

Federal Parks & Recreation

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In this issue. . .

Obama budget favors park & rec.

FY 2010 request proposes major increases for LWCF, NPS, FS and other agencies. No mention of Centennial Challenge Page 1

Obama seeks sub for Centennial.

Would replace Bush NPS Challenge program with Treasured Landscapes initiative focused on NPS. NPS ops in for big raise ... Page 3

Senate confirms DoI's Strickland.

But new holds against Hayes and Tompkins at DoI. Jarvis said in NPS lead. Romer a shot? ... Page 4

Surprise: money a climate issue.

GOP attempts to force Dems to give numbers. Obama meet .. Page 5

Money pitches include big GOCO.

Outdoor industry boosts national Colorado-type initiative ... Page 7

GOP, ranchers ask wetlands delay.

Hope to slow down fast track of broad Senate permit bill ... Page 8

Vast stimulus impact clearer.

As DoI and USDA identify billions of dollars of projects Page 9

Senators put pressure on FLREA.

Sponsors of bill to repeal fed fees hit double dipping Page 11

Variety marks historic sites list.

Trust names 11 endangered sites, from cities to mountains ... Page 12

Notes Page 13

Conference calendar Page 14

Obama budget asks for more outdoor money, as expected

The Obama administration May 7 sought major changes in federal and nonfederal park and rec programs in laying out a fiscal year 2010 budget request.

As we reported earlier this week, the budget doesn't mention a Park Service Centennial Challenge program, substituting an initiative called Protection of Treasured Landscapes (see following article.)

Despite no mention of the \$2 billion Centennial Challenge program, the budget does recommend a Challenge-like appropriation of \$25 million, to be matched by a like amount of non-federal donations. And it does provide for a \$100 million increase to operate and maintain the National Park System. Some of that money by definition could be used to prepare the parks for a 2016 Centennial of the system.

Altogether the Obama administration would increase NPS operations by \$134.5 million, to \$2.266 billion, compared to a fiscal 2009 appropriation of \$2.132 billion.

Breaking with long tradition Secretary of Interior Ken Salazar did not present the department budget to the public, preferring to simply post details of it on-line at <http://www.doi.gov>.

As the administration advertised in a brief February preview, the budget breaks sharply with the Bush administration over conservation funding by proposing a \$425 million allocation to the Land and Water Conservation Fund (LWCF.)

But the Obama administration apparently learned well the old LWCF bait-and-switch technique of the Bush admin-

istration. It shifted \$191 million out of the fund to other programs, such as an Endangered Species Fund and Forest Legacy managed by the Forest Service.

For the state side of LWCF the Obama administration recommended just \$30 million (it is authorized at \$450 million) and \$198.8 million for federal land acquisition.

The Bush administration sought virtually no money for LWCF the last few years, asking for a survival appropriation \$42.5 million in fiscal 2009. Congress provided \$160 million in fiscal 2009 for LWCF in total.

As mentioned, the fiscal 2010 Obama budget looks in favor on the Forest Legacy program, proposing a \$91 million allocation compared to a \$49.4 million appropriation in fiscal 2009.

For the Urban Park and Recreation Recovery (UPAR) program the administration asked for no money for the third consecutive years. Unlike the Bush administration the Obama budget would allow the program to continue from prior year balances. The Bush administration attempted to close UPAR down.

State wildlife conservation grants did well in the Obama budget with an increase of \$40 million, or \$115 million compared to a \$75 million appropriation in fiscal 2009.

As usual the Forest Service did not reveal details of its budget. Nor did it say when those details would be revealed. But gross numbers published by the Obama administration would essentially freeze total spending for the National Forest System, \$1.517 billion in fiscal 2010, compared to \$1.515 billion in fiscal 2009. Forest Service recreation comes from the line item.

However, for capital improvement and maintenance (the overarching line item that includes trails), the budget asks for a \$62 million increase, from \$495 million in fiscal 2009 to \$557 million in fiscal 2010.

Here is a recap of the Obama administration's fiscal 2010 request:

* STATE LWCF: an increase of \$11 million, or \$30 million compared to a fiscal 2009 appropriation of \$19 million;

* STATE WILDLIFE GRANTS: an increase of \$40 million, or \$115 million compared to a fiscal 2009 appropriation of \$75 million;

* FEDERAL LWCF: an increase of \$38.6 million, or \$199 million compared to a fiscal 2009 appropriation of \$160 million;

* URBAN PARKS AND RECREATION RECOVERY: no money, the same as fiscal 2009;

* NPS OPERATIONS: an increase of \$134 million, or \$2.666 billion compared to a fiscal 2009 appropriation of \$2.132 billion;

* NPS CONSTRUCTION: a DECREASE of \$26.5 million, or \$206 million compared to a fiscal 2009 appropriation of \$232.5 million;

* NPS RECREATION AND PRESERVATION: a DECREASE of \$6 million, or \$53.9 million compared to a fiscal 2009 appropriation of \$59.7 million;

* PROTECTION OF TREASURED LANDSCAPES: A new program with indirect assistance from an \$100 million increase in NPS operations and a \$25 million matching grant program;

* FOREST LEGACY: an increase of \$41.6 million, or \$91.1 million compared to a fiscal 2009 appropriation of \$49.4 million;

