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Attached is the daily news report for July 20.

Ryan Sutherland
Bureau of Land Management Utah
Public Affairs Specialist
rrsutherland@blm.gov
801 539 4089



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DAILY NEWS REPORT - UTAH

UTAH – TOP STORIES – JULY 20, 2017

1. Op-ed: Don't let this uranium mill repeat history

High Country News, July 19 | Stephanie Malin

Tucked inside the Trump administration's proposed budget is \$703 million in funding for nuclear weapons. Although that's about 30 percent less than last year, you would hardly know it here in the heart of Utah's canyon country, where the nation's last operating conventional uranium mill — the White Mesa Mill — is forging ahead.

2. Fighting UT wildfires is costing millions

ABC 4 (Utah) News, July 19 | Glen Beeby

SALT LAKE CITY, Utah (ABC4 Utah) - Different agencies throughout Utah have already spent millions of dollars fighting wildfires. The worst being the Brian Head Fire which cost more than \$36 million. While some agencies have stayed within their budgets this season is highlighting just how much it costs to fight these fires.

3. Agencies plan to move wildland fire center to Richfield

The Moab Sun News, July 20 | Rudy Herndon

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4. Moab's Interagency Fire dispatch center to be phased out, officials say

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5. Work on La Sal Loop Road to continue through October

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Closures on the La Sal Mountain Loop Road will extend into October as the Federal Highway Administration (FHWA) works to rehabilitate portions of the well-used roadway. The project, FHWA representatives say, includes safety improvements on approximately 12 miles of roadway from the Mill Creek Bridge near the intersection of the Oowah Lake Road and continuing north through the junction with Gateway Road.

6. RECREATION & TRAVEL: Dinosaur National Monument has more than fossils

The (Price) Sun Advocate, July 20 | Steve Christensen

Dinosaur National Monument is famous for three things: dinosaurs (obviously), rivers, and Native American wall carvings.

The National Monument Headquarters is in Dinosaur, Colorado, although most of the park is located near the Green River north of Jensen, Utah. Jensen is 13 miles east of Vernal. The Visitors Center is about 4.6 miles north of Jensen.

7. Newly finished 50-year water plan marks a new era, Utah governor says

The Salt Lake Tribune, July 19 | Emma Penrod

Gov. Gary Herbert on Wednesday heralded the completion of the state's new 50-year water management plan, a document four years in the making.

8. 'This is a powerful tool': County adopts land use plan following local input

The St George News, July 20 | Mori Kessler

ST. GEORGE – After two years of crafting, a countywide resource management plan was adopted by the Washington County Commission Tuesday. The plan outlines the county's plans and preferences for land use and access and also gives federal agencies a better understanding of what their local partners want.



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E&E/NATIONAL NEWS – TOP STORIES

1. **In the push to deliver on campaign promises, Interior’s energy drive looms large**

The Washington Post, July 19 | Juliet Eilperin

With control over more than 500 million acres of public land and hundreds of millions of acres offshore, Interior Secretary Ryan Zinke is moving rapidly to promote American production of coal, oil and gas — a critical piece of President Trump’s vision for “making America great again.”

2. **Trump budget chief touts progress in rolling back regulations**

The Hill, July 19 | Niv Elis

White House Budget chief Mick Mulvaney will release on Thursday a report claiming progress on regulatory rollback, a major priority of the Trump administration.

3. **Climate Scientist Says He Was Demoted For Speaking Out On Climate Change**

NPR News, July 19 | Nathan Rott

A former head policy adviser at the Interior Department is accusing the Trump Administration of reassigning him to a lesser position for speaking out about the dangers of climate change.

4. **Ryan Zinke touts increased partnerships, celebrates American Products**

Ammoland.com, July 20 | Joe Evans

WASHINGTON, D.C. -(Ammoland.com)- Interior Secretary Ryan Zinke and other senior federal officials met with representatives of the outdoor recreation industry, including Archery Trade Association President and CEO Jay McAninch, at the U.S. Department of the Interior to discuss how the use of public-private partnerships can help improve visitor experiences on America’s public lands and waters.



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5. **NOMINATIONS: Trump announces picks for key jobs at Interior, Ag, Defense**

E & E News, July 20 | Margie Hobson, Marc Heller and Nick Sobczyk

President Trump last night announced a series of nominations for key positions at the departments of the Interior, Agriculture and Defense, among other agencies.

6. **COAL: Wash. export terminal gets first permit**

E & E News, July 20 | Dylan Brown

County officials in southwestern Washington state awarded a first approval to developers of a major coal export terminal there, part of an effort to increase shipments from the Pacific Northwest.

