

Federal Parks & Recreation

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In this issue. . .

Calif. to vote on parks fund.

Ballot initiative would produce \$500M per year for state parks and refuges. Would assess new fee on registering autos ... Page 1

Gulf spill nears parks, refuges.

Begins to arrive on Gulf Islands, Bon Secour Refuge. All national parks still in business Page 2

Spending caps may be in offing.

As addendum to tax bill rather than from budget. Interior bill may be big rider target Page 3

Congress evaluating 'livability.'

Major new program overseeing park and rec transportation unlikely. But planning grants maybe .. Page 5

NPS visitation dips; are reasons.

Early numbers down almost 3.5 percent. No inauguration .. Page 6

New highway spending deal helps.

House, Senate agree to include rec in a pot of new money .. Page 7

Obama leads climate bill campaign.

Says Gulf spill argues for new law. GOP is not so sure ... Page 9

House panel acts on monuments.

Approves resolution demanding documents. To floor now? .. Page 10

Outdoors initiative visits Bay.

Listening session arrives just as Chesapeake battle resumes .. Page 11

Notes Page 12

Boxscore of legislation Page 14

California places state parks rescue fund on fall ballot

California voters this November will vote on a ballot measure designed to bail out both the troubled state park system and state wildlife refuges.

The initiative would impose an \$18 fee on 28 million registered vehicles in the state and apply the \$500 million per year to conservation purposes.

Supporters of the coalition that is sponsoring the resolution said it will not only keep state parks open but will also attack a \$1 billion maintenance backlog. Budget problems have threatened to close many California state parks for the last three years.

Said Elizabeth Goldstein, president of the California State Parks Foundation, "Budget cuts forced nearly 150 of the state's 278 state parks to close or reduce services last year, and chronic underfunding is forcing the more than \$1 billion maintenance backlog to continue to grow. This initiative will provide the stable and adequate source of funding needed to keep state parks open and contributing to our economy, the public's health and education."

A broad coalition put together the ballot initiative, rounding up more than 760,000 signatures, double the number needed. California Secretary of State Debra Bowen June 10 qualified the proposal for the November 2 ballot.

Among the sponsoring groups were the California State Parks Foundation, the tourism industry, conservation groups, youth advocates, park rangers, teachers, boy scouts, and more.

California's budget problems first threatened the park system in 2008, when 48 parks were proposed for closure, only to be rescued by last-minute compro-

mises. In 2009 the state proposed to close 220 of the state's 278 parks until again a last-minute budget compromise saved the day. This year the state has proposed to close or reduce hours in 60 parks.

The State of Arizona is facing a similar squeeze. It proposed to close 13 of its 22 parks this year, but local governments and nonprofit groups have come to the rescue with financial and in-kind assistance. Only five parks will close.

The nationwide state budget problems and their impact on state parks is drawing national attention. The National Trust for Historic Preservation last month put state parks at the top of its annual 11 most endangered historic places list. The trust included all state parks in the designation. All the other 10 endangered places were specific sites.

Said the National Trust, "This year nearly 30 states have experienced cuts to parks' and sites' budgets, and a recent survey estimates as many as 400 state parks could close. While providing some short-term budget relief, this approach will actually cost states far more in the long term."

Arizona and California are facing another fix - the Park Service has warned the states that closure of parks could cost them money from the Land and Water Conservation Fund, both from already appropriated and unspent money and from future appropriations.

THE CALIFORNIA FUND: If approved by voters in November, the California State Parks and Wildlife Conservation Trust Fund Act of 2010 would kick in two months later on Jan. 1, 2011. The state would immediately begin assessing an \$18 fee for most registered vehicles, including motorcycles and recreational vehicles. The fee would not apply to larger commercial vehicles, mobile homes and permanent trailers.

Of the \$500 million collected annually, 85 percent, or \$425 million, would be allocated to the California

Department of Parks and Recreation. Of that \$425 million, about \$20 million would be used to manage and restore urban river parkways.

Of the rest of the \$500 million approximately \$35 million per year would be allocated to manage and operate wildlife refuges, \$20 million would go to the Ocean Protection Council for marine protection, \$10 million per year to protect park and wildlife habitat and \$10 million per year for grants to local agencies for wildlife conservation.

The revenue would replace the \$130 million the state government now appropriates for state parks out of general revenues. And it would eliminate entrance fees to park units for the 28 million vehicles that pay the vehicle registration fee. Out-of-state visitors who wished to visit one of California's fabled state beaches would still have to pay fees of up to \$15 for admission.

Gulf spill oil begins to reach national parks, refuges

The oil from the Deepwater Horizon oil spill is beginning to wash up on Gulf Islands National Seashore and is threatening a number of other park units, according to the Park Service.

A Park Service spokeswoman said the oil first reached Gulf Islands around June 1. "But the dynamic is changing all the time," she said. "One day there will be considerable oil and then it will be washed out with the tide the next day."