* FOREST SERVICE RECREATION: Unclear but the overarching National Forest System appropriation would remain the same;

* FOREST SERVICE TRAILS: Unclear but a capital improvement and trails line item would increase by \$62 million;

* HISTORIC PRESERVATION STATE GRANTS: an increase of \$4 million, or \$46.5 million compared to a fiscal 2009 appropriation of \$42.5 million;

* SAVE AMERICA'S TREASURES: unchanged, \$20 million in fiscal 2009 and a fiscal 2010 million request of \$20 million;

* BLM RECREATION MANAGEMENT: an increase of \$4 million, or \$67.7 million compared to a fiscal 2009 appropriation of \$63.7 million; and

* FWS REFUGE MANAGEMENT: an increase of \$20.4 million, or \$483.3 million compared to a fiscal 2009 appropriation of \$462.9 million.

Obama budget subs Landscape initiative for Centennial

When the Obama administration laid out the details of its fiscal year 2010 budget request May 7, the Park Service Centennial Challenge was missing in action.

Instead of a Challenge program the Obama administration recommended a Protection of Treasured Landscapes initiative that would operate about the same as the Challenge program. That is, the Obama administration requested for fiscal 2010 a \$25 million appropriation to match a like amount of non-federal contributions to be used to upgrade the National Park System.

Despite no mention of the \$2 billion Centennial Challenge program, the budget does recommend a major increase in spending for Park Service operations and maintenance. Much of that money by definition could be used to prepare the parks for a Centennial in 2016.

The budget would increase NPS operations spending by \$100 million, from \$2.132 billion to \$2.266 billion. Some of that could be used for upgrading the national parks.

FPR reported in a May 4 bulletin that the Obama administration was contemplating an extension of the Treasured Landscapes program beyond the Park Service to other agencies. However, the final budget would set aside new money just for Park Service landscapes.

Says an Interior budget summary: "The President is committed to preservation of landscapes in parks, refuges, and other public lands. The 2010 President's budget signals this commitment with an unprecedented \$2.3 billion for park operations, a program increase of \$100.0 million above 2009 enacted levels. Funding will be focused on the three key areas: building a solid foundation for parks, caring for America's treasures, and enhancing leadership in parks."

The Park Service Centennial Challenge is (or was) the signature conser-

vation program of the Bush administration. Widely considered the work of former Secretary of Interior Dirk Kempthorne, the proposal would match \$100 million in federal appropriations per year with \$100 million in nonfederal matching grants. The program would run for 10 years to prepare the agency for its Centennial in 2016 at a total cost of \$2 billion.

As of today the Centennial Initiative and the Centennial Challenge are both prominently featured at the Park Service's website, <http://www.nps.gov>.

If the Obama administration and its Office of Management and Budget do eliminate the Centennial Challenge program, it could prove embarrassing to Secretary of Interior Ken Salazar. He was the lead Senate sponsor last year of the \$2 billion Challenge legislation and this winter endorsed the program in his confirmation hearings as secretary.

"The Obama administration thinks the Challenge was unbalanced in the Bush administration because it was too much in favor of the Park Service and left out other agencies, like the Fish and Wildlife Service and BLM (Bureau of Land Management)," said one source.

The most advanced version of an NPS Centennial Challenge bill last year was attached to an early version of a Senate economic stimulus bill. That measure eventually died.

The Challenge legislation would have given priority to projects that have a dedicated match, i.e. major parks with friends groups, but it would also have authorized projects without matches.

The bill would have allowed NPS to spend money on seven kinds of projects with the only major limit that no more than 50 percent of the money could be spent on construction of facilities that cost more than \$5,000,000. The seven areas were: education, diversity, personnel, environmental leadership, natural resource protection, cultural resource protection, and health and fitness.

Obama outdoor team gains a little; NPS nominees rumored

At least one Obama administration park and recreation nominee has been confirmed - Thomas Strickland as assistant secretary of Interior for Fish, Wildlife and Parks. The Senate voted in favor of his confirmation April 30 by an 89-to-2 vote.

Separately, the rumor mill continues to focus on NPS Pacific Regional Director Jon Jarvis as a likely nominee for the next Park Service director. But a new dark horse has emerged, former Colorado Gov. Roy Romer (D.)

Romer has an in because he is widely regarded as a political mentor to both Strickland and Secretary of Interior Ken Salazar. Of course as NPS director he would have to report to his former aides.

Also on the transition front Sens. Robert Bennett (R-Utah) and Lisa Murkowski (R-Alaska) placed new holds last week against the Obama administration's nominees for the Interior Department deputy secretary and solicitor, effectively the number two and three positions in the department. The holds prevent Senate confirmation, at least in the short term, of David Hayes as deputy secretary of Interior and Hilary Chandler Tompkins as solicitor of the department.

In related developments the Obama administration announced May 1 it intends to nominate Wilma Lewis, a former Interior Department Inspector General, as assistant secretary of Interior for Land and Minerals Management. In that slot Lewis would oversee the Bureau of Land Management.

And Senate Majority Leader Harry Reid (D-Nev.) is telling Nevada newspapers that retired BLM Nevada State Director Bob Abbey is a lead candidate to head the Bureau of Land Management (BLM.)