7. **INTERIOR: Zinke heads West to meet conservative groups**

E & E News, July 20 | Michael Doyle

Interior Secretary Ryan Zinke will soon be communing with nature and convening with conservative allies, in a Colorado trip that shows two facets of his leadership.

8. **WHITE HOUSE: Trump outlines deregulation agenda**

E & E News, July 20 | Arianna Skibell

The White House this morning released the new administration's first regulatory plan, a sweeping survey for all federal agency actions.

9. **INTERIOR: Senate advances Bernhardt for deputy**

E & E News, July 20 | Kellie Lunney

The Senate this afternoon advanced the nomination of David Bernhardt for Interior Department deputy secretary, teeing up the final confirmation vote expected Monday.



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10. INTERIOR: Murkowski to press Zinke on climate scientist's reassignment

E & E News, July 20 | Arianna Skibell and Geof Koss

Republican Sen. Lisa Murkowski of Alaska today said she plans to press Interior Secretary Ryan Zinke about accusations of retaliation lobbed by a former policy analyst over climate-related work in her home state.

11. WILDLIFE: Dems decry ESA provisions in bipartisan conservation bill

E & E News, July 20 | Scott Streater

A bipartisan conservation package drew criticism from Democrats at a Senate hearing yesterday for including a provision that would remove federal protection for the Wyoming and western Great Lakes gray wolf populations and block judicial review of that decision.

12. APPROPRIATIONS: Panel approves cuts to global enviro programs, worker safety

E & E News, July 20 | Dylan Brown and Arianna Skibell

House lawmakers passed fiscal 2018 spending bills yesterday that would trim funding for mine safety enforcement and prohibit international environmental funding.

13. ENERGY POLICY: House passes bills to boost pipeline, transmission projects

E & E News, July 20 | Sam Mintz

The House passed two bills today aimed at speeding the approvals of pipeline and transmission projects over the objections of Democrats.

14. INTERIOR: Scientist on adaptation reassigned to job with 'no duties'

E & E News, July 20 | Brittany Patterson

A top Interior Department employee filed a complaint yesterday as a whistleblower, alleging that he was removed from his position in retaliation for speaking publicly about the dangers of climate change to Alaska Natives.



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UTAH – FULL STORY

1. **Op-ed: Don't let this uranium mill repeat history**

High Country News, July 19 | Stephanie Malin

Tucked inside the Trump administration's proposed budget is \$703 million in funding for nuclear weapons. Although that's about 30 percent less than last year, you would hardly know it here in the heart of Utah's canyon country, where the nation's last operating conventional uranium mill — the White Mesa Mill — is forging ahead.

The mill sits on an arid mesa just a few miles east of the newly established Bears Ears National Monument, with Monument Valley to the south and Canyonlands National Park to the north, and is owned by a subsidiary of the Canadian energy giant Energy Fuels Resources, which also owns and operates uranium mines around the Grand Canyon. Today, despite a litany of risks, Energy Fuels Resources is asking Utah to renew the mill's license, which expired in 2007 and has been in "timely renewal" ever since.

Energy Fuels has influential friends, including high-powered lobbyists Andrew Wheeler, who worked on the Trump campaign and was involved with transition planning, and Mary Bono, the former California congresswoman and widow of Sonny Bono. So far, Utah seems to be welcoming the permit renewal as an economic boon for rural San Juan County, though the mill is staunchly opposed by its nearest neighbors — the Ute Mountain Ute Tribe and White Mesa residents who are mostly tribal members. Few have forgotten what happened to two towns and surrounding communities after uranium mills there were shuttered.

When the Monticello uranium mill closed, the environmental mess it left behind became two federal Superfund sites, one of which encompassed the entire community of Monticello. A \$250 million taxpayer-funded cleanup effort ensued, even as cancers, respiratory problems, reproductive issues, allergies and birth defects plagued the residents of this small uranium town. In decades earlier, child and adolescent leukemia clusters appeared in the community. Residents suspected these ailments were linked to long-term uranium exposure, and a 2007 Utah Department of Health study found the mill to be a "plausible" cause of elevated rates of certain cancers.



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In both Moab and Monticello, uranium mills have permanently contaminated the groundwater and poisoned surface water, both scarce resources in the arid West. Adding insult to injury, the Moab mill owner declared bankruptcy and stuck taxpayers with the cleanup bill. The site still isn't completely cleaned up, and with cuts to the Department of Energy's budget, cleanup could be delayed indefinitely. Why, despite this history of mismanagement just up the road from White Mesa, do state regulators seem content to let history repeat itself?

