state within two years.

Georgia has also instituted massive lay-offs and closure of park facilities.

Other states are choosing other options besides out-and-out closures, such as leasing facilities to communities or privatizing the facilities. Others are instituting deep furloughs.

Many state legislatures have not completed their sessions yet, so the final word is not in, said Phil K. McKnelly, executive director of the

National Association of State Park Directors. "Two months ago we said we expected 10-to-15 percent budget cuts nationally," he said. "I think we have exceeded that and it has gotten worse."

McKnelly said federal stimulus money and other federal assistance "didn't make it to state parks, although some states had success with jobs programs."

He summed up, "In my 15 years as state parks director in North Carolina we had three years of downturns, but not as serious as this. At the end of two years in the previous downturns we got well real fast. I don't know about this one."

The National Governors' Association (NGA) last month published an annual *Fiscal Survey of States* that summarizes the struggles state governments are having in all departments in fiscal year 2009 and project to have in fiscal 2010. For the first time since 1983 state general funds decreased in fiscal 2009, by 2.2 percent. The report forecasts a larger decrease of at least 2.5 percent in fiscal 2010.

To make up the difference in fiscal 2010 states project \$23.9 billion in revenue changes, i.e. taxes, fees, permits, licenses, etc. That's 20 times more than the \$1.5 billion increase in fiscal 2009.

For most states the NGA survey doesn't mention park and rec fees as a major source of new revenue, but there are exceptions. For instance, the State of Maine intends to collect an additional \$1.6 million from increases in state park fees, marine licenses and hunting/trapping/fishing licenses.

Here's how a handful of hard-hit states are trying to cope, based primarily on McKnelly's input and complemented from other sources:

CALIFORNIA: Schwarzenegger would, first, cut core funding for the state's 279 parks this month. That would save \$70 million. Second, over the next fiscal year he would gradually eliminate

all funding for the parks system. That could force the closure of more than 200 park units.

Schwarzenegger and the state legislature seemingly go through this budget battle every year. This time is different because the state faces an enormous \$24 billion budget shortfall, and state law limits major tax increases. The California State Parks Foundation is fighting back with petitions and an Internet campaign. It argues that the California state park system actually makes money for the state.

GEORGIA: Georgia State Parks and Historic Sites has undergone a 39 percent loss of appropriations thus far and expects another round of cuts this summer. The agency has released 124 employees and reassigned 30 others. It will probably close, or transfer to communities, three historic sites. The state parks department is also attempting to privatize golf courses.

IOWA: The Iowa Department of Natural Resources will not fill eight positions and will reduce seasonal hours by 40 percent. Iowa state parks receives much of its money from gambling and, it is understood, other agencies are eyeing that pie.

TENNESSEE: Tennessee State Parks has among other things eliminated 30 full-time positions and closed a golf course, subsequently leased to a city.

NEVADA: The Nevada Division of State Parks has received a 10-12 percent reduction. Among other things the agency has instituted regular furlough days for all employees in order to retain as many employees as possible.

Climate bill limps through House; Senate tougher?

Voting largely on the interests of their Districts and not on party lines, House members June 26 approved a landmark climate change bill (HR 2454.) The measure would produce an estimated \$845 billion in revenues for the government over the next decade.

The final vote was 219-to-212 with a significant 44 House Democrats opposed.

Attention now shifts to an even tougher hurdle, the Senate. Predicted Sen. James Inhofe (R-Okla.), ranking minority member of the Senate Environment and Public Works (EPW) Committee, "Today's razor-thin vote in the House spells doom in the Senate. Despite a large Democratic majority in the House, and the fact that this is one of the President's top priorities, the Democratic leadership was forced to do everything possible to get a bill passed."

Senate committees have begun to grind out recommendations that will be combined in one bill on the floor, probably this fall. Senate EPW Chairman Barbara Boxer (D-Calif.) said last week she intends to use the House-passed bill as a guide when her panel marks up a bill. She said she hoped to complete a bill by the end of August.

Senate Majority Leader Harry Reid (D-Nev.) has said he intends to merge the Boxer product with recommendations from other committees, such as the Senate Finance Committee and the Senate Energy Committee.

The energy committee under chairman Jeff Bingaman (D-N.M.) on June 17 completed a comprehensive energy bill that is a candidate for inclusion in the climate change legislation.