NPS said that all eight national parks that are located in the Gulf from Texas to Florida are still open for business, and that all concession services are being provided. "That is the message we are trying to get out there," said the spokeswoman, who is operating from an interagency operations center in Louisiana.

NPS held out the possibility that some parks might have to be closed. "(D)epending on future oil impacts, some temporary closures may occur," the ser-

vice allowed in a daily Gulf state bulletin.

Although park units other than Gulf Islands are under the gun, the spokeswoman said they have not been hit with oil yet. "We are crossing our fingers," she said.

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

Meanwhile, FWS personnel are members of interagency teams that are collecting oiled wild birds in the gulf. At press time they had collected some 1,400 birds, mostly in Louisiana.

Like many other conservation groups Ducks Unlimited (DU) has formed a response team. Several of the 16 members have already inspected the situation. "Most of the team members have been involved since this spill began April 20, and they are devoting significant time and resources to monitor, plan and execute actions by DU and out partners every day," said DU President Dale Hall, a former FWS director.

DU briefed representatives of more than 150 senators and House members last weekend. Dr. Tom Moorman, DU's lead scientist for the Gulf Coast, described threats to the 13.7 million ducks that migrate into the area. "What's at risk for ducks is what's at risk for the birds you are seeing on the news right now," he said. "The other possibility is that oil comes into the marshes and the wetlands and kills the food sources. In that case, birds are going to show up, not find food and then scatter in search of other habitats."

The National Wildlife Federation and two other conservation groups June 15 asked President Obama to set aside a quarter of a BP escrow account, or \$5 billion, for restoring Gulf habitat. "Despite BP's public claims, when oil infiltrates sensitive coastal marsh-

lands, it really can't be cleaned up," said Larry Schweiger, president of the National Wildlife Federation. "That's why investments to rebuild the lost wetlands are critical to rebuilding healthy and prosperous Gulf coast communities."

The Department of Interior has identified eight national parks and 36 wildlife refuges that are at risk in the Gulf. It has deployed 428 FWS personnel to deal with the spill and 158 Park Service officials. Altogether from federal, state, local and private sources more than 25,000 people are fighting the spill.

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

The National Parks Conservation Association (NPCA) reminded Congress and the administration that the nation made a deal four decades ago - energy companies could develop offshore oil and gas but royalties and other revenues were to be used for conservation. However, most of that conservation money in the Land and Water Conservation Fund (LWCF) - \$17 billion - has not been spent.

Said Theresa Pierno, executive vice president of NPCA, "As recovery and restoration efforts continue in the Gulf Coast, we hope the Administration and Congress can keep the promise they made 40 years ago." The administration has requested \$619 million for LWCF in fiscal 2011, out of a \$900 million authorization.

Appropriations spending cap may - may - be on the way

The House next week may put together some sort of informal spending cap for fiscal year 2011 that would enable appropriations subcommittees to begin writing bills in July.

The House and Senate are considering the insertion of spending ceilings in a comprehensive tax bill (HR 4213) that is now on the Senate floor. The House approved the bill May 28 without the ceilings.

Even if Congress set spending ceilings, that doesn't mean the appropriations subcommittees on Interior and Related Agencies would immediately go to work. With battles over climate change, Gulf oil spills, border wars, and national monuments sure to be fought out in such bills, the betting is good that little work will be done on an Interior bill until after the November elections.

"I don't think the Democrats will have much appetite to spend a week on the floor (House or Senate) debating those issues in relation to the national debt," said Alan Rowsome, who handles budget issues for The Wilderness Society. "My guess is Interior would be wrapped into an omnibus continuing resolution after the election in November and December."

And, said Rowsome, fiscal 2011 spending levels for the Interior bill may well look like fiscal 2010 levels. "I would bet that Interior will end up with what they got in fiscal year 2010," he said. "They may get a slight decrease of one-half to one percent."

Other spending bills with outdoor programs such as Energy and Water, Transportation and Agriculture are in different boats and may at least get out of subcommittee. But the word is that Democratic leaders don't want to get into battles about setting spending ceilings and will choose in the end to maintain fiscal 2010 levels, at best.

If the House and Senate establish informal spending caps, those caps would substitute for full-blown Congressional budgets.

Once again the political gridlock between Democrats on one side and Republicans and blue-dog Democrats on the other is preventing the House and Senate from completing a budget. And that gridlock could well prevent Congress

from completing individual appropriations bills.

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

However, Senate consideration of the committee budget would constitute a miracle because the odds are high against either the Senate or the House taking up a budget this year, let alone approving one.

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

Although Conrad included in his mark recommendations for increases in natural resources programs, for overall domestic discretionary spending he called for even more substantial reductions than the Obama administration in its fiscal 2011 request.

It should be noted that budget recommendations are purely advisory; appropriators will decide how much to spend on what. Also, the Congressional budget does not go to the President.