Finally, President Obama May 5 announced his intention to nominate

Homer Lee Wilkes, a veteran of the Natural Resources Conservation Service, as under secretary of Agriculture in charge of the Forest Service. Rumor had it for more than a month that a Forest Service veteran, Chris Wood, would get the job. Wood is a vice president of Trout Unlimited.

STRICKLAND: The confirmation of Strickland gives secretary of Interior Salazar a double jolt of good news because Strickland will serve not only as his lead policy aide for parks and rec but also as his chief of staff.

Strickland will oversee the Park Service and the Fish and Wildlife Service. He has been operating as chief of staff during the transition to the Obama administration.

Strickland helped Salazar and Romer found the Great Outdoors Colorado (GOCO) program in 1992 and has served as a board member of the program. Strickland also served as United States Attorney for the District of Colorado from 1999 through 2001, and, according to the Interior Department, was involved in a "broad range of public land and environmental issues."

The Senate Energy Committee affirmed Strickland's nomination March 31 and the Senate Environment and Public Works Committee followed suit April 1.

NPS DIRECTOR: The selection of a Park Service director, who requires Senate confirmation, usually renews a competition between those who want the director to come from the green ranks and those who prefer a politically-seasoned boss. It looks like that competition may begin again.

Jarvis comes from the green uniform side, having been an NPS employee since 1976. Before becoming Pacific Regional Director Jarvis served as superintendent of Mount Rainier National Park in Washington state, Wrangell-St. Elias National Park in Alaska, and Craters of the Moon National Monument in Idaho. If selected, Jarvis would succeed Mary Bomar.

Jarvis was in the news last week

because of a letter he sent BLM that expressed misgivings about 63 proposed solar energy projects in southern Nevada.

Romer does not come from the ranks of the green jackets. He served as the governor of Colorado from January 1987 to January 1999. On his watch the state established the landmark GOCO initiative. Through fiscal 2008 GOCO, financed by lottery money, had allocated more than \$650 million to more than 3,000 projects, including the creation or enhancement of more than 1,000 community parks and recreation areas.

Said one insider, "Salazar likes to take credit for it, but the real power behind GOCO was a Romer initiative. It's what propelled Salazar and Strickland into statewide recognition." Salazar has taken it one step further and said he would like to establish a national kind of GOCO to bolster the Land and Water Conservation Fund with offshore oil and gas royalties.

SENATE HOLDS: Sen. Bennett, who already has placed a hold on the nomination of Hayes as deputy secretary of Interior, added a hold April 30 against the nomination of Hilary Chandler Tompkins as solicitor.

Bennett has placed the holds because of his objections to Obama administration positions on oil and gas development in roadless areas managed by BLM, particularly in southern Utah near Arches National Park, Dinosaur National Monument and Canyonlands National Park.

"As part of this anti-energy, anti-drilling movement, certain members of the environmental community are working to undermine the certainty we have in Utah and the West regarding wilderness study areas," Bennett said on announcing his hold on Tompkins's nomination. "I need to understand whether Secretary Salazar is going to be a willing participant in such actions."

Specifically, Bennett believes the Interior Department has no authority to conduct further administrative reviews of BLM roadless lands to identify new

wilderness study areas. However, in written responses to Bennett dated April 28 Tompkins held out the possibility of further such reviews under both the Federal Land Policy and Management Act (Section 202 - planning) and the Wilderness Act.

Whether BLM has the authority to conduct additional wilderness reviews or not is a big deal because the administrative designation of wilderness study areas could restrict access to millions of acres of potential oil and gas fields and off-road vehicle routes. But such designations could also protect millions of acres of unroaded lands.

Until Salazar and Bennett work out their differences, the holds will likely last because the Senate rarely conducts a cloture vote for nominees below the level of secretary.

Sen. Murkowski, in announcing that she would also place a hold on Hayes's nomination, described a different complaint than wilderness - an April 28 decision of Salazar to revoke Bush administration regulations that would have eased interagency consultation under Section 7 of the Endangered Species Act.

GOP challenges Democrats to identify climate dollars

The national climate change debate is now focused, inevitably, on money, a subject of great importance to conservation programs. They stand an outside chance of reaping as much as \$7 billion per year from a new climate law.

For now the money battle is being fought in the House Energy and Commerce Committee where Republicans, alarmed at the cost to business of a new law, are attempting to force Democrats to identify costs precisely.

At press time the committee had conducted no mark-ups. Democratic committee leaders May 5 consulted with President Obama. All 36 Democrats on the committee met with the President, but the two sides reached no final agreements.

To smoke out the numbers Rep. Joe Barton (R-Texas), ranking Republican on the panel, wrote chairman Henry Waxman (D-Calif.) last week complained that in more than 40 hearings the cost of a draft Waxman bill had not been pinned down. "(W)e do not have the specific emission permit allocation language that is critical to understanding the full economic effect of your bill. Thus, the true cost remains the great unknown in the () legislation."

Responded Waxman, "We are currently engaged in productive discussions with many members regarding these and other provisions and will share language when it is available."

Meanwhile, conservation interest groups are hopeful that some of the revenues that a climate change bill would produce from fees on carbon pollutants (called allowances) will come their way. As the Southern Appalachian Forest Coalition advised its members last week:

"We need you to let your Representative know that you support the American Clean Energy and Security Act of 2009 and that you want the final legislation to give a portion of the bill's revenues to help treasured wild lands and wildlife adapt and recover from the impacts of climate change. Programs like the Land and Water Conservation Fund and the Forest Legacy Program will be funded with revenues from this bill if we stand up to Big Oil and Big Coal to pass the American Clean Energy and Security Act of 2009."