The great obstacle in the Senate, as always, is the 60 votes needed to overcome a filibuster threat. Last year on June 6 a predecessor bill similar to the House measure was rejected when it received only 48 votes, with 36 opposed. But the November election substantially increased the Democratic majority in the Senate and President Obama is lending his support to the legislation.

In a White House statement Obama June 29 said he expected the Senate to pass a bill this year. "I am confident that they, too, will choose to move this country forward," he said. "This bill will create new businesses, new industries, and millions of new jobs, all

without imposing untenable new burdens on the American people or America's businesses."

The key park and rec provision included in the House-passed bill would establish a Natural Resources Climate Change Adaptation Fund. The National Wildlife Federation estimates the fund would receive an average of \$2.6 billion per year from fees paid by companies that produce carbon pollution.

The version the House approved June 26 made a major change in the bill as passed by the House Energy Committee May 21: It would subject to annual appropriations all allocations to federal programs from the fund. Thus, if appropriators chose to spend the money to balance the budget or for any other reason they could do so.

Money allocated from the fund to state programs would not be subject to appropriations. Those allocations would be automatic. Of the state money 84.4 percent would go to fish and wildlife programs and 15.6 percent to coastal programs.

Federal allocations, if appropriators felt like putting up the money, would be allocated thusly: 27.6 percent to the Department of the Interior for endangered species, bird, and Fish and Wildlife Service programs, wildlife refuges, and the Bureau of Reclamation; 8.1 percent to Interior for cooperative grant programs; and 4.9 percent to Interior for tribal programs.

In addition the fund would allocate 19.5 percent to the Land and Water Conservation Fund; 5 percent to the Forest Service; 12.2 percent to EPA; 8.1 percent to the Army Corps of Engineers; and 11.5 percent to National Oceans and Atmospheric Administration.

Salazar will seek listing of E'glades as imperiled site

Secretary of Interior Ken Salazar says the Obama administration will attempt to reverse a Bush administration initiative and relist Everglades Na-

tional Park as a World Heritage Site in danger.

The Bush administration persuaded the United Nations Educational, Scientific and Cultural Organizations to remove the Everglades from a list of endangered sites in June 2007.

Salazar made the announcement June 24 at a meeting of the South Florida Ecosystem Restoration Task Force in Washington, D.C. That task force oversees a multi-billion dollar effort of the State of Florida and the federal government to restore the Everglades ecosystem.

Said Salazar, "The federal government must once again stand up and meet its responsibilities to Everglades restoration so that one day, when we achieve restoration, we can remove the park from the list of sites that are in danger."

The Bush administration recommended that the Everglades be removed from the endangered list because the Everglades restoration program had been approved repeatedly by Congress and the State of Florida. The Bush administration argued that the program effectively meant the Everglades would be protected. But critics said the administration failed to consult fully with the Park Service, the state and others.

The Obama administration in late May committed to protecting the Everglades and to redressing an imbalance in federal-state contributions to the restoration of the Everglades ecosystem, at least on paper.

Salazar said the administration was seeking \$600 million to fund ongoing projects. That \$600 million is spread over three appropriations bills - a fiscal year 2009 money bill with \$241 million for the ecosystem project, an economic stimulus bill with \$119.2 million and a fiscal 2010 budget request of \$278 million.

Still, the federal government has a lot of catching up to do. Heretofore the Government Accountability Office

said the state has spent six times as much as the federal government in what is supposed to be a 50-50 proposition. And Florida Gov. Charlie Crist (R) said the state has spent \$2.4 billion.

The massive recovery project, originally expected to cost \$8 billion, has now grown to \$22.5 billion, according to the *Miami Herald*. So, assuming the federal share is more than \$11 billion, \$600 million over three years is but a down payment.

Representatives from 21 countries serve on the World Heritage Committee. When the Everglades was delisted in 2007 the participating countries were: Benin, Canada, Chile, Cuba, India, Israel, Japan, Kenya, Kuwait, Lithuania, Madagascar, Mauritius, Morocco, Netherlands, New Zealand (chair), Norway, Peru, Spain, Republic of Korea, Tunisia and the United States.

The committee identifies outstanding cultural and natural properties around the world and places them on a World Heritage List. Then the committee identifies which of the properties is in danger and deserves to be included on the Danger List.

Interior takes major steps to encourage renewable energy

Secretary of Interior Ken Salazar promised June 29 that by the end of next year 13 commercial-scale solar projects will be under development on public lands in the West.