House Republicans are keeping up the pressure by demanding that Congress approve a budget this year, even though those Republicans would almost certainly vote against any budget House Democrats might come up with. The Republicans say the Democrats owe it to the nation to try.

The Congressional budget process calls for the House and Senate to complete their budgets by April 15. This year the House Budget Committee has taken no action and the Senate Budget Committees didn't approve Conrad's draft until April 26.

In a related action the Office of Management and Budget (OMB) has prepared a directive that would have each department propose the elimination of programs to reduce spending by five percent. The department would then be able to keep half the savings and apply it to favored programs. Although the OMB directive would not have an impact until the fiscal year 2012 budget, it is a harbinger of things to come as Democrats and Republicans attempt to outdo each other in spending reductions. Departments are to report to OMB by September 13.

Big new livability program unlikely, planning bill maybe

Given the great budget crunch, Congress is not about to approve a comprehensive new "livability" program as part of a big new surface transportation law, at least for a couple of years.

But the bones of a livability program could be established in an outline of a surface transportation bill, or a partially funded surface transportation bill. And elements of the program, such as regional planning, could get the Congressional go-ahead soon.

Thus, the Senate Banking and Housing Committee held a hearing last week on a bill (S 1619) that would provide \$100 million per year in grants to regional planning bodies to promote livability. The grantees would coordinate housing, infrastructure, transportation, energy, and environmental assessments.

The chief sponsor of S 1619, banking committee chairman Chris Dodd (D-Conn.), said livable communities are a national issue. "The design of our communities is often seen as primarily a local issue, but the enduring consequences of how we lay out our communities are national in scope," he said.

And he said the legislation could also induce citizens to use transportation other than cars. "Less compact communities that force residents to rely solely on their cars increase the cost burden of transportation on households, and transportation is already the second largest expense for American households,

ahead of food, clothing and healthcare," he said.

The substance of the transportation arm of a livability program is already on paper, laid out in a \$500 billion surface transportation bill (unnumbered) the House subcommittee on Surface Transportation approved June 24, 2009. But because of its cost that bill, written principally by House Transportation Committee Chairman James Oberstar (D-Minn.), is not going anywhere in the next couple of years.

Still, said an aide to Oberstar, the subcommittee bill provides a template for a transportation-based livability program, with or without big money. "What Oberstar is saying is that the Senate and the administration are accepting the livability blueprint in his bill," said an aide to the chairman.

But the aide said that while a fully-funded Surface Transportation initiative is stalled, Congress may implement the structure first. "If we can't get extra money, we can go ahead with reforms," he said. "There are multiple variations of that."

Although the staff member said the Surface Transportation bill provides the structure of a livability program, "a lot of the mechanisms still need to be sorted out."

At any rate the subcommittee bill would establish a new Office of Livability within the Department of Transportation. 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.

Separately, the Obama administration proposed a broader-based livability program February 1 in its fiscal year 2011 budget request. It proposed an

initial \$527 million proposal through the Department of Transportation that would provide grants to state and local agencies.

PLANNING GRANTS: The legislation considered last week by the Senate Banking Committee addresses just the \$100 million per year (for four fiscal years) livability planning grants. Eligible entities include states and regional planning bodies.

For areas of less than 200,000 population S 1619 would provide grants of up to \$750,000. For areas of 200,001 to 500,000 the bill would provide grants of up to \$1.5 million. And for areas of more than 500,001 population the program would provide grants of up to \$5 million. The feds would provide 80 percent of the cost of projects and the state or regional government the rest.

Not surprisingly regional governments last week were full of praise for the Dodd bill. Jackie Nytes, city-county councilor in Indianapolis and Marion County, Ind., endorsed a comprehensive approach. "The most sustainable growth must be nurtured from every possible angle. . ." she said. "Cities can not just fix houses, or just build parks, or just enhance mobility by either adding sidewalks or more transit options - cities must do all of these things. . ."

Said Lyle D. Fray, executive director of the (Hartford) Capitol Region Council of Governments, "The flexible, inclusive nature of the (Livable Communities Act) is key to defining and seeing progress due to the fact that local governments and regions around the country are at varying stages of creating livable communities." Fray testified on behalf of the National Association of Regional Councils.

NPS visitation slips, but there are lots of reasons

Total visitation to the national parks is down so far this year but a significant chunk of the decrease is attributable to the fact that there was

no Presidential inauguration in Washington, D.C., this year.

The 2009 inauguration of President Obama led to a more than two million increase in visitation to the National Capital Park Central, compared to 2008.

"That two million is awful hard to pick up," said Butch Street, a management analyst in the Park Service Denver Service Center.

In addition visitation to the Blue Ridge Parkway in North Carolina and Virginia has dropped by 1.5 million this year. Again that may indicate the loss of a slop-over from southern visitors to the inauguration in 2009.