Already, the problems that have emerged at the White Mesa Mill look a lot like the problems plaguing Monticello and Moab. The shallow groundwater aquifer underneath the mill is contaminated with heavy metals, and the bond posted by the company to fund cleanup is laughably low — about \$22 million, which is less than a fifth of professional cleanup-cost estimates.

If Utah regulators fail to stand up for the public interest now, the Ute Mountain Ute Tribe, southeastern Utahns, and ultimately American taxpayers risk paying a high price. But nowhere are the risks higher than in White Mesa. The tribal community is immediately down-gradient and often downwind from the mill. Community members describe finding rainbow-colored meat when butchering animals hunted near the mill site. When the wind blew from the direction of the mill, people kept their children inside, reporting that they smelled strong chemical odors.

In both 2012 and 2013, the mill's own reports show that it emitted more radon — a cancer-causing air pollutant — than the Clean Air Act allows. And in 2015, 2016 and 2017, radioactive spills occurred as materials were transported to the mill for processing. Numerous cases of cancer have been reported in White Mesa, although no epidemiological studies have begun.

Still, Utah regulators seem unconvinced that the risks are real, and now, the state has opened the mill's license renewal to public comment. With Energy Fuels lobbying in Utah and in Washington, D.C., Americans have only until July 31, 2017, to urge regulators to stop continued environmental injustice at White Mesa. Email comments to dwmrcpublic@utah.gov with the subject line: "Public Comment on White Mesa RML Renewal" or submit comments by mail to Scott Anderson, Director, Division of Waste Management and Radiation Control, P.O. Box 144880, Salt Lake City, UT 84114-4850.

At the very least, state regulators should require Energy Fuels to post a substantial bond to guarantee that the company pays for the mill's cleanup. It's time to stop asking taxpayers to pay for an industry's toxic mess.



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Stephanie Malin is a contributor to Writers on the Range, the op ed service of High Country News. She is the author of The Price of Nuclear Power: Uranium Communities and Environmental Justice and is an assistant professor at Colorado State University.

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2. **Fighting UT wildfires is costing millions**

ABC 4 (Utah) News, July 19 | Glen Beeby

SALT LAKE CITY, Utah (ABC4 Utah) - Different agencies throughout Utah have already spent millions of dollars fighting wildfires. The worst being the Brian Head Fire which cost more than \$36 million. While some agencies have stayed within their budgets this season is highlighting just how much it costs to fight these fires.

The Bureau of Land Management bases their wildfire budget off an average for the decade, which is around \$10 million. With two months left to go in fire season they've already gone through 75 percent.

Heather O'Hanlon is a spokesperson for BLM, and points out that is near average. Although a major fire could blow through that budget quickly. Due to new rules passed in Congress it does allow agencies to shift funds for firefighting efforts.

"It allows for some flexibility for funds in other areas of the Department of the Interior that can be moved around as needed," said O'Hanlon.

Fire agencies will always fight a fire and find a way to fund it later. Even with the Brian Head Fire, which was on U.S. Forest Service Land, was aided by FEMA which has offered to pay 75 percent.

Officials said how much a fire will end up costing is hard to predict because of how the fire will have to be fought.

"If you have a beetle infested forest where you have a lot of dead and down that's maybe 10 years after the infestation," said O'Hanlon. "You have to go about fighting that fire all together differently."



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With the hot temperatures and extra dry conditions throughout the state serious fires could still be on the way. The cost to budgets doesn't stop once the fires are out.

In some cases, agencies like the BLM have to do restoration to an area too badly damaged by a wildfire. That can run \$30-\$250 per acre.

The high cost of fighting these fires is one of the reasons agencies put such a big emphasis on fire prevention.

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3. **Agencies plan to move wildland fire center to Richfield**

The Moab Sun News, July 20 | Rudy Herndon

Both of eastern Utah's interagency wildland fire dispatch centers – including one near Ken's Lake – will close at a still-undetermined date, under plans to consolidate those operations at a new facility in Richfield.

Representatives from numerous state and federal agencies made the decision last week to eventually shutter the communications facilities near Moab and Vernal in an effort to improve financial and operating efficiencies.

“This is not a decision that was made lightly,” U.S. Bureau of Land Management (BLM) Public Affairs Specialist Lisa Bryant said. “There were a lot of discussions looking into the pros and cons and different options.”

Moab Valley Fire Department chief Phillip Mosher said he heard officials say that the current interagency dispatch system in Utah is working well as is, yet the agencies still want to implement cost reductions.

From his perspective, though, the looming closure of the Ken's Lake-area dispatch center is a concern because its dispatchers cