

Federal Parks & Recreation

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Portman, Wyden like idea of NPS funding partnerships

Leading senators from both parties last week backed public-private partnerships as a means of providing significant new revenues for the National Park System in anticipation of its Centennial in 2016.

Most specifically, Sen. John Portman (R-Ohio) said he and Sen. Mark Udall (D-Colo.) are seeking support for legislation to establish an endowment with matched dollar-for-dollar public-private contributions to the parks. Past such proposals recommended as much as \$1 billion per year.

More generally, Senate Energy Committee Chairman Ron Wyden (D-Ore.) said at a hearing on the Interior Department fiscal year 2013 budget June 6 he supported tapping the private sector to help the parks, old and new.

Given the budget squeeze brought on in part by the fiscal 2013 sequestration, he said, "we ought be looking at fresh ideas, creative new ideas that bring in the private sector, look to public-private partnerships to do a responsible job of the needs of our parks in a fiscally challenging environment."

Portman asked Secretary of Interior Sally Jewell at the hearing, "In anticipation of the Centennial coming up do you have a plan to try to encourage more public private partnerships? As you may know Mark Udall and I have started this initiative you may have heard about. The notion is for the Centennial Challenge to challenge the private sector to match dollar-for-dollar."

Jewell welcomed the senators' interest but recommended strongly that

Congress continue to pay for operations of the National Park System. "I came from the Second Century Commission that said private philanthropy should be the margin of excellence for the parks and not the margin for survival," she said. "I think it is critically important that we step up as a federal government to support these assets that are so important."

Jewell served as a member of the Second Century Commission in 2008, sponsored by the National Parks Conservation Association. It recommended an ambitious agenda for the national parks in this century.

Despite her recommendation that Congress maintain appropriations for the parks, Jewell said she would cooperate with Portman and Udall in their endowment initiative. "We do need to work with you and appropriators to address the maintenance backlog but we are very willing - and I know (NPS Director Jon) Jarvis in particular - to find ways to support and engage the private sector," she said.

Short of actually writing legislation to establish an endowment program, Portman and Udall June 11 were the lead signatories on a letter to President Obama asking for his help in upgrading the National Park System in anticipation of the Centennial.

Fifty-one senators and 171 House members signed the letter to Obama that said: "Past presidents and congresses have worked together at key times to repair, improve and enhance parks and facilities, to develop creative ways of connecting the American people with our national treasures and to better preserve our parks for future generations. The national park centennial provides an opportunity to reinvigorate the national parks for their second century of service. We look forward to working with you and your staff to build on momentum from the 100th anniversary of the National Parks System to find a sustainable path forward for our national parks."

Park advocates cheered the legislators. In a typical comment Bess

Averett, executive director of the Friends of Vicksburg National Military Park, said, "We hope the President will hear Congress' call and work with both parties to ensure a meaningful centennial initiative that can provide the national parks with real support. In Mississippi, we are well aware of the importance of preserving the National Park System for future generations."

New parks too? Wyden said his interest in public-private partnerships went beyond maintenance of the existing system to include new parks. "I wonder if we should be working on two tracks," he said. "We have colleagues here both Democrats and Republicans who want to designate new parks. We also have colleagues who say we've got to come up with a fiscally-responsible approach to the backlog."

He added, "We've been talking to director Jon Jarvis about it and I understand that you all are receiving several funding recommendations from the National Parks Conservation Association and the (National Park Hospitality Association) through the Bipartisan Policy Center. Can you tell me more about ways to bring in private sector funding responsibly given the fact that we're going to try hard to build a bipartisan coalition so that we can have new parks?" Jewell promised to work with Wyden.

The three senators are following up in a way on both the Second Century Commission report and a Centennial blueprint written by the Park Service itself, *A Call to Action*. Among other things *A Call to Action*, published on Aug. 25, 2011, recommended a \$1 billion endowment program.

Last year Udall and Portman worked on similar endowment legislation but it was not introduced. Udall chairs the Senate subcommittee on National Parks and Portman is the ranking Republican. Udall's office warned last year the legislation may not go anywhere in 2012 because of the upcoming election.

As a follow-up to the Second Century Commission and *A Call to Action* major organizations backing NPS are

attempting to identify possible new sources of unconventional revenues for the parks. The National Park Foundation, the National Parks Conservation Association and the National Park Hospitality Association have come up with more than a dozen recommendations.

The recommendations were presented March 19 to a stellar group of past and present Congressmen, cabinet members and other VIPs of the park and rec world at a meeting hosted by the Bipartisan Policy Center.

At the meeting two sources of revenue appeared to draw the most interest - diversion of a portion of oil and gas royalties to a new NPS fund of about \$350 million per year and a penny per gallon gasoline tax of about \$1.5 billion per year. (The gas tax would be used for all federal land management agency roads, not just park roads.)

Senate keeps conservation alive in Farm Bill again

The Senate approved a five-year Farm Bill (S 964) June 10 with significant reductions in conservation spending, but it did not address numerous amendments that would have cut funding even more deeply.

Now it's the House's turn to take up its Farm Bill (HR 1947), which would reduce conservation spending even more than S 964. The House is scheduled to begin work on HR 1947 Monday (June 17).

All together the Senate bill would trim \$3.5 billion from projected spending for conservation programs, according to the Congressional Budget Office (CBO). A House committee bill would reduce conservation spending by \$4.8 billion, said CBO.

Senate leaders refused to take up 240 amendments proposed for the Farm Bill, including such dramatic ones as SA 1017 from Sen. Mike Lee (R-Utah) that would have repealed the Conservation Reserve Program (CRP).

The Senate also did not include in

S 964 amendments that would have:

FLTFA: reauthorized the Federal Land Transaction Facilitation Act (FLTFA) through the year 2020. FLTFA directs the Bureau of Land Management and Forest Service to sell excess lands and uses the proceeds to acquire conservation lands. Other agencies including the Park Service receive acquisition money. BLM has sold 27,000 acres under the program with the proceeds going to acquire 18,000 acres. FLTFA was first enacted in 2000, but expired on July 25, 2001.

Forest Legacy: eliminated the program that is managed by the Forest Service. The program allocates money (\$53 million in fiscal year 2012) to acquire forestlands that are threatened by development.

Wetlands: limited federal wetland impairment permits to navigable waters. The Obama administration and conservationists have advocated a more expansive policy that would require a Section 404 permit from the Corps of Engineers and EPA for activities in all wetlands, navigable or not.

Overall the Senate bill follows the pattern of last year's failed measure, i.e. it would reduce funding across-the-board, would reduce funding for conservation programs specifically and would consolidate programs.

Included in both the Senate-passed and House committee-passed bills are provisions to keep alive the Conservation Reserve Program, a consolidated conservation easement program, an Open Fields program and the new loan/conservation policy.

In addition the Senate bill includes a new provision that would require farmers to remove fragile lands from cultivation as part of a crop insurance program. The crop insurance would largely replace direct payments now made to farmers.

Conservationists blessed the Senate bill, particularly the crop insurance program. "Linking conservation compliance to crop

insurance premium support in this Farm Bill was a top priority for the sportsmen's community," said Dan Wrinn, director of public policy for Ducks Unlimited. "The unprecedented agreement that we reached with agriculture and crop insurance groups will wisely invest taxpayer funds in environmentally responsible farming practices, promoting farming of our nation's most traditionally productive acres."

But Rep. Earl Blumenauer (D-Ore.), perhaps the strongest advocate of human-powered recreation in the House, said conservation is receiving short shrift on his side of the Hill.

"Here, again, we're in a situation where the conservation title is in the crosshairs," he said on the House floor last week. "It's the conservation programs that too often have been cut when we are in need of money. They are touted when people are encouraged to vote for the bill, and then those resources dissipate."

Despite the Senate's relatively early consideration of S 964 this year, there are no guarantees Congress will pass a new Farm Bill soon. The Senate bill is significantly different than a version of a bill (HR 1947) the House Agriculture Committee approved May 15.

The House and Senate have until October 1 to complete the legislation because at the first of the year they extended an old Farm Bill law in a short-term budget bill (PL 112-240 of January 2) through that date. If Congress can't agree on a five-year bill before October 1, it may of course simply extend the old law again.

And there is a good chance the House and Senate won't agree. Last year the House Agriculture Committee approved a multi-year bill on July 12, 2012, but House leaders were unable to muster enough votes to pass it on the House floor. Conservatives complained of excessive spending and liberals complained of cuts in food aid for the poor.

In the House this year Republican leaders reportedly are shooting for

House passage of HR 1947 by July 4th. But the objections that blocked a bill last year are still in place. House Agriculture Committee Chairman Frank Lucas (R-Okla.) is the lead sponsor of HR 1947.

The House panel would reduce farm spending by \$40 billion over the next 10 years, or \$17 billion more than the \$23 billion the Senate would cut. The Obama administration has endorsed the Senate bill.

The Senate generosity applies to conservation programs, including a Conservation Reserve Program and an Open Fields program. The Senate committee would reduce the Conservation Reserve Program from the existing 32 million acres to 25 million acres, but that is more than the 24 million acres in the House draft.

And both bills would retain an Open Fields program with the Senate providing \$40 million over five years and the House \$30 million. The program is formally known as the Voluntary Public Access and Habitat Incentive Program. The money would be used to continue an existing program that has passed \$50 million in grants through states to encourage private landowners to welcome outdoor recreationists on their lands.

Eisenhower Memorial bill gains House committee okay

The House Natural Resources Committee June 12 approved legislation (HR 1126) that would require a new design of a Dwight D. Eisenhower Memorial on the Washington Mall.

Committee leaders took the side of the Eisenhower family in the dispute over an existing design by famed architect Frank Gehry based on metal tapestries of a youthful Ike set in his Kansas hometown. The Republicans and the Eisenhower family would prefer the design emphasize Ike's concrete achievements in World War II and as President.

Said bill sponsor Rep. Rob Bishop (R-Utah), chairman of the

House subcommittee on Public Lands, "I realize that there is no written requirement that the family has to like the memorial. But common sense would say it would harm the ability to attract any kind of private financing or approval of other groups without the support of the family. I really want to see this memorial go to completion but I am concerned that if we don't change what we are doing right now we are not going to see it completed."

The bill would establish a new commission, with new staff, that would hold a new design competition.

Ranking subcommittee Democrat Raul Grijalva (D-Ariz.) gently criticized the bill and opposed it, but he did not call for a formal vote. (The committee approved the measure by voice vote.)

"We're probably the worst people to make decisions on what constitutes a good design and what doesn't," he said. "The Eisenhower Memorial went through a rigorous approval process prescribed by Congress . . . The other problem I have is it would significantly change the composition of the Eisenhower Commission and the operation of the staff."

Finally, Sen. Pat Roberts (R-Kan.), a member of the commission that approved the Gehry design, said that starting over could delay construction of an Eisenhower Memorial by another decade. The current campaign began in 1999.

The Dwight D. Eisenhower Memorial Commission says about \$9 million has been spent on the memorial thus far but no spadework has begun. The site lies just below the nation's Capitol and beside the National Air and Space Museum. Eventual construction costs are projected at \$142 million.

Congress established the Dwight D. Eisenhower Memorial Commission in 1999 and has been providing seed money ever since. Gen. Carl W. Reddel, executive director of the commission, said 80 percent of the construction costs would come from Congressional appropriations.

Bishop and House Natural Resources

Committee Chairman Doc Hastings (R-Wash.) also have reservations about the commission's cost projections. They asked NPS on May 15 to justify an estimated annual maintenance cost of \$740,000 per year. The Republicans suspect costs would be far higher.

The maintenance cost estimate was prepared for the Park Service by the Booz Allen Hamilton consulting and engineering firm. Hastings and Bishop expressed their doubts about the estimates in a May 15 letter to Park Service Director Jon Jarvis and demanded back-up documents that led to Booz Hamilton's estimate.

They said, "Gehry's own peer reviewers suggested more frequent cleaning and maintenance would be needed for the tapestry elements and additional testing of the tapestries is ongoing. The Booz Allen study also does not address the costs associated with operating and maintaining the planned electronic component of the Memorial."

In addition to back-up documents the Republicans asked Jarvis to compare maintenance costs to those of the Martin Luther King, Jr. and the World War II Memorials near the proposed site of the Eisenhower Memorial.

The whole design brouhaha reached Congress on March 20, 2012, at a House subcommittee hearing when Susan Eisenhower, granddaughter of former President Dwight D. Eisenhower, objected to the youthful theme of the memorial. She said that it was not in synch with Ike's concrete achievements in World War II and as President.

A year later on March 13 of this year Bishop introduced his bill (HR 1126) that would require a new design of a memorial for the President. Said Bishop on introducing his bill, "We need to reevaluate the current status of the project and find the best way forward toward building greater consensus. This legislation will help address funding concerns and will offer alternative designs for consideration. I am hopeful that these changes will help advance the project toward an outcome upon which all parties can agree."

But the American Institute of Architects (AIA) was furious at Bishop's proposed Congressional intervention into the commission's work. Said AIA Chief Executive Officer Robert Ivy, "Rep. Bishop's legislation allows Congress to exercise governmental authority in a wholly arbitrary manner that negates the stated selection process. It is nothing more than an effort to intimidate the innovative thinking for which our profession is recognized at home and around the globe. We intend to vigorously oppose it."

House GOP demands local role in recommending 'Blueways'

The eight Republican members of the House subcommittee on Water and Power asked Secretary of Interior Sally Jewell June 10 to explain how the Interior Department intends to consult with the public on "blueways."

House and Senate Republicans are irate about a new National Blueways System consisting of broad watersheds that the Interior Department unilaterally established in June 2012. The critics believe that the secretarial order that established the system gives a committee of federal officials authority to establish such broad waterways without consulting local citizens and officials. And without consulting Congress.

"The Order (signed by Jewell's predecessor Ken Salazar) also does not require local support, and as we understand it, National Blueways can be nominated by non-local groups that have no direct interest and with no defined local coordination requirement," wrote the eight Republicans from the House subcommittee on Water. Subcommittee chairman Tom McClintock (R-Calif.) was the lead signatory.

The subcommittee Republicans, who were joined in the letter by House subcommittee on Public Lands Chairman Rob Bishop (R-Calif.), then asked for an explanation. "Given the lack of clarity surrounding the Order and the potentially far reaching implications of a federally-designated river source

to mouth management system, we request a detailed explanation of the public outreach and local collaboration process required for a designation under this Order," they wrote Jewell.

Of immediate concern to the Republicans is an internal Interior Department proposal to designate a Yellowstone Blueway that was put together without the knowledge of the Shoshone Conservation District, they said.

Of political concern to the Republicans is the role played by Rebecca Wodder, a senior advisor to the Department of Interior and long-time environmental activist. Wodder, a former CEO of the American Rivers conservation group, withdrew her nomination last year as assistant secretary of Interior for Fish, Wildlife and Parks.

The Republicans said in their letter that "it is apparent that Ms. Wodder has actively promoted the federal designation of entire river watersheds as National Blueways while some of the same watersheds were deemed as 'endangered' by American Rivers when she led the organization."

The House Republicans didn't mention that just before Salazar left office he said he would not designate any blueways until he had received a letter of support from a state.

Seven senators and 18 House members had written Salazar February 14 to request cancellation of the program. They objected to a provision of Salazar's Secretarial Order 3321 of May 24, 2012, setting up the National Blueways System that put the federal officials in charge, without Congressional input.

Salazar announced the establishment of the National Blueways System concurrent with the designation of the first unit - a Connecticut River and Watershed National Blueway in New England.

On January 9 the Department of Interior designated a second unit - the

White River National Blueway in Arkansas and Missouri. The White River blueway extends from the Ozark Mountains to the Mississippi River.

The system is not supposed to affect either private property or the existing regulations that govern nominated lands, said Salazar in the secretarial order establishing the system. "Nothing in this Order is intended to be the basis for the exercise of any new regulatory authority, nor shall this initiative or any designation pursuant to this Order affect or interfere with any Federal, state, local, and tribal government jurisdiction or applicable law. . .," the order says.

The secretarial order offers this definition of blueways: "National Blueways will be nationally and regionally significant rivers and their watersheds that are highly valued recreational, social, economic, cultural, and ecological assets for the communities that depend on them. National Blueways encourage a landscape-scale approach to river conservation that involves a river from its headwaters to its mouth and across its watershed, rather than individual segments of the channel and riparian area alone."

NPS and concessioners agree to healthy food standards

As part and parcel of its commitment to improving the health of the nation, particularly children, the Park Service last week announced it had established new healthy food standards for its concessioners.

From now on new concessioners will be asked to accept the guidelines in contracts. Existing concessioners will be encouraged to adopt the standards voluntarily.

The concessioners say they are already on board. Said Gerry Gabrusy, CEO of Guest Services, Inc., on behalf of the national park concessioners, "All of us have seen a growing consumer demand for healthy food and we are

committed to meeting the needs and desires of park visitors while keeping prices affordable. The new guidelines include many efforts already underway by the industry and reflect the close collaboration and positive partnership we enjoy with the National Park Service."

The healthy dining policy is designed to give visitors options, not force them to eat their spinach. Say the guidelines from NPS Director Jonathan Jarvis, "The healthy food standards require that concessioners offer several healthy choices without requiring a menu overhaul and are simple so as to be achievable irrespective of operation size."

That means, said Jarvis at a kick-off to the campaign on the Washington Mall June 5, "Traditional favorites such as hot dogs and ice cream will remain, but the new standards will provide additional choices, such as fish tacos and yogurt parfaits, for the 23 million people who buy meals in national parks each year."

Healthy eating in the parks was one of 36 recommendations of the Park Service on Aug. 25, 2011, when it kicked off its campaign to upgrade the parks in anticipation of the 2016 National Park System Centennial. That campaign, *A Call to Action*, also tracks the recommendations of an America's Great Outdoors initiative, President Obama's signature outdoor recreation program.

The *A Call to Action* goal (Eat Well and Prosper) directs NPS to "Encourage park visitors to make healthy lifestyle choices and position parks to support local economies by ensuring that all current and future concession contracts require multiple healthy, sustainable produced and reasonably priced food options at national park concessions."

Coincidentally, healthy eating also tracks a *Let's Move!* campaign backed by First Lady Michelle Obama to improve the wellbeing of youth through exercise and nutrition.

Feeding the public at national

parks is no small business. The Park Service and its concessioners serve food to more than 23.5 million customers each year at more than 250 operations in 75 park units. To get there NPS has executed 500 concessions contracts that gross more than \$1 billion per year. The concessioners employ more than 25,000 people.

NPS said last week the new guidelines apply just to front country and not to backcountry because, well, because backcountry is backcountry. "There are unique nutritional requirements, logistical and other considerations associated with these operation (in the backcountry)," said NPS. "While the Service encourages healthy and sustainable food choices in these services, it has not developed any standards or formal guidelines for these services."

For the front country the standards are quite specific. Among other things they ask, as a minimum:

Fruit and veggy options: make available at least one fruit or vegetable for all entrees.

Reduced-fat dairy: make available low-fat or no-fat milk.

Sugarless beverages: make available at least 30 percent of drinks with no added sugar.

Healthy options: make available light, low-fat, low-sodium and whole-grain foods.

Portion size: make available half portions or reduced-sized portions.

Oil used: no trans fat frying, plus the option of steamed and grilled.

The standards are available at: http://www.nps.gov/commercialservices/docs/Healthy_Parks_Healthy_Foods/Healthy_Food_Policy.pdf

SORP asks for LWCF comments; Wyden backs full funding

With a June 30 deadline approaching, an association of outdoor recreation professionals is again asking the public to recommend improvements to the Land and Water Conservation Fund (LWCF) law. The act is scheduled to

expire on Sept. 30, 2015.

The Society of Outdoor Recreation Professionals (SORP) earlier this year began a drive to round up support for LWCF by soliciting feedback on the program.

So last week the society resolicited comments on LWCF, due by the end of the month. "We invite you to describe a LWCF project and what impact it has had - when, where, who, how? We are particularly interested in learning about the impact of an LWCF funded project - for example, how did the project impact youth, families, communities, schools, wellness, property values, economy, conservation of resources, environmental protection, resource stewardship, public values and engagement, or quality of life," said SORP.

The e-mail address for comments is <https://sites.google.com/site/sorplwcf/>. SORP's website offers more background at: <http://www.recpro.org/>.

The SORP initiative is one part of a national campaign to revive the venerable LWCF program. Leading the charge is the Obama administration's fiscal year 2014 budget request. It makes a strong pitch for full, guaranteed funding for LWCF at \$900 million per year, beginning in fiscal 2015.

Senate Energy Committee Chairman Ron Wyden (D-Ore.) endorsed the administration proposal June 6 at a hearing on the Interior Department budget request.

"I am encouraged to see that the Administration has proposed partial mandatory funding for the Land and Water Conservation Fund in fiscal year 2014 and intend to see full mandatory funding starting in 2015," he said. "I look forward to seeing the legislative proposal to authorize full and permanent annual funding for this program."

Wyden is a leading cosponsor of legislation (S 338) that would guarantee full funding of \$900 million for LWCF in perpetuity without the need for an

appropriation. Noteworthy this year two Republican senators - Richard Burr (N.C.) and Lindsey Graham (S.C.) - cosponsored the bill (S 338).

But western Republicans are unalterably opposed to any expansion of LWCF. Senate Energy Committee ranking Republican Lisa Murkowski (Alaska) last month sharply questioned the Obama administration's priorities in proposing mandatory funding of \$900 million.

She asked Forest Service Chief Tom Tidwell how he could justify such a proposal at a time of soaring fire budgets. "We're talking about a fire season that scares us all and we simply won't have the resources to deal with that," she began.

Murkowski added, "When one program receives preferential treatment not subject to the same continuous review we go through for other programs, fire fighting, hazardous fuels, timber harvest - why does LWCF deserve to be put on a higher plane?" Murkowski is both ranking minority member on the Senate Appropriations subcommittee on Interior and Related Agencies and on the Senate Energy Committee.

Tidwell responded, "Once again, it is driven by what we hear across this country about the need to acquire these key parcels of land whether for critical habitat that can insure that we're able to recover species or to do more active management or to provide key access points to make sure that people can access national forests in key areas or to provide the conservation easements so that a private landowner can keep working his or her lands . . . That's what really drives this."

He finished by noting the economic benefits of land purchases. "At every point in my career by acquiring those key parcels it actually reduces our overall administrative costs and gives us more flexibility to manage these landscapes," he said.

Rep. Mike Simpson (R-Idaho), a key House voice as chair of the House Appropriations subcommittee on Interior, has also questioned the advisability

of adding new lands to the federal estate at a time when the Park Service maintenance budget stands at \$11 billion.

At an April 12 hearing on the Park Service budget Simpson told NPS Director Jon Jarvis, "It seems everyone wants to add new units to the National Park System. Over the last couple of years we've added seven new parks. When we have a growing backlog of maintenance at the parks that currently exist - I'm not suggesting additions aren't appropriate - what pressure is that putting on you as we add new units?"

House panel to address FLREA renewal; no bills in yet

The House Natural Resources Committee will hold an oversight hearing Tuesday (June 18) on the Federal Lands Recreation Enhancement Act (FLREA) that establishes entrance and user fee policy for federal land management agencies.