Altogether as of mid-June visitation was down about 3.5 percent across-the-board in the National Park System. That translates into a decrease of almost 4.5 million visits, from 127,866,420 at this time last year to 123,399,148.

Visitation levels were spotty by mid-June for the most famous national parks outside of Washington, D.C. For instance Everglades National Park, Yosemite National Park and Yosemite National Park were up, 21,000, 2,000 and 9,000 visitors respectively.

But Grand Canyon National Park was down by 39,000 and Rocky Mountain National Park was down by 42,000.

The main visitation season just began this last weekend with no entrance fees. Yellowstone National Park for instance said that through May it had received only about 10 percent of its anticipated visitation total. It has 357,036 visits thus far this while total visitation last year exceeded 3.3 million.

Street said the Park Service will be hard-pressed to post higher visitation numbers this year than last, when the lousy economy keep Americans close to home. "I'm actually forecasting we will be down one-half percent this year because last year was such a banner year," he said. "And we will have to

take off two million from the inauguration."

In addition Street is watching closely the value of the Euro. Last year it hit more than 1.5 compared to the dollar, inducing Europeans to come to the U.S. This year the Euro is only ahead 1.15 to a \$1. "If anything concerned me it would be the value of the Euro," Street said.

Some of the early numbers are hard to figure. For instance on the Washington, D.C., Mall the Franklin Delano Roosevelt Memorial reported a 99,000 decrease in visitation for this year. However, the memorial is only one mile from the Vietnam Veterans Memorial, which counted a 237,000 increase and the Lincoln Memorial, which counted a 123,000 increase.

Street said those numbers are difficult to parse. "The way we count is we take six samples every day," he said. "If one person is not doing the job correctly, the numbers may be twisted. I'm going to check on it."

Last year the Park Service received a 4.37 percent increase in visitation compared to 2008. That translated into almost 12 million more visitors, 286,850,984 in 2009 compared to 274,852,949 in 2008. The reason for the visitation increases was the same at about every level - the national recession.

Camping at national parks was up almost five percent in 2009 compared to 2008 with 8,384,192 visits compared to 7,992,069 in 2008.

The Corps of Engineers posted an even bigger gain in 2009 just for camping, 17 percent, hitting 756 million visitor days versus just 631 million in 2008.

Surface transportation spending deal may help rec

The House and Senate have agreed to legislation that would (1) make sure that recreation programs share in some \$900 million of new money and (2) make

sure that each state receives a proportionate share of the money.

The legislation, a comprehensive new tax bill (HR 4213), is needed because Congress last year in providing new money in a giant 2009 economic stimulus law (PL 111-5 of Feb. 17, 2009) penalized some programs and some states.

Among the programs penalized were Recreational Trails, Safe Routes to School and Metropolitan Planning. Said House Transportation Committee Chairman James Oberstar (D-Minn.) last month when the House approved HR 4213, "The highway provisions in H.R. 4213 appropriately recognize the standing of all of the current highway formula programs: distributing 'additional' formula funding through all current State highway formula programs, rather than just six. This modification is critically important to the Appalachian Development Highway System, Metropolitan Planning, and Safe Routes to School programs."

HR 4213 is now before the Senate and the Senate is expected to accept the highway language without change. "That particular provision has been worked out between the House and the Senate," said Jim Berard, spokesman for Oberstar.

Meanwhile, it is looking ever more likely that park and recreation programs financed by the current surface transportation program are going to have to learn to live without a new law. Because of the federal budget deficit the odds are stacked against Congress approving a five-to-six-year surface transportation bill this year, or in the next three years.

But that may not prevent the House and Senate from passing legislation that would establish a structure for a multi-year law, with the numbers to be filled in over the next three years. Nor would it prevent Congress from tinkering with the existing surface transportation law during that time to increase spending.

"There are a lot of possible scenarios," said Berard. "If we can't get extra money, we can go ahead with reforms. And maybe we can get money for some of the programs to keep them alive

and keep them from declining. But Oberstar is going to push for the full amount."

For all that Berard admitted, "Right now the political will is not there to move a new bill leading up to the election."

Oberstar's Senate counterpart, Senate Environment and Public Works (EPW) Committee Chairman Barbara Boxer (D-Calif.), is also talking about completion of a multi-year bill this year, even without money.

Said Derrick Crandall, president of the American Recreation Coalition who met with Boxer's staff last week on a possible recreational trails provision in the law, "I asked (the staff member) what she sees happening this year and she said that Barbara Boxer's goal is to have all policy issues worked out this fall and to hold hearings. Barbara Boxer intends to get the bill out of committee this fall and to the House floor."

But Crandall says that despite the best efforts of Oberstar and Boxer, the political will to spend \$500 billion on a six-year bill is probably not there.

"Nothing is going to happen to the highway bill for the next three years except an extension of the existing law," he said. "The White House is not ready to commit the dollars for the long term. We're probably looking at extensions of SAFETEA-LU and underwriting revenue needs with general revenues. By then they may find a new paradigm for a funding source."