At a joint announcement with Sen. Harry Reid (D-Nev.) in Las Vegas Salazar said his department will study 24 public lands zones containing 670,000 acres for appropriate sites for solar facilities. The Bureau of Land Management (BLM) formally proposed the withdrawal June 30.

The Salazar announcement follows at least two major blow-ups from friends of the secretary who are concerned about the size and pace of renewable energy development near National Park System units in the Southwest. Those friends

are Sen. Barbara Feinstein (D-Calif.) and the Park Service Pacific Region.

Still, Salazar said June 29, "I have today signed an order that will set aside 670,000 acres of our public lands for fast-tracking of energy. Let me tell you how historic this is. In the history of our country we have never before set aside land for solar energy or renewable energy development."

Salazar made the announcement at a press conference in Las Vegas. He said the department and BLM would undertake a number of other renewable energy initiatives, to wit:

- * prepare an EIS to assess two proposed solar energy projects in Clark County, Nev., near Las Vegas. The Silver State North Solar Project and the Silver State South Solar Project would produce as much energy as a mid-size coal power plant, Salazar said.

- * continue to write a national programmatic EIS for solar energy development on public lands in six western states - Nevada, Arizona, California, Colorado, New Mexico and Utah. The EIS will include an analysis of the 670,000 acres Interior proposes to withdraw from mining and devote to solar development. Companies proposing individual solar projects would tier their site-specific environmental analyses to the EIS.

- * establish four renewable energy coordination offices in Nevada, Arizona, California, and Wyoming to expedite the processing of permits. The first would be located in Nevada.

Feinstein has confined her criticism thus far to the California Desert. In March she asked the Interior Department to place off limits to renewable energy development a large swath of the California Desert. In a June hearing of the subcommittee on Interior appropriations she chairs she told Salazar, "I think this planning process has to be looked at and the science must be looked at because you would have a 20-mile wide corridor just filled with this stuff."

Feinstein said she is working on

legislation to designate a portion of the desert as a national monument. One estimate puts the size of the recommended monument at more than 800,000 acres.

Salazar rejected Feinstein's immediate demand to place the desert off limit to solar development but said BLM and the State of California are conducting a comprehensive planning exercise now and will be careful about where they site projects.

Indeed, in announcing the withdrawal and study of 670,000 acres of BLM-managed land Salazar said June 29 that BLM established strict standards on lands it will review. Said the Interior Department, "Only lands with excellent solar resources, suitable slope, proximity to roads and transmission lines or designated corridors, and containing at least 2,000 acres of BLM-administered public lands were considered for solar energy study areas. Sensitive lands, wilderness and other high-conservation-value lands as well as lands with conflicting uses were excluded."

Separately, in February NPS Pacific Regional Director Jon Jarvis expressed deep misgivings about 63 proposed solar energy projects in southern Nevada. Jarvis, who is a leading candidate to be the next NPS director, said the projects could harm a number of National Park System units, including Death Valley National Park, Lake Mead National Recreation Area and Mojave National Preserve.

Despite those objections the Obama administration makes no bones about its intentions to authorize massive new renewable energy projects across the West.

The department said June 29, "Currently BLM has received about 470 renewable energy project applications. Those include 158 active solar applications, covering 1.8 million acres, with a projected capacity to generate 97,000 megawatts of electricity. That's enough to power 29 million homes, the equivalent of 29 percent of the nation's household electrical consumption."

FS roadless litigation moves up; rec asks Colorado help

The national legal impasse over national forest roadless areas may finally be coming to a head. Then again, it may not.

A federal court in Wyoming June 16 moved the debate along by sticking to an Aug. 12, 2008, decision that said a 2001 Clinton era regulation that largely protects roadless forests from road construction is illegal. A federal court in California has disagreed with the Wyoming court and essentially held that the Clinton rule is legal.

Now both the Wyoming and California decisions are headed for appeals courts, the Tenth for the former and the Ninth for the latter. The Ninth Circuit is expected to rule momentarily on a Bush administration appeal of the California decision upholding the Clinton rule.

In a related development the outdoor recreation industry last month asked Colorado Gov. Bill Ritter (D) to demand major changes in a proposed roadless areas rule of July 25, 2008, sculpted just for national forests in Colorado. The proposal, submitted by Ritter's Republican predecessor Bill Owens, has not been completed because the State of Colorado late last year asked for a delay.

So the Outdoor Industry Association and the Outdoor Alliance, representing a broad base of human-powered recreation interests and businesses, stepped in to ask for more protections for the backcountry.