The law, enacted in 2004, is scheduled to expire on Oct. 1, 2014. The Park Service alone brings in between \$150 million and \$160 million per year from the fees. No legislation has been introduced yet this year to renew or revise the old law.

Park Service implementation has been relatively noncontroversial, but the Forest Service and the Bureau of Land Management (BLM) have infuriated some visitors by charging fees to enter broad tracts that include developed sites.

The law authorizes the agencies to charge fees to visit the developed sites, but the courts have ruled the law doesn't authorize fees just to visit the broader tracts.

Invited witnesses to the House hearing include Western Slope No-Fee Coalition President Kitty Benzar, a critic of FLREA, who said she will address the Forest Service and BLM controversies.

"Between them those two agencies manage over 400 million acres of federal

public land," said Benzar. "In many places they charge the public fees for general access, roadside parking, scenic overlooks, passing through without using facilities, and dispersed areas with little or no federal investment. All such fees were prohibited by (FLREA), but have continued nevertheless."

Much of the recreation establishment supports renewal of FLREA. That includes House Appropriations subcommittee on Interior and Related Agencies Chairman Mike Simpson (R-Idaho).

In one related development NPS supporters last month asked director Jon Jarvis to restructure the agency's entrance and user fee system, using existing administrative authority. Ten advocacy groups, ranging alphabetically from the American Hiking Society to the Western States Tourism Policy Council, called on Jarvis to adopt a "dynamic pricing" system.

That would include higher prices during high season and lower prices in off-seasons. And it would include shorter-duration passes for international visitors.

In a second development the Senate May 15 approved legislation (S 601) to authorize individual Corps of Engineers facilities to retain entrance and user fees under FLREA, just as NPS, BLM, the Forest Service, the Fish and Wildlife Service, and the Bureau of Reclamation do now.

The Corps is no small player in the outdoor recreation world. It hosts 400 million visitors per year, more than the National Park Service or Forest Service.

The Senate attached the Corps legislation to a Water Resources Development Act. The House has not begun work on a counterpart water resources bill.

The House FLREA hearing will be broadcast at 10 a.m. at <http://naturalresources.house.gov/live>.

NPS retirees: Why the delay in Y'stone snow standards?

As the Park Service closes in on its most recent iteration of a plan/EIS/rule for snowmobile use in Yellowstone National Park, competing parties are cranking up their arguments.

In general snowmobilers are lining up behind the proposed rule but the Coalition of National Park Service Retirees has problems.

The retirees take issue with a central tenet of the proposed rule of April 16, 2013 - implementation of new noise and air pollution standards by the winter of 2017-2018. The retirees are recommending to their members that they demand an earlier implementation in the winter of 2015-2016.

"There is little reason to subject the air quality, the soundscape and the park's wildlife and visitors to noisier and dirtier machines for 4 more years since there are already snowmobiles and snowcoaches on the market that meet the enhanced 'Best Available Technology' (BAT) standards," the coalition advised its members. "Concessionaires have stated that they generally replace their snowmobile fleets every two years and thus a two-year phase-in of the new BAT standard for snowmobiles (in 2015-16) would not be onerous."

Even though the new pollution standards would not go fully into effect for four more years, the Park Service would begin implementing a new policy with new caps on daily use by the winter of 2014-2015. So the Park Service is attempting to complete its paperwork this year.

It published a final supplemental EIS and plan on February 22 and, based on that plan/EIS, proposed a final rule two months later. The schedule calls for completion of a record of decision this summer followed by a final rule before this winter (2013-2014).

The plan-EIS and the proposed rule would authorize up to 50 groups of snowmobiles daily to enter the park

with up to seven vehicles in a group and up to 60 snowcoaches, beginning with the winter of 2014-2015. That's a total of 110 "transportation events." In addition both snowmobiles and snowcoaches would have to pass tougher noise emission standards eventually.

NPS is committed to extending existing snowmobile and snowcoach limits through this upcoming winter of 2013-2014. Those limits allow up to 318 snowmobiles per day and up to 78 snowcoaches per day.

While Park Service retirees have problems with the proposed regulations the American Council of Snowmobile Associations suggested its members endorse the proposed rule before the comment period ends June 17, as follows: "I am writing in support of the Proposed Winter Use Rule (RIN 1024 - AE15) for Yellowstone National Park and particularly support its approach to managing winter use by transportation events. This will be a very positive change which will allow greater flexibility for park management while protecting park resources and providing reasonable visitor access."

But the retirees have objected to the concept of transportation events from the beginning. Said Denis Galvin, a former deputy director of the Park Service, "Yellowstone has built its proposed plan around an assurance that 'transportation events' of different types will have 'comparable impacts.' But the park proposes to allow snowmobile groups to exceed its own measure of 'comparability,' generating disproportionate noise and exhaust and less ideal conditions for visitors seeking to experience and enjoy Yellowstone."

In addition to the delay in pollution standards to 2017-2018 the retirees also objected to a Park Service request for recommendations on exempting non-commercial guided trips from noise and air pollution standards.

Said the retirees, "We believe that the NPS runs the risk of significant legal liability or the necessity of completing yet another environmental

compliance document if it decides to relax the new BAT standards for the non-commercially guided trips in the final rule."

The Wyoming Congressional delegation is more or less on board with the NPS proposal. As Sen. John Barrasso (R-Wyo.) said when the plan was completed in February, "Today's announcement will hopefully bring to close a 15-year long debate on how the National Park Service manages Yellowstone's winter use activities. I'm encouraged Wyoming's views were incorporated into the final plan.

Rep. Daines endorses bill to protect Glacier region

The Republican House member from Montana, Rep. Steve Daines, June 5 gave a major boost to legislation to protect the North Fork of the Flathead River Valley in Montana. The legislation is designed to also protect Glacier National Park.