Some observers say the political situation posits that Republicans who generally resist federal spending would have no incentive to help the Democrats lay the foundation for a big new highway and transit spending bill. That's because the Republicans are likely to make significant gains in the fall elections and will be in much better position next year to resist new legislation.

But some Republicans such as ranking EPW minority member James Inhofe (R-

Okla.) are big fans of highway spending. In arguing last fall for an extension of SAFETEA-LU to keep states in the money Inhofe said that "states cannot afford to move forward with transportation development activities without confidence in long-term and consistent future federal reimbursements."

SAFETEA-LU is the existing surface transportation law - the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU.) Congress extended its life until the end of this year on March 18 (PL 111-147.)

The House subcommittee on Surface Transportation approved a multi-year replacement bill (unnumbered) on June 24, 2009. Boxer has said she anticipates the House subcommittee bill will serve as a template for a bill in her EPW committee.

The House subcommittee bill would extend for six years such outdoor programs as transportation enhancements, recreational trails, scenic byways, federal and Indian land roads, and Safe Routes to School. It would also establish a livability program through a new Office of Livability that would oversee transportation enhancements, recreational trails, scenic byways, Safe Routes to School and a new U.S. bicycle route system. (See related article page 5.)

The subcommittee bill has been stalled for the last year because no one has figured out how to make up a \$125 billion to \$140 billion shortfall. Until the House Ways and Means Committee and others come up with the money, the bill sits.

While Congress waits for a replacement for SAFETEA-LU, it has also been providing some additional money to surface transportation programs in a big economic stimulus law. Among other things Congress last year put up almost \$1 billion for Projects of National and Regional Significance and National Corridor Infrastructure Improvements.

But in enacting those programs

Congress cut only six of 13 state highway formula programs in on the money. And it earmarked the money for a half-dozen states (principally New York and California), leaving other states with little help.

So in the new tax bill, HR 4213, Senate and House leaders attempted to redress the imbalance by including all transportation programs and all states. The earmarked states would still get their money, but HR 4213 would put up extra money for the left-out programs and states.

Obama leading the charge for climate bill, but GOP rebels

President Obama June 15 in an Oval Office speech ratcheted up the pressure on Congress to move comprehensive climate change legislation - this year.

Admitting that the transition away from heavy use of carbon won't be cheap, he said, "And there are some who believe that we can't afford those costs right now. I say we can't afford not to change how we produce and use energy - because the long-term costs to our economy, our national security, and our environment are far greater."

Ranking Senate Energy Committee Republican Lisa Murkowski (Alaska) fought back, saying the President should not use the Gulf oil spill to justify climate legislation. "The push in Congress to enact cap-and-trade on the backs of the victims of the Deepwater Horizon tragedy - instead of on its own merits - is indefensible," she said.

But the sponsors of a draft compromise Senate bill - Sens. John Kerry (D-Mass.) and Joseph Lieberman (I-Conn.) - want action this summer. "We will continue working with colleagues from both sides of the aisle to pass comprehensive reform this summer," they said in a joint statement. "This isn't a time for band-aids."

In a closely-related development the Senate last week rejected a Republican attempt to kill EPA authority to regulate climate change.

Republicans and Democrats are both reading the political tea leaves produced by the vote to determine if it helps or hurts the chances of comprehensive climate change legislation this year. One thing both sides agree on - Congress should set climate policy.

The Democrats say the 47-to-53 vote (with 53 opposed to the resolution) means that the threat of tough EPA regulations should force Democrats and Republicans to work together to finish a climate change bill.

Kerry and Lieberman said, "Many supporters of the (EPA) resolution argued passionately that climate change is real but that addressing it is a job for Congress not the EPA. We hope they will now engage with us to pass our pro-business, pro-jobs approach so the EPA doesn't have to do the job that the Senate has failed to do."

Although Republicans oppose almost all climate control legislation, Murkowski, the author of the EPA resolution, also said it was up to Congress to set policy. "By passing our bipartisan disapproval resolution, we can return the debate over climate policy to its rightful home, here in Congress, where duly-elected representatives can represent the best interests of their constituents," she said.

If climate change legislation is to move this year, it will be up to the Democratic leadership and President Obama. And they are saying that the Gulf spill demands action. Thus, Senate Majority Leader Harry Reid (D-Nev.) last week asked six committee leaders to prepare legislation for the Senate floor before leaving on a July 4 holiday.

Reid laid out this schedule in a letter to six Senate committee chairmen: "I would ask that you provide any recommendations or report legislation, if desired, in your Committee's jurisdiction, before the Fourth of July recess to address the challenges that I have laid out above so it can be incorporated into a comprehensive clean energy bill for consideration during the July work period." That gives the Senate two more weeks to act.