The National Wildlife Federation (NWF), a leader in the battle for conservation funding on Capitol Hill, told the committee that a \$7 billion annual allocation to a natural resources fund contained in an archetype Senate bill last year is fair.

Said NWF President Larry Schweiger, "NWF and its conservation partners firmly believe that this is an appropriate level of investment of auction proceeds for protection of U.S. natural resources threatened by climate change, given the numerous other press-

ing demands for those proceeds."

The Waxman draft does not specify how much the government should charge for pollutants. The fees are called "allowances." The Obama administration estimates \$646 billion over 10 years.

But the draft bill does take a stab at allocating the percentages for each program. The Waxman draft says the Land and Water Conservation Fund should receive 12 percent of a Natural Resources Climate Adaptation Fund each year.

In addition the states would receive 40 percent of the money for climate adaptation activities, the Interior Department would receive 22 percent for a raft of programs run by land management agencies, the state wildlife conservation grant program would receive one percent, the Forest Service five percent, EPA five percent, the Corps of Engineers 7.5 percent and the Department of Commerce 7.5 percent.

Meanwhile, the House Natural Resources Committee is beginning to prepare its input on the Natural Resources Climate Adaptation Fund. To that end ten senior Democrats introduced legislation (HR 2192) April 30 as a stand-alone bill.

The lead sponsor, House subcommittee on National Parks, Forests and Public Lands chairman Raúl M. Grijalva (D-Ariz.), said a gap has developed about what needs to be done about climate change and natural resources. "The legislation we are introducing today is intended to narrow that gap by providing Federal land, water, and ocean management agencies and the States, the tools they need to protect our fish, wildlife, oceans, plants and other resources from the impacts we know are coming," he said.

Grijalva said he expects HR 2192 to end up in the big climate change bill. "We support having this measure included in the larger package and appreciate the support of the Energy and Commerce Committee in this effort," he said.

Call for national version of GOCO among money pitches

The human-powered outdoor recreation industry has picked up on Secretary of Interior Ken Salazar's advocacy of a national land conservation program and is urging Congress to help out.

Salazar has repeatedly said this year he would like to beef up the Land and Water Conservation Fund (LWCF) with offshore oil and gas royalties, creating a national version of a landmark Great Outdoors Colorado (GOCO) program.

The Outdoor Industry Association (OIA) last week asked the House subcommittee on Interior appropriations to support Salazar's proposal to "create a holistic national land conservation and recreation infrastructure modeled on the Great Outdoors Colorado program."

OIA President Frank Hugelmeyer added, "While the national concept is still in its formative stages, Secretary Salazar has stated his desire for a unified initiative that preserves and better connects America's open space with local communities."

The outdoor industry made its pitch as House and Senate appropriators gear up for the writing of fiscal year 2010 appropriations bills. The Obama administration just sent up its recommendations May 7 so appropriations subcommittees still must hold hearings with agency heads on specific recommendations.

Meanwhile, the panels laid some of the groundwork for appropriations bills over the last two weeks by taking recommendations from the public. As usual conservationists and the human-powered recreation industry endorsed more assistance for the state and federal sides of LWCF and a Forest Legacy program administered by the Forest Service.

They were supported by senators and House members who sent letters to leaders of the House and Senate subcommittees on Interior, asking them for a major increase in fiscal 2010 spending

for the programs. The senators, House members, conservationists and rec industry all made a pitch for \$325 million for the federal side of LWCF, \$125 million for the state side of LWCF and \$125 million for the Forest Legacy program.

"In every state in the nation, LWCF and Forest Legacy funds have ensured that all Americans have access to lands where they can hunt, fish, play ball, hike, bird watch, paddle a canoe, or ride a bike," wrote the senators, led by Sen. Patrick Leahy (D-Vt.) but also including Republican Sens. Olympia Snowe (Me.), Richard Burr (N.C.) and Mike Crapo (Idaho).

Salazar has taken his campaign to establish a national conservation program akin to GOCO to the Senate, the House, and even to the American Petroleum Institute. The big difference between GOCO and a national program would be the source of money, he said, with GOCO fueled by a state lottery and a federal program fueled by offshore oil and gas royalties.

On March 19 Salazar made his pitch to the American Petroleum Institute. "I believe we can also find common purpose in a vision for land conservation that President Kennedy first dreamed in 1964," he told the oilmen. "President Kennedy's idea was simple: we should be using the revenues we generate from energy development and the depletion of our natural resources for the protection of other natural resources, including parks, open space, and wildlife habitat."

In a fiscal year 2010 Interior Department budget the Obama administration did propose a new initiative called Protection of America's Treasured Landscapes, but only for the national parks (*see related article page 3.*)

In the fiscal 2010 budget Obama and Salazar called for:

- * an \$100 million increase for Park Service operations,
- * a separate \$25 million payment to the Park Service Centennial Challenge program,

- * \$420 million for the Land and Water Conservation Fund,
- * an \$130 million down payment to initiate a climate change program,
- * \$50 million more to protect national forests, and
- * a new emergency fire-fighting fund of \$357 million - \$282 million for the Forest Service and \$75 million for the Interior Department.

Here is sample of other public recommendations to House appropriators:

National Landscape Conservation System (NLCS): The Wilderness Society recommended a \$14.2 million increase in spending for the 26 million acres of BLM-managed conservation lands that make up the NLCS, bringing the total to \$75 million. Congress gave official recognition to the system this year in an omnibus lands bill (PL 111-11 of March 30.)

National Wildlife Refuge System: The National Wildlife Refuge Association, on behalf of an alliance of conservation groups, recommended an increase of \$51 million for the operation of the refuge system, bringing it to \$514 million in fiscal 2009.

Forest Service recreation: The National Association of Forest Service Retirees called for a \$20 million increase in a recreation line item for fiscal 2010, bringing it to \$287.6 million. The Wilderness Society recommended an \$100 million increase to bring the total appropriation to \$377 million, with \$84 million for travel management planning.

Bureau of Land Management (BLM) urbanization: An association of BLM retirees recommended that Congress give increased attention to the needs of the 22 million people who live within 25 miles of BLM lands. Said the Public Lands Foundation, "This increase in interest to visit and use these public lands requires a similar increase in funding for BLM for road maintenance, recreational maintenance and new developments, law enforcement, open space protection, and private/federal land exchanges."

Critics of wetlands permit bill seek new Senate hearing

Faced with greater political support for a broad wetlands permit bill, critics of the measure are digging in their heels to slow it down - if not stop it.

As an opening gambit Republicans on the Senate Environment and Public Works Committee April 30 asked committee chairman Barbara Boxer (D-Calif.) to delay consideration of the measure. They want a hearing first.

"While this legislation did receive a legislative hearing in the Committee last Congress," said the seven committee Republicans, "given that the Committee has several new members, we believe a second hearing is necessary." Signing the letter were ranking minority member James Inhofe (R-Okla.) and Sens. Lamar Alexander (Tenn.), John Barrasso (Wyo.), Kit Bond (Mo.), Mike Crapo (Idaho), David Vitter (La.) and George Voinovich (Ohio.)

Bill critics also have support from the livestock industry and private property rights advocates. Their bottom line complaint is that the lead bill before the Senate (S 787) would go too far by forcing virtually all projects in wetlands to obtain permits from the Corps of Engineers.

"All waters are not equal in terms of their environmental function and value, and they should not be regulated the same," said Tamara Thies, the National Cattlemen's and Beef Association chief environmental counsel. "At a time when our resources are already stretched thin, it's ridiculous to expand the government's responsibility to mud holes and other wet areas with little to no environmental value to the public."

Complained the property rights advocates the American Land Rights Alliance (ALRA) in a recent bulletin to its members, "What the Clean Water Restoration Act does is give the Corps of Engineers and EPA control over all private property in the U.S. by changing the

definition of 'wetlands' under the Clean Water Act of 1972, expanding the regulatory reach of the Corps and EPA over private property."

ALRA called the bill the "the biggest threat to private property since CARA and actually affects far more land and people." CARA was the Conservation and Reinvestment Act that Congress considered during the Clinton administration. It would have guaranteed billions of dollars each year to conservation programs, such as the Land and Water Conservation Fund, state wildlife conservation grants, the Historic Preservation Fund and federal land management agencies.

As vocal as the critics are, they are up against it. Sen. Russ Feingold (D-Wis.) and 23 cosponsors introduced a tough bill, S 787, April 2. House Transportation Committee Chairman James Oberstar (D-Minn.) is expected to introduce a counterpart bill shortly with more than 150 Democratic and Republican cosponsors.

In addition Ducks Unlimited is helping a powerful coalition of conservationists promote the bill as a savior of wildfowl habitat. "The loss of protection for geographically isolated wetlands and the confusion over how to interpret the new guidance is detrimental to people and wildlife," said Don Young, executive vice president of Ducks Unlimited on the introduction of S 787.

He added, "Alleviating these problems through the Clean Water Restoration Act eliminates both and will ultimately benefit everyone, from landowners to waterfowlers."

The legislation targets a critical June 2006 *Rapanos* Supreme Court decision that, while confusing, left no doubt that only water bodies related to navigable waters should be regulated. The legislation would effectively reverse the *Rapanos* decision.

In the last Congress Feingold's bill also had impressive support, as did a companion bill from House Transportation Committee Chairman James Oberstar (D-Minn.) However, the Bush administra-

tion sharply objected to the legislation, effectively freezing it.

But this year President Obama, EPA Administrator Lisa Jackson and White House environmental czar Carol Browner are all on record in favor of the thrust of the bill.

The guts of the measure are simple. S 787 says that the Corps of Engineers, working with EPA, must approve Section 404 permits under the Clean Water Act for all projects on waters of the United States.

Those waters are defined in S 787 as "all waters subject to the ebb and flow of the tide, the territorial seas, and all interstate and intrastate waters and their tributaries, including lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds, and all impoundments of the foregoing, . . ."

The Supreme Court was evenly divided in its June 19, 2006, decision, *Rapanos v. U.S. Nos. 04-1034 and 04-1384*, that muddied the regulatory waters. While the court upheld the authority of the Corps and EPA to regulate water bodies, it also limited the definition of a water body to navigable water.