In a June 19 letter to Ritter the outdoor interests asked that the rule, covering 4.4 million acres of national forest in Colorado:

* "specifically and unambiguously acknowledge the inherent value of roadless areas and place the various development exceptions in a broader conservation framework."

* "prohibit new power line corri-

dors in the backcountry. Utility developments should be limited to previously developed areas."

* concentrate fuel reduction work "near homes to protect people and property. Road building and timber cutting deep in the backcountry and away from people does not make sense. New road building for fire suppression should be limited to specific circumstances and should only be allowed within the wild land urban interface."

* prohibit "new dams, reservoirs, and water projects. . . in the backcountry."

As for the ongoing national litigation, the big unknown is the Obama administration. According to environmentalists, the administration could go a long way towards validating the Clinton rule if it would simply pull the Ninth Circuit appeal. A handful of calls and E-mails to the Department of Agriculture have yielded no response.

Meanwhile, U.S. District Court Judge Clarence Brimmer in Wyoming in his latest decision continued to condemn the Clinton rule, arguing that the Forest Service did not give the public adequate time to comment on an EIS and did not provide adequate maps to the public.

"By violating (the National Environmental Policy Act), the USDA and the Forest Service neglected to consider all of the potentially negative environmental impacts the 2001 Roadless Rule would pose. . .," held Brimmer. "Everyday (sic) that this Rule remains in effect, our forests are placed in a position of further peril."

Brimmer also refused to confine his decision to Wyoming. He applied it nationwide. "The Rule was enacted and enforced on a nationwide basis," he held. "It was not tailored to address the forests of each state as separate entities. It would make little sense, then, to tailor the remedy by limiting the injunction to the State of Wyoming."

The Obama administration May 28 took a first tentative step toward restoring the 2001 Clinton administration roadless rule. Secretary of Agriculture

Tom Vilsack issued a directive that gives him authority to review all proposed projects in 49 million acres of roadless areas for the next year. Nine million acres of roadless areas in Idaho are not affected by the directive, although environmentalists believe they should be.

The key provision of the directive removes authority from the Under Secretary of Agriculture and the Forest Service chief to make final decisions regarding projects in roadless areas. The directive is renewable for another year.

Notes

Revolutionary War battle settled.

A long-standing dispute over the proposed location of a private American Revolution museum within Valley Forge National Historical Park has been resolved. The museum proponent, the American Revolution Center, will build instead at Independence National Historical Park in Philadelphia. Secretary of Interior Ken Salazar said July 1 the center will be provided with space at Independence in exchange for the center's 76-acre site within Valley Forge. The inholding will go to the Park Service. The National Parks Conservation Association (NPCA), which had plastered the Valley Forge proposal with litigation, praised the deal. "This agreement will allow visitors to enjoy the museum on an appropriate site in a historically-rich area, while also protecting the historic landscape of Valley Forge National Historical Park for our children and grandchildren," said Joy Oakes, NPCA Mid-Atlantic senior regional director.

Climbers strike deal with NPS. An organization that represents climbers nationwide, the Access Fund, reached agreement with the Park Service June 30 on a cooperative relationship. The agreement builds on arrangements the Access Fund has struck with such park units as Yosemite National Park, Denali National Park & Preserve, New River Gorge National River, and Devils Tower National Monument in Wyoming. The agreement outlines a mutual approach to conservation, among other things. The

Access Fund represents 75 affiliates and as many as 1.6 million climbers.

2009 emergency fire money okayed.

President Obama signed into law June 24 legislation (PL 111-32) that allocates an extra \$250 million for emergency fire fighting for this fiscal year, if it is needed. The money is included in an emergency supplemental appropriations bill that is designed to provide additional fiscal year 2009 money for Middle Eastern and Asian wars and to fight a pandemic flu outbreak. At the request of the Obama administration the House and Senate threw in the extra fire money. The fiscal 2010 Obama administration budget proposes a separate, emergency wildfire contingency fund of \$352 million, \$282 million for the Forest Service and \$75 million for the Interior Department. The House June 26 approved the fiscal 2010 money as part of an Interior appropriations bill (HR 2996) and the Senate Appropriations Committee approved the money as part of its Interior bill June 25.

Grand Canyon withdrawal cited.