Kerry and Lieberman this week circulated an analysis that their bill would create 540,000 jobs per year. "Comprehensive energy and climate reform is the next great economic stimulus, and with time a wasting, now's the time for action," the senators said in a joint statement.

But EPA also released an analysis June 15 of the Kerry-Lieberman bill that indicates it would cost the average household \$79 to \$146 each year in additional energy costs. The report is available at <http://www.epa.gov/climatechange/economics/economicanalyses.html#apa2010>.

The Senate Environment and Public Works Committee (EPW) has not begun hearings on the Kerry-Lieberman effort yet. The committee did approve a previous climate change bill (S 1733) on Nov. 5, 2009. That measure is similar to a bill (HR 2425) the House approved June 26, 2009. Those bills have not advanced in the Senate because of opposition from Republicans and centrist Democrats.

Putting pressure on the Senate to act is the Obama administration's EPA. It published final regulations May 13 that require entities that produce 100,000 tons or more of carbon pollutants to obtain permits. The regulations will kick in for operations that now hold permits on Jan. 1, 2011, and for new operations on July 1, 2011. Those regulations are part of the EPA package that Senate Republicans would like to block.

The natural resources management provisions in the Kerry-Lieberman bill closely approximate the House-passed bill and the Senate EPW bill. All would revise fundamentally management priorities on federal and nonfederal lands to emphasize adaptation to climate change.

In addition the bills would establish a Natural Resources Climate Change Adaptation Fund that would provide billions of dollars to protect natural resources. In a major difference from the House bill, the Kerry-Lieberman bill and the Senate EPW committee bill would

guarantee money in the fund. The House would subject distribution of the money to appropriations in annual spending bills.

House committee approves new GOP monuments resolution

House Natural Resources Committee Republicans June 16 finally won a skirmish in their battle to obtain internal Interior Departments documents that analyze the possible designation of national monuments.

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

The chief sponsor of the resolution, ranking committee Republican Doc Hastings (Wash.), said other agencies besides BLM may be involved in an Obama administration campaign to designate national monuments. "We now know other agencies were involved in preparing this document, not just BLM," he said. "E-mails reveal that the Department of Interior agencies including the National Park Service, the Fish and Wildlife Service, the Bureau of Indian Affairs and the Bureau of Reclamation were involved in contributing to this document."

And he suggested that the White House is involved. "We know that there were discussions about the White House," he said. "We don't know if the White House was aware of these documents and the extent of their involvement."

Instead of casting a wide net to obtain thousands of documents, as the Republicans tried to do unsuccessfully in early May, they are focusing on just the one internal review of 14 monuments.

Exactly how House Democratic leaders will respond now is unclear. That committee chairman Nick Joe Rahall (D-

W.Va.) sided with the Republicans may persuade the leadership to take a vote on the resolution.

However, an aide to Hastings said that "the House is not under any obligation to have a floor vote." The staff member added, "The only scenario in which the House would be forced to have a vote on the resolution is if the Committee didn't take any action on it after 14 legislative days from its introduction."

When Hastings and Rep. Rob Bishop (Utah), ranking Republican on the House subcommittee on National Parks, first introduced a privileged resolution (H Res 1254), they demanded all Interior Department documents related to a Treasured Landscapes program. On May 5 the House committee rejected that request because, as Rahall said at the time, it was too sweeping. Still, the committee refused to endorse the resolution and send it to the House floor by a narrow 20-to-22 margin.

But this time Hastings and Bishop are only seeking pages from the one department document. They already have obtained pages 15-to-21; they are now asking for pages 1-14 and pages 22 on.

Said Rahall June 16 of his state-of-mind when the committee considered a first Republican resolution on May 5, "My main objection to the resolution then was that it was entirely too broad and that was why the committee acted on it without a recommendation." But now, said Rahall this week, "The pending resolution is much more specific and, as I stated on May 5, if the gentleman would devise a more specific resolution I would support it. I am prepared to do so today."

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

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

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

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

But, complained Hastings, "(A)fter reviewing the pages (provided) I am more alarmed than ever by the administration's refusal to come clean on their plans for new national monuments." Hastings said that while the Interior Department provided 383 pages it (1) withheld 2,000 more and (2) provided no attachments to E-mails.

America Outdoors looks at Chesapeake; trouble there

President Obama's Great Outdoors Initiative will travel to the Chesapeake Bay next Friday (June 25) just as a decades-long dispute about cleaning up the bay fires up again.

The administration, led by the Interior Department, will hold a listening session in Annapolis, Md. The administration has put EPA in charge of cleaning up the Chesapeake, which has been fouled by farm run-off, industrial pollution and residential pollution.

EPA has begun the process of establishing total maximum daily loads (TMDL) of pollutants that go into the bay.

On June 10 Reps. Tim Holden (D-Pa.) and Bob Goodlatte (R-Va.) introduced legislation (HR 5509) to ease the impact of the TMDL standards by making them periodic, rather than daily. The bill would also establish some general new standards, advisory committees and a national commission.