In June 2007 EPA and the Corps issued guidance that interpreted the Supreme Court *Rapanos* decision as to what wetlands required permits. After considerable criticism the agencies on Dec. 4, 2008, issued revised guidance. This guidance says a permit will be required only for Traditional navigable waters.

Congressional Democrats criticized the guidance because, in Oberstar's words, it "creates a new and extremist test for determining which waters are protected."

Impact of economic stimulus on outdoors becomes clearer

Now that almost all federal agencies are well into identify economic

stimulus projects, the program's enormous impact on the nation's parks and recreation areas can be estimated.

From national park roads to urban bike paths to protection of vast tracts of public lands, the economic stimulus law (PL 111-5 of February 17) has set aside billions of dollars for the outdoors.

A major milestone was reached May 2 when the Bureau of Land Management (BLM) said it will distribute \$305 million to more than 650 projects around the country. The Interior Department said one-third of the money, \$100 million, will be allocated to projects to restore and protect Treasured Landscapes.

More recently the Department of Agriculture May 5 announced the allocation of \$224 million for 100 Forest Service projects. The money is to be used for both hazardous fuels projects as well as more general ecosystem improvements.

Prior to those two announcements the Park Service April 30 said the Federal Highway Administration will spend \$170 million on 71 road projects in 27 national parks in 18 states.

The projects include a \$27.6 million allocation to Glacier National Park for the reconstruction of a portion of the Going-to-the-Sun Road (phase 8 of the project.) "This funding will rebuild one of the world's most famous highways - and one of Montana's biggest attractions - while putting folks back to work," said Sen. Jon Tester (D-Mont.)

The Park Service road allocations follow up on an April 22 Interior Department announcement that the Park Service will spend \$750 million in economic stimulus money on 750 projects at parks across the country. The money is going to operations and maintenance projects that are designed to benefit both large national parks and small ones.

Not counting road money and energy efficiency money, the Interior Depart-

ment received just over \$2 billion from the \$790 billion economic stimulus law. The Forest Service received just short of \$1 billion. Congress wants all the money obligated by the end of September of next year when fiscal year 2010 ends.

Interior Department and Forest Service allocations pale in comparison to the amount of money PL 111-5 antes up for transportation projects, including national park roads. To name a couple of bigger items the Department of Transportation received \$27.5 billion for highways and bridges, \$8.4 billion for transit, \$9.3 billion for passenger rails and \$1.5 billion for competitive surface transportation grants.

As of the beginning of the week the Federal Highway Administration said it had obligated 33 percent of the money it received for transportation highways and bridges - \$8.844 billion of \$26.810 billion.

Meanwhile, federal land management agencies were also making progress:

* FWS: Secretary of Interior Ken Salazar announced April 26 the Fish and Wildlife Service has identified \$280 million in stimulus projects in national wildlife refuges. Salazar made the announcement in Helena, Mont., that 770 projects have been selected to "build visitors centers, improve infrastructure, and bolster conservation."

* BLM: On May 2 Salazar announced at the Red Rock National Conservation Area in Nevada the distribution of \$305 million in BLM projects. While the State of Nevada has received some \$3 billion from the sale of public lands around Las Vegas for conservation purposes, the state has also suffered disproportionately from the economic recession. Thus BLM will spend \$26.4 million on projects in Nevada.

* BIA: On April 25 Salazar announced in Bismark, N.D., the Bureau of Indian Affairs will receive \$500 million for school and housing construction, road and bridge improvements, and job development projects for Indian tribes.

* FOREST SERVICE: The service is chipping away at allocating the \$650 million it has to spend on construction projects and \$250 million in fire prevention projects. In its May 5 announcement the Department of Agriculture said the \$224 million would be allocated to 26 states and territories, with the most money being spent in Oregon, \$51,763.70 696. The department alleges that a list of the projects is at <http://fs.usda.gov/economic>, but the website seems to be permanently under maintenance.

Three senators complain about FLREA double-dipping fees

The three western senators who introduced legislation (S 868) last month to repeal a comprehensive federal lands recreation fee law are reinforcing their opposition to the law.

Sens. Max Baucus, Jon Tester (D-Mont.) and Mike Crapo (R-Idaho) all complained after the bill was introduced about double dipping by federal land management agencies. Those agencies receive both appropriations and entrance fees.

"Every tax day we pay to use our public lands, we shouldn't be taxed twice to go fishing, hiking, or camping on OUR public lands," Baucus said. "Paying twice just doesn't make any sense." Baucus is the key sponsor because he chairs the Senate Finance Committee and is in position to slide the legislation into a big tax bill virtually unseen.

Crapo reinforced the double-dipping thought. "We should pay for backcountry improvements through the federal budget process, not so-called 'pay-to-play' plans which can limit access and affordability," he said. Tester added, "Americans already pay their share for our national forests every April 15. This bill is just common sense."

Derrick Crandall, an original supporter of the law at issue - the Federal Lands Recreation Enhancement Act

(PL 108-447 of Dec. 8, 2004) did not rule out the need to revise the law, called FLREA. But he cautioned against a sudden revocation of it.