He introduced a bill (HR 2259) similar to legislation introduced in the Senate (S 255) by the two Democratic senators from Montana - Jon Tester and Max Baucus - that would prevent mining and oil and gas development in the Flathead Valley

The legislation applies to land near Glacier in the Flathead and Kootenai National Forests by withdrawing 362,000 acres from mining and oil and gas development.

Said Daines, "I'm glad to be a part of this important, bi-partisan effort and leading the charge in the House to achieve the goals that the Flathead community supports."

The Daines bill has one provision the Senate bill does not have - it would specifically say the legislation does not affect uses other than mining and energy development. "(N)othing in this Act restricts recreational uses, livestock management activities, or forest management activities allowed on the date of the enactment of this Act on the eligible Federal land in accordance

with applicable law," says HR 2259.

Just the threat of the legislation is having an impact, according to Tester and Baucus. They say they have persuaded the holders of 80 percent of the existing oil and gas leases in the area to return their leases to the government, or more than 200,000 acres.

This is the third Congress that the two senators have introduced the bill. The measure would forbid oil and gas leasing, geothermal energy leasing and hard rock mining in the North & Middle Forks of the Flathead drainage area.

The Forest Service generally supports the legislation, Associate Deputy Chief James P. M. Peña told the Senate Energy Committee April 25 at a hearing on the Senate bill.

Peña testified, "Presently, there are no active locatable or leasable operations, including oil and gas, in the North Fork or Middle Fork. We recognize the bill would not affect the existing oil and gas leases because they would constitute valid existing rights."

The National Parks Conservation Association praised Daines for working with his Democratic Senate colleagues. "It has been far too long since Big Sky residents have enjoyed bipartisan support, from the state's entire Congressional delegation, for a public lands bill," said Michael Jamison, Glacier program manager for the association. "I believe we all welcome this legislation as a significant milestone, evidence that local solutions still can carry weight in our nation's capital, and that our leadership can transcend political lines to place Montana first."

Enviros participate in Bishop Utah lands initiative

The Southern Utah Wilderness Alliance (SUWA) last week confirmed it will participate in negotiations begun by Rep. Rob Bishop (R-Utah) to produce a grand agreement to settle land management disputes in eastern Utah.

SUWA's top priority in the negotiations would be the designation of a 1.4 million-acre Canyonlands National Monument on Bureau of Land Management (BLM) land in southern Utah. The monument would lie adjacent to Canyonlands National Park.

In a bulletin to its members June 6 SUWA said, "When we received Congressman Bishop's letter in February asking for our input on legislation, we were skeptical but intrigued. Congressman Bishop is, after all, chairman of the House subcommittee that for the past three years has focused on how to drill more, protect less and sell more public land. He is also the same person with whom we worked successfully and amicably to pass the Cedar Mountains Wilderness bill in 2006." The bulletin was sent by SUWA Executive Director Scott Groene.

In Bishop's February letter kicking off the campaign he said the time may be ripe to strike a broad deal that would balance development in eastern Utah against protection of large landscapes. He asked for recommendations from such parties as energy companies, environmentalists and local governments.

Said Bishop in a sample letter to the parties, "Through conversations with county and state officials, conservation groups, industry, non-governmental organizations, and the public, I believe Utah is ready to move away from the tired arguments of the past. We have a unique window of opportunity to end the gridlock and bring resolution to some of the most challenging land disputes in the state."

He added, "In order to strike an appropriate balance between conservation and responsible development and use, and to create greater certainty for the citizens of Utah, I am pleased to announce that I am initiating a process to develop federal legislation that seeks to address many of the issues that have plagued public land management in eastern Utah."

SUWA's Groene said last week there is a long way to go. "Talks have just

started, and there is no clearly defined process as this is written," he told his flock.

A spokeswoman for Bishop told us his office sent out 22 letters in February. The project did not go public before, she said, because Bishop "doesn't want the perception to be that this initiative is being done to garner media coverage."

Some 12.7 million acres of federal land in Utah are reserved for conservation purposes, including national parks, wilderness, wilderness study areas, wild and scenic rivers, and national monuments. In addition Congressional Democrats are pushing for the designation of 9.1 million acres of new wilderness, mostly from BLM-managed lands.

While Bishop is looking for common ground, he is definitely not on board with the proposed 9.1 million-acre wilderness bill (HR 1630, S 769). Rep. Rush Holt (D-N.J.) and Sen. Richard Durbin (D-Ill.) introduced that measure April 18.

"Rob opposes the Red Rocks bill, as does every member of the delegation," said his spokeswoman. "It's not the balanced approach Rob is hoping to take on land issues moving forward. I anticipate that Red Rocks will have the same fate that it has had all the other times it has been introduced." This is the 23rd year for the bill.

Still to be decided is whether the Bishop effort will address Gov. Gary Herbert's (R-Utah) initiatives to gain control over public lands in Utah for the state.

Herbert began the campaign on March 23, 2012, when he signed legislation that requires the federal government to turn all 30 million acres of federal lands in Utah over to the state. That includes national parks, BLM lands, national forests, wilderness areas and the Grand Staircase Escalante National Monument. Separately, the state has filed 30 lawsuits seeking title to 39,000 acres of RS 2477 rights-of-way to use as roads.

Notes

NPS retirees hit Hatteras bill.