Holden chairs the House Agriculture subcommittee on conservation and Goodlatte is the ranking subcommittee Republican.

The Holden-Goodlatte bill infuriated the Choose Clean Water Coalition. "There are no consequences, no deadlines, no accountability and no funds. If you think the failed bay cleanup effort is going great, than you're going to love this bill," said Tony Caliguiri, Chesapeake executive director for the National Wildlife Federation and co-chair of the Choose Clean Water Coalition.

In other forthcoming sessions the Great Outdoors Initiative will host the public June 28 in Charleston, S.C.; July 1 in Seattle, Wash.; and July 8 in Los Angeles.

President Obama kicked off the America's Great Outdoors initiative at a White House conference April 16. He ordered his cabinet heads to go out into America and report back to him by November 15. He charged the Council on Environmental Quality with assembling a report with proposed outdoor policy strategies.

At this point all interests are guessing as to the final content of an initiative, including administration officials. But the administration will almost certainly be asked to support:

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

the Senate Energy Committee), or
* all of the above.

Notes

NPS Centennial hearing delayed.

The Senate Energy Committee last week canceled a scheduled June 17 hearing on a major report on the National Park Service as it approaches its 2016 Centennial. A committee staff member said the hearing was canceled because of scheduling conflicts between the commissioners who wrote the report and the committee. "We tried to arrange the hearing so that we could get high-profile commissioners," the staff member said. "That didn't work out but we will try to rearrange the schedule." However, the committee's agenda is booked through June. The National Parks Second Century Commission, chaired jointly by former Sens. J. Bennett Johnston, Jr. (D-La.) and Howard H. Baker, Jr. (R-Tenn.), presented its report to Secretary of the Interior Ken Salazar on Sept. 24, 2009. The project was sponsored by the National Parks Conservation Association (NPCA.) The House subcommittee on National Parks held a hearing on the report May 25 with commissioner Vic Fazio. He recommended that Congress establish a national endowment for non-core Park Service activities that would supplement appropriations for core activities. Fazio is a former Democratic House member from California. While the House subcommittee generally gave the commission and NPS Director Jon Jarvis a warm reception, some House Republicans were openly hostile. Ranking subcommittee Republican Rob Bishop (Utah) questioned the role of the Park Service in preparing the report. He linked NPS and NPCA to recent assertions that in the Gulf of Mexico oil spill the Minerals Management Service was too close to the oil and gas industry.

Law renames DoI Udall building.

President Obama signed into law (PL 111-176) June 8 legislation to designate the Department of Interior headquarters building in Washington, D.C., the Stewart Lee Udall Department of the Interior Building. Congress passed the legislation in honor of Stewart Udall, who was secretary of Interior in the

1960s during the Kennedy and Johnson administrations. Udall died at 90 March 20 after a fall at his home in Santa Fe, N.M. The Senate gave final Congressional approval May 25 to the legislation (HR 5128.) The House approved the bill May 20. During Udall's watch Congress passed the Wilderness Act, the Land and Water Conservation Act, the National Historic Preservation Act, the Wild and Scenic Rivers Act and the Endangered Species Act. After leaving the department he continued to champion protection of the nation's wild lands. Stewart Udall was the older brother of former Rep. Morris Udall (D-Ariz.), who made a run at the Presidency. Stewart Udall was also the father of Sen. Tom Udall (D-Ariz.)

Civil rights bill action asked.

The National Trust for Historic Preservation and its members are conducting a campaign to persuade the Senate to approve a bill that would authorize a study of African-American Civil Rights sites. The Senate Energy Committee held a hearing May 19 on the bill (S 1802), sponsored by Sen. Roland Burris (D-Ill.) The House approved a counterpart bill (HR 685) Sept. 29, 2009, by voice vote. The legislation would authorize a study of the landmark sites where the fight for civil rights for African-Americans took place. The sites include Little Rock Central High School in Arkansas and the Lorraine Motel in Memphis, Tenn. The Park Service would conduct the study. If the Senate Energy Committee approved S 1802, it could become a candidate for an omnibus lands bill that panel chairman Jeff Bingaman (D-N.M.) wants to move later this year. The bill is titled the United States Civil Rights Trail Special Resources Study Act.

New York parks kept open. The New York legislature May 27 approved an emergency infusion of \$11 million to keep 55 state parks and historic places open this summer. New York Gov. David Paterson (D-N.Y.) had proposed to close the parks to help cover a mammoth budget deficit. Some of the new money will come from a mix of taxes on electronic waste and hazardous waste. New York is one of many states in the nation that

are either closing parks or reducing services to help make up budget deficits. (See related article on California on page one.) The National Trust for Historic Preservation has named the nation's state parks en masse as the number one most endangered historic place in the country.

Pombo defeated in comeback bid.