"If it doesn't happen in the House this session, maybe Congress will wait until reauthorization," said Crandall, president of the American Recreation Coalition, which represents the recreation industry and user groups. "The law expires in 2014. Rather than do a repeal maybe we should take a more thoughtful route and do something on reauthorization."

Baucus lost one key sponsor this year but gained in the end when that sponsor turned up as Secretary of Interior Ken Salazar. That, plus a new administration that does not reflexively support the existing law, may give the legislation a boost this year.

The FLREA repeal bill went nowhere in Congress last year although the Senate Energy Committee did schedule a hearing that was subsequently canceled.

Critics maintain that federal land management agencies - the Forest Service in particular - went overboard in collecting entrance fees to areas that include developed sites.

The bill would leave in place only Park Service entrance fees (as established in a previous law before FLREA), with 80 percent of revenues still retained by collecting NPS units. In other areas the Baucus bill would:

- * eliminate collection of "standard amenity fees" at developed sites that the 2004 law authorized for the Forest Service, the Bureau of Land Management, and the Bureau of Reclamation,

- * eliminate retention of recreation fees by the agencies and return use fees to the U.S. Treasury,

- * cap entrance fees charged by NPS at \$25 for a single visit by car, \$12 by foot or bicycle, and \$40 for an annual pass (instead of \$15),

- * eliminate a multi-agency American Passport and reinstate the old Golden Eagle and Golden Age Passports charged by the Park Service, and

* increase the Golden Eagle passport fee from \$25 to \$65.

For the most part the law allowed collecting offices to retain 80 percent of revenues for infrastructure repair initiatives. And that is where critics, such as the Western Slope No-Fee Coalition, say the law went awry because federal agencies became too eager to make money from fees at the public's expense.

Variety marks latest list of endangered historic sites

In its annual list of the 11 most endangered historic places the National Trust for Historic Preservation last week chose everything from urban hotels to a mountain in New Mexico to a bridge between Maine and New Hampshire.

The trust announced its selections April 28 at the Century Plaza Hotel in downtown Los Angeles. The 19-story, curved hotel is one of the trust's 11 endangered historic sites. It is scheduled to be torn down and replaced with two 600-foot office towers.

Like the American Rivers annual list of the ten most endangered rivers in the country the national trust's list of endangered historic sites is designed to galvanize protectionist support. The assistance comes in the form of everything from appropriations from Congress to citizen petitions.

The National Trust has published its annual lists since 1988 and has identified more than 200 sites. Said the trust on releasing its list last month, "Whether these sites are urban districts or rural landscapes, Native American landmarks or 20th-century sports arenas, entire communities or single buildings, the list spotlights historic places across America that are threatened by neglect, insufficient funds, inappropriate development or insensitive public policy."

In addition to the Century Plaza Hotel the 2009 list, available at <http://www.nthp.org>, includes:

* Ames Shovel Shops, Easton, Mass. The Ames Shovel Shops are part of a 19th-century industrial village that the trust says looks like a college campus. The shops are threatened by a proposed development plan that would demolish some buildings.

* Cast-Iron Architecture of Galveston, Texas. Hurricane Ike in September 2008 destroyed many late-19th-century Greek Revival and Italianate buildings in Galveston's 12-block Strand/Mechanic National Historic Landmark District.

* Dorchester Academy, Midway, Ga. The academy was established in 1868 as a school for freed slaves. Only one building remains - a 1934 Greek Revival dormitory, and it is deteriorating.

* Human Services Center, Yankton, S.D. The center was established in 1879 as the South Dakota Hospital for the Insane. It is made up of Art Deco and Italianate buildings. The State of North Dakota plans to take down many of the buildings.

* L_na'i City, Hawai'i. This city is an intact plantation town on one of Hawaii's eight main islands, L_na'i. Built in the 1920s, it is threatened by a development that calls for the destruction of 15-to-20 historic buildings.

* The Manhattan Project's Enola Gay Hangar, Wendover Airfield, Utah. The Enola Gay dropped the first atomic bomb on Hiroshima, Japan. The plane was housed at this hanger on Wendover Airfield that is in disrepair.

* Memorial Bridge, Portsmouth, N.H. to Kittery, Maine. The bridge connects New Hampshire to Maine along Route One. While an Interstate 95 bridge carries most interstate traffic, the Memorial Bridge is still around. Among other things the bridge is open to pedestrians and bicycles. The trust says the two states are contemplating removal of the deteriorating structure.

* Miami Marine Stadium, Virginia Key, Fla. The stadium was constructed

in 1963, but was closed after it was blasted by Hurricane Andrew in 1992. It has been largely neglected since then.

* Mount Taylor, near Grants, N.M. This 12,000-foot mountain between Albuquerque and Gallup, is known for its physical attributes and as a sacred site for as many as 30 Native American tribes. The trust says the mountain is threatened by uranium mining.

* Unity Temple, Oak Park, Ill. The temple was designed for Frank Lloyd Wright's Unitarian congregation in Oak Park. It was dedicated in September 1909. A multi-million-dollar rescue effort has been launched to counter water damage.

Notes

Fee free days in national parks?

The Park Service is contemplating setting aside one fee free day each month in June, July and August to help entice visitors into the national parks. However, NPS says no final decisions have been made yet. NPS also is not expected to charge a fee one day in September for Public Lands Day. That would up one fee-free day for four months in a row. Two things are at work here. First, visitation to the national parks has been pretty much stagnant over the last decade, much to the chagrin of concessioners and gateway communities. Second, the national economy is struggling and eliminating the fee could help lure visitors to the national parks.