The Coalition of National Park Service Retirees asked Sen. Ron Wyden (D-Ore.) last month to delay consideration in the Senate Energy Committee of legislation (S 486) to reverse a Park Service plan that reduced beach access to off-road vehicles (ORVs) in the Cape Hatteras National Seashore Recreational Area. The bill had been scheduled for committee mark-up May 16 but committee chairman Wyden pulled the bill at the request of NPS Director Jon Jarvis. Now the retirees are making a similar pitch to the chairman. "We firmly believe that the current CAHA ORV (off-road vehicle) plan is a much needed, long overdue, significant step in the right direction to bring CAHA into compliance with all guidance applicable to the management of ORV use in units of the National Park System," said coalition chair Maureen Finnerty. At issue is a final Park Service rule of Jan. 23, 2012, that governs ORV use in the seashore. The Obama administration published the rule after four years of debate about a Bush administration strategy of June 2007 that kept most of the seashore open to ORVs. The January NPS rule would open 28 miles of the seashore to ORV use but close 26 miles. Opponents of the NPS rule have significant weapons of their own. For instance, the House Natural Resources Committee May 15 approved a House bill (HR 819) that would reverse the NPS policy by a 24-17 vote. And Senate sponsor Sen. Richard Burr (R-N.C.) has the strong support of at least two Democrats, Sens. Kay Hagan (N.C.) and Joe Manchin (W.Va.) Rep. Walter Jones (R-N.C.) introduced the House bill.

Colorado Monument panel formed.

Democratic Sen. Mark Udall (Colo.) and Republican Rep. Scott Tipton (Colo.) said June 8 they have formed a committee to help them draft legislation to designate as a national park the Colorado National Monument. The 20,500-acre monument is already a unit of the National Park System. Now Udall and Tipton have begun a process that could lead to an upgrade of the site to a full-blown national park. The five-member committee is to work with Udall

and Tipton to craft a draft bill. At which point the Coloradans will hold a public comment period. Advocates say conversion to a park would boost tourism and the Grand Valley economy. Critics say a national park would produce traffic jams and intrusive federal rules and regulations outside the park, as on air quality. The five committee members are Kristi Pollard, former director of development at Colorado Mesa University; Warren Gore, a Glade Park rancher who will chair the working group; Ginny McBride, chairwoman of the Colorado National Monument Association Board of Directors; Michael Burke, chairman of the Grand Junction Area Chamber of Commerce; and, Jamie Lummis, a member of the Grand Junction Economic Partnership and the USA Pro Cycling Challenge organizing committee.

Major Nevada ski expansion asked.

The Mt. Rose Ski Tahoe resort in Nevada is proposing a \$23 million expansion into an area that would provide skiers with views of Lake Tahoe, Reno and Washoe County. The Forest Service announced June 3 that it would prepare an EIS on the impacts of the 112-acre project on land within the Humboldt-Toiyabe National Forest. The proposal would establish an Atoma area with 11 defined trails and would build a 3.5-mile trail from the top of Mt. Rose down to the Atoma area. At one point the resort would build a bridge for skiers over the Mt. Rose highway. Environmentalists complain that part of the project would be built on Forest Service land that was acquired in 1994, ironically to block a proposed ski area and condominium. Mt. Rose is principally owned by company president Kurt Buser. Comment by July 3 by regular mail to: *Linda Crawley, Team Leader, Humboldt-Toiyabe National Forest, 1200 Franklin Way, Sparks, Nev. 89431* or by e-mail to: http://www.fs.fed.us/nepa/nepa_project_exp.php?project=41487.

Border patrol measure back. Sen. Ron Paul (R-Tenn.) June 11 introduced an amendment to the big Senate immigration bill (S 744) that would require federal land managers to cooperate with Border Patrol agents who operate on federal lands near Mexico and Canada. Senate leaders did not say if they would take

up the Paul amendment, which addresses numerous issues besides federal lands. The House approved the border patrol legislation June 19, 2012. The Paul provision would waive some 39 laws, if the Department of Homeland Security sought access to the border for security purposes. The laws include the National Park Service Organic Act, the Wilderness Act, the Endangered Species Act, the National Historic Preservation Act, the National Environmental Policy Act, the Wild and Scenic Rivers Act, and more.

BLM, FWS travel abuses detailed.

The Department of Interior Inspector General published a report last month that identified a high percentage of "lax supervisory reviews" in as many as one-half of Bureau of Land Management (BLM) employee travel statements. A second report found problems with more than one-third of Fish and Wildlife Service employee statements. But the reports may not provide much political traction because the Interior Department is replacing its travel management system in November, and the agencies promised to clean up the existing system. The Inspector General's (IG's) BLM report describes numerous examples of excessive charges and undocumented charges by employees of both agencies on travel between November 2010 and April 2012. For instance the IG report signed by Kimberly Elmore, Assistant Inspector General for Audits, Inspections, and Evaluations, says two employees badly abused per diem expenses. The agencies promised to crack down. The reports are available at <http://www.doi.gov/oig/index.cfm>.

Rec activity up; problems tho.

The Outdoor Foundation reported June 7 that outdoor activity in the country in 2012 was the most it has measured in the last six years. But the foundation said outdoor participation by younger generations continues to lag compared to older generations. Further, non-Hispanic Caucasians continue to be the primary young outdoor recreationists. Chris Fanning, executive director of the foundation, said the rec establishment has work to do to expand diversity in outdoor activities. "Moving forward, a continued growth strategy focused on today's youth and future generations

of outdoor participants is critical to reconnecting Americans with nature and healthier lifestyles," he said. The Park Service has made visitation by minorities a key element of its run-up to its Centennial in 2016. The Outdoor Foundation report is available at: outdoorfoundation.org/research.

Rec industry honors Lamar. The American Recreation Coalition (ARC) presented Sen. Lamar Alexander (R-Tenn.) with its highest honor June 5 - the Sheldon Coleman award. Not only has Alexander served as a U.S. senator, governor of Tennessee, president of the University of Tennessee, and Secretary of Education, but he also chaired the President's Commission on Americans Outdoors (PCAO) in the 1980s. PCAO led to an increased emphasis on recreation throughout the political establishment. Said ARC President Derrick Crandall, "PCAO's advocacy of greenways and scenic byways, of recreation as a priority for federal land-managing agencies previously commodity-focused, of expanded volunteerism and a new emphasis on outdoor ethics, of strategies for paying for federal recreation services and of a new era of private/public partnerships inspired action in Washington and across the nation." The award is named after Sheldon Coleman who built the outdoor equipment company, Coleman Company, into an international power.