Former House Resources Committee Chairman Richard Pombo (R-Calif.) failed June 8 in his attempt to obtain a Republican nomination for the House in California. Pombo, one of the most conservative and most ambitious chairmen of that committee, was making a bid to replace Rep. George Radanovich (R.) Radanovich, who represents Yosemite National Park, is retiring. Radanovich endorsed Pombo's opponent, State Sen. Jeff Denham. When Pombo lost his old seat in 2006 to Rep. Jerry McNerney (D-Calif.), the Sierra Club named him number one on its Most Wanted List.

Commerce praises Calif. Desert bill.

Supporters of a bill to protect more than a million acres of California Desert are beating the drums by circulating praise from local Chambers of Commerce. The bill (S 2921) from Sen. Dianne Feinstein (D-Calif.) would designate a 941,00-acre Mojave Trails National Monument and a Sand-to-Snow National Monument of about 134,000 acres from BLM-managed lands. The National Parks Conservation Association is highly the praise for the bill rendered by the Joshua Tree Chamber of Commerce, the 29 Palms Chamber of Commerce and the Morongo Valley Chamber of Commerce. "The Sand to Snow National Monument will not only protect snow-capped peaks and desert oases rich in wildlife, it will bring important economic benefits to local businesses," said Karen Lowe, president of the Morongo Valley Chamber of Commerce. The Senate Energy Committee held a hearing on the bill May 20. The Obama administration generally supported the measure, but ranking committee Republican Lisa Murkowski (R-Alaska) questioned the wisdom of putting so much prime acreage off limits to renewable energy (solar) before its potential is evaluated.

Boxscore of Legislation

<u>LEGISLATION</u>	<u>STATUS</u>	<u>COMMENT</u>
Appropriations 2011 No bill yet	President submitted budget request Feb. 1.	Would increase LWCF significantly but provide flat budgets, at best, elsewhere.
Appropriations fiscal 2010 (Interior) HR 2996 (Dicks)	President Obama signed into law Oct. 30, 2009, as PL 111-88.	Provides broad increases for park and rec programs.
Appropriations fiscal 2010 (Energy and water) HR 3183 (Visclosky) S 1436 (Dorgan)	President Obama signed into law Oct. 28, 2009, as PL 111-85.	Roughly maintains FY 2009 levels. Senate reduced Everglades money.
Appropriations fiscal 2010 (Agriculture) HR 2997 (DeLauro)	President Obama signed into law Oct. 21, 2009, as PL 111-80.	Restores some conservation money, but leaves EQIP short.
Appropriations fiscal 2010 (Transportation) HR 3288 (Olver)	President Obama signed into law Dec. 16, 2009, as PL 111-117.	Does not make up Highway Trust Fund shortfall.
Appropriations Stimulus HR 1 (Obey)	President Obama signed into law Feb. 17, 2009, as PL 111-5.	Allocates some \$4 billion to federal land management agencies to help revive the economy.
LWCF revival HR 3534 (Rahall) S 2747 (Bingaman)	House hearings in Sept. 2009. Bingaman put in Nov. 6, 2009.	Both would guarantee full funding of \$900M per year.
UPAR revival HR 3734 (Sires)	Sires introduced Oct. 6, 2009.	Would establish \$445 million urban park grant program in HUD.
Omnibus Lands Bill S 22 (Bingaman) HR 146 (Holt)	President signed into law March 30, 2009, as PL 111-11.	Includes 160+ individual bills, including NLCS, new national parks.
National Landscape Conservation System HR 404 (Grijalva) S 22 (previous item)	Included in omnibus law (previous item.)	Gives NLCS official designation by Congress.
California Desert protection S 2921 (Feinstein)	Senate committee hearing May 20.	Would establish monument to protect 1 million acres of BLM-managed desert.
Grand Canyon withdrawal HR 644 (Grijalva)	House subcommittee hearing July 21, 2009.	Would withdraw 1 million acres of federal land near Grand Canyon NP to prevent uranium mining.
Surface Transportation HR 1329 (Blumenauer) S 575 (Carper) S 1036 (Rockefeller) Unnumbered (Oberstar)	Blumenauer put in March 5, 2009. Carper put in March 11, 2009. Rockefeller put in May 12, 2009. House subcommittee approved Oberstar bill June 24, 2009.	Blumenauer would establish a piece of a surface transportation law with climate change money. Rockefeller would establish broad goals for law. Oberstar would extend outdoor programs for six years.
FLREA (rec fee law) repeal S 868 (Baucus)	Baucus introduced April 22, 2009.	Would repeal the comprehensive federal rec fee law.
Fire suppression HR 1404 (Rahall) S 561 (Bingaman)	Included in Interior money bill above.	Establishes an emergency fire-fighting fund to limit agency borrowing.
Ski area uses S 607 (M. Udall)	Udall introduced March 17, 2009.	Would specify that ski resorts on national forest land may allow non-skiing recreation uses.