Environmentalists June 25 unhappily marked the first anniversary of a House committee order to the Interior Department to withdraw from mining one million acres near Grand Canyon National Park. The Bush administration on Dec. 5, 2008, refused to go along with the order from the House Natural Resources Committee. Now the environmental groups - the Sierra Club, the Center for Biological Diversity and the Grand Canyon Trust - are asking the Obama administration to act on the withdrawal order. Including Secretary of Interior Ken Salazar in a complaint, Stacey Hamburg of the Sierra Club said, "We need immediate action to protect these important resources from proposed mining activities." There is plenty of push and pull from the pro-mining side. As *FPR* reported last month, former Democratic Sen. Dennis DeConcini (Ariz.) joined his current Senate Republican colleagues from Arizona in opposing the withdrawal of the land. He repeated the argument of current Arizona Sens. John Kyl (R) and John McCain (R) that a withdrawal would violate an understanding the Arizona Congressional delegation reached in 1984 on statewide wilderness legislation. That

deal called for designation of more than one million acres of wilderness in exchange for release to commercial uses of other roadless areas. Rep. Raúl M. Grijalva (D-Ariz.) sponsored the House resolution that would withdraw the land for three years. Grijalva has introduced separate legislation (HR 644) that would withdraw the land permanently.

NPS pays out battlefield money.

The Park Service June 22 said it will award 33 grants totaling \$1,360,000 to protect the nation's battlefields. The money will be use at endangered battlefields dating from King Philip's War (from 1675-to-1676) to World War II. The projects are located in 232 states or territories. Two landmark reports on the nation's endangered battlefields, one prepared by NPS's Civil War Sites Advisory Commission and one a 2007 Park Service report to Congress on Revolutionary War and War of 1812 sites, guided the selection process.

Boxer seeks major western trail.

California Sens. Barbara Boxer (D) and Dianne Feinstein (D) introduced legislation (S 1356) June 25 that would have the Interior Department study the possibility of designating a Western States Trail as a National Historic Trail. Boxer clearly thinks the trail, linking gold camps of California and silver camps of Nevada, meets the standards for a national trail. That is, they must be historically significant and hold potential for public use or appreciation. "The Western States Trail absolutely meets these criteria," she said. Boxer said the trail remains unchanged from the 19th Century when it was used by Native Americans and by miners. Subsequently, the trail has gained different renown as the host of the 100-mile, equestrian Western States Trail ride and of an ultramarathon run.

Feinstein bill would help OHVers.

California Sens. Dianne Feinstein (D) and Barbara Boxer (D) introduced legislation (S 1356) June 23 that would put a heavily-used off-highway vehicle (OHV) area in northern California under the management of the Bureau of Land Management (BLM.) Feinstein said both BLM and the Forest Service now manage parts of the Chappie-Shasta Off-Highway Vehicle

area, meaning two sets of permits for the area and two sets of opening dates. As a quid pro quo for the Forest Service the bill would transfer small tracts of wilderness quality land managed by BLM to the service.

Conference Calendar

JULY

15-17. **The International Convention of Allied Sportfishing Trades** in Orlando, Fla. Contact: American Sportfishing Association, 225 Reinekers Lane, Suite 420, Alexandria, VA 22314. (703) 519-9691. <http://www.asafishing.org>.

19-26. **National Speleological Society** annual meeting in Kerrville, Texas. Contact: National Speleological Society, 2813 Cave Ave., Huntsville, AL 35810-4331. (256) 852-1300. <http://www.caves.org>.

21-24. **Outdoor Retailer Summer Market 2008** in Salt Lake City. Contact: Outdoor Industry Association, 4909 Pearl East Circle, Suite 200, Boulder, CO 80301. (303) 444-3353. <http://www.outdoorindustry.org>.

24-29. **National Association of Counties** annual conference in Nashville, Tenn. 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

30-Sept. 3. **American Fisheries Society** annual meeting in Nashville, Tenn. Contact: American Fisheries Society, 5410 Grosvenor Lane, Suite 110, Bethesda, MD 20814-2199. (301) 897-8616. <http://www.fisheries.org>.

SEPTEMBER

8-11. **National Association of State Park Directors** annual meeting in Stone Mountain Park in Georgia. Contact: Jerry Brown, (800) 573-9659. Email: jerry_brown@dnr.state.ga.us.

20-24. **The Wildlife Society** annual meeting in Monterey, Calif. Contact: The Wildlife Society, 5410 Grosvenor Lane, Bethesda, MD 20814-2197. (301) 897-9770. <http://www.wildlife.org>.