FS planning committee to meet. The 21-member advisory committee that is to help the Forest Service implement a contentious planning rule will meet for a fourth time June 25-26 in Salt Lake City. The Forest Service said the members will "continue deliberations on formulating advice for the Secretary on the Proposed Land Management Planning Directives." The National Advisory Committee for Implementation of the National Forest System Land Management Planning Rule includes representatives of a number of uses, ranging from powered recreation to human-powered recreation to the timber industry to environmentalists to local government officials to American Indians. The Forest Service published the final planning rule Jan. 26, 2012, to the applause of environmental groups and

the condemnation of commercial users of the public lands. An alliance of timber, livestock and powered recreation industries filed a lawsuit against the plan Aug. 13, 2012. The lawsuit argues that the rule illegally requires the protection of all species, and not just vertebrate species. The requirement falls under the broader policy of ecological sustainability. The committee has a website at <http://www.fs.usda.gov/detail/planningrule/home/?cid=stelprdb5346267>.

Wyden hits Obama fire policy. Senate Energy Committee Chairman Ron Wyden (D-Ore.) took the Obama administration to task June 4 for proposing a reduction in hazardous fuels spending in fiscal year 2014, at a time of severe wild fire seasons. He largely blamed the Office of Management and Budget (OMB). "We are going to ask a lot of questions to get into this baffling Office of Management and Budget (OMB) position," he said at a hearing on federal fire policy. "There is no significant justification for the request for hazardous fuels treatment. My own take is that these kinds of fire prevention efforts are exactly what we need." The criticism is unusual in part because Wyden is of the same political party as the Obama administration. Echoed ranking committee Republican Lisa Murkowski (Alaska), "Beginning in fiscal year 2001, federal lands fuel reduction funding rose substantially to over \$400 million. It continued to rise steadily through fiscal year 2009, to nearly \$620 million. Now, the agencies are proposing substantial reductions in fuel reduction activities and Congress is having a harder time justifying increasing the expenditures." Forest Service Chief Tom Tidwell added fuel to the fire, so to speak, when he described perilous conditions in the forests this year. "The other thing that adds to this is over 40 million acres of dead trees throughout the Interior West are going to be feeding these fires over the next few years," he said. For hazardous fuels the Obama administration requested about 20 percent less money in fiscal 2014 (about \$251 million as opposed to a \$317 million fiscal 2012 appropriation) and a 48 percent reduction in the Interior Department.

Austin to head NPS in Southeast.

Stanley J. Austin, the superintendent of Cuyahoga Valley National Park, will become the new Southeast regional director of the Park Service in mid-July. Austin has been superintendent at Cuyahoga since 2010. He replaces David Vela, who served as southeast director from 2008 through 2012. The Southeast region counts 66 National Park System units in nine states.

House gets Nevada NCA bill. Reps.

Steven Horsford (D-Nev.) and Dina Titus (D-Nev.) introduced legislation (HR 2276) June 6 that would designate a 350,000-acre Gold Butte National Conservation Area (NCA) adjacent to Lake Mead National Recreation Area. Senate Majority Leader Harry Reid (D-Nev.) introduced a counterpart bill (S 1054) May 23. The Bureau of Land Management (BLM) would manage the NCA that would include 129,500 acres of wilderness. The bills would also designate 92,000 acres of wilderness within Lake Mead. Despite Reid's standing the political outlook for the legislation is cloudy because his fellow Nevada Sen. Dean Heller (R) is not on board. And Nevada newspapers suggest Heller may not be coming on board any time soon because of traditional western concerns about locking up federal land. The legislation would withdraw the land from mining and energy development. Said Horsford on introducing his bill, "Gold Butte is a state treasure and Nevada's piece of the Grand Canyon. This site has a rich cultural history, it is a critical wildlife habitat, and it should be preserved and protected for future generations." As the area has become more popular conservationists have begun to worry about general degradation.

Laird to head NPS in NYC. Joshua

R. Laird, a New York City official, will become commissioner of the National Parks of New York Harbor, replacing Maria Burks. Baird has served as assistant commissioner of planning for the New York City Department of Parks since 2006. He will oversee 22 National Park System destinations in New York City and northern New Jersey, including the Statue of Liberty and Gateway National Recreation Area. Those parks of course were devastated by Hurricane

Sandy last fall.

Conference calendarJUNE

21-24. **U.S. Conference of Mayors Annual Meeting** in Las Vegas, Nev. Contact: U.S. Conference of Mayors, 1620 I St., N.W., Fourth Floor, Washington, DC 20006. (202) 293-7330. <http://www.usmayors.org>.

28-30. **Western Governors' Association Annual Meeting** in Park City, Utah. Contact: Western Governors' Association, 1515 Cleveland Place, Suite 200, Denver, CO 80202. (303) 623-9378. <http://www.westgov.org>

JULY

9-12. **The International Convention of Allied Sportfishing Trades Show** in Las Vegas, Nev. Contact: American Sportfishing Association, 225 Reinekers Lane, Suite 420, Alexandria, VA 22314. (703) 519-9691. <http://www.asafishing.org>.

18-20. **National Equestrian Trails Conference** in Rock Hill, S.C. Contact: Southeastern Equestrian Trails at www.southeasternequestriantrails.com.

19-22. **National Association of Counties Annual Conference** in Fort Worth, Texas. 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>.

July 31-Aug. 3. **Outdoor Retailer Summer Market 2013** in Salt Lake City, Utah. Contact: Outdoor Industry Association, 4909 Pearl East Circle, Suite 200, Boulder, CO 80301. (303) 444-3353. <http://www.outdoorindustry.org>.

AUGUST

5-9. **National Speleological Society Convention** in Shippensburg, PA. Contact: National Speleological Society, 2813 Cave Ave., Huntsville, AL 35810-4331. (256) 852-1300. <http://www.caves.org>.

13-15. **Safe Routes to School National Conference** in Sacramento, Calif. Contact: www.saferoutesconference.org.