No lead in the parks, groups ask.

A coalition of advocacy groups that includes Park Service retirees May 1 asked NPS to stick to a plan to ban the use of lead in firearms, fishing gear and hunting equipment in the national parks. Acting NPS Director Daniel Wenk on March 4 sent a directive to the field ordering the ban on the use of lead by Dec. 31, 2010. But the National Rifle Association (NRA) took sharp exception to Wenk's directive. "The NPS announcement demonstrates either complete ignorance or complete arrogance as to the effect that this policy will have on hunters," said Chris W. Cox, NRA

chief lobbyist. "There is no science to support NPS' contention that the use of lead ammunition in hunting is causing environmental contamination, having a negative effect on wildlife, or posing a threat to the health of visitors or park staff." Groups that support the ban struck back in a letter to Secretary of Interior Ken Salazar, saying, "We applaud the leadership demonstrated by this effort. More importantly, it exhibits a commitment to the overarching mandate imposed upon you by the Organic Act of 1916 to conserve parks unimpaired, so that they are enjoyed by present and future generations." Signing the letter were such groups as the Coalition of National Park Service Retirees and the Center for Native Ecosystems.

Religions praise wilderness. Ten faith communities came together in Utah last month to praise wilderness. The groups, including Latter-day Saints, said, "We share a common conviction that we need to preserve and provide protective stewardship of Utah's wild lands not only for our own spiritual well-being and that of people to come, but also out of respect for the sanctity of all things." The religious groups delivered a statement on the importance of wilderness to the offices of Utah's senators and House members. The state and the nation are conducting a huge debate over the competition in Utah between off-highway vehicles and commodity uses on one side and protectionists on the other side. At issue is legislation (HR 1925, S 799) that would designate as wilderness more than 9 million acres of roadless areas managed by the Bureau of Land Management (BLM) as wilderness. Those areas in southern Utah lie near Arches National Park, Dinosaur National Monument and Canyonlands National Park. The religious groups did not endorse specific legislation but praised the importance of wild lands to their religions. Signing *FAITH AND THE LAND: A Call for Wilderness Stewardship* were members of the Roman Catholic, Episcopalian, Islamic, Jewish, Latter-day Saints, Methodist, Presbyterian, Quaker, Unitarian Universalists and United Church of Christ faith communities.

Fed rec vets support OHVs.

Retired land management officials who believe off-highway vehicles have a place on the public lands, when properly managed, have formed a new advocacy group. Professionals for Managed Recreation (PMR) is comprised of BLM and Forest Service retirees who will promote responsible OHV use on the public lands. The powered recreation industry association, Americans for Responsible Recreational Access, circulated the announcement. Tom Crimmins, a retired Forest Service official of 32 years, will serve as spokesman for PMR. Crimmins is the author of the book *Management Guidelines for Off-Highway Vehicle Recreation*.

TRCP chooses Martin as chair. An alliance of sportsmen May 5 named Jim Martin, conservation director of the Berkley Conservation Institute, as chairman of the Theodore Roosevelt Conservation Partnership (TRCP.) He replaces Jim Range who died January 20. Range was sort of a founding father to TRCP, which represents a broad array of conservation groups. Martin has been a long-time board member of TRCP. Martin worked for the Oregon Department of Fish and Wildlife for 30 years. "Climate change and rapid development in America underscore the urgency of developing a new framework of conservation policy," he said.

Bingaman seeks Rio Grande help.

Sens. Jeff Bingaman (D-N.M.) and Tom Udall (D-N.M.) introduced legislation (S 874) April 23 that would protect the upper reaches of the Rio Grande Gorge in northern New Mexico. The bill would designate a 235,000-acre El Rio Grande Del Norte National Conservation Area as part of BLM's National Landscape Conservation System. Within the conservation area the bill would designate 21,000 acres of wilderness, including a Cerro del Yuta Wilderness that would protect Ute Mountain. It consists of an extinct volcano that rises to more than 10,000 feet from an elevation of about 7,600 feet at its base. Bingaman, who conveniently chairs the Senate Energy Committee to which S 874 has been referred, emphasized the possible economic benefits of the legislation.

Conference Calendar

MAY

11-13. **National Hydropower Association** annual meeting in Washington, D.C. Contact: National Hydropower Association, One Massachusetts Ave., N.W., Suite 850, Washington, D.C. 20001. (202) 682-1700. <http://www.hydro.org>.

13-16. **National Ski Areas Association** annual meeting in Marco Island, Fla. Contact: National Ski Areas Association, 133 South Van Gordon St., Suite 300, Lakewood, CO 90228. (303) 987-1111. <http://www.nsaa.org>.

JUNE

10-13. **International Snowmobile Congress** Summerside, Prince Edward Island, Canada. Contact: hp" <http://www.snowiasa.org/events.php>.

12-16. **U.S. Conference of Mayors** annual meeting in Providence, R.I. Contact: U.S. Conference of Mayors, 1620 I St., N.W., Fourth Floor, Washington, D.C. 20006. (202) 293-7330. <http://www.usmayors.org>.

14-16. **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

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

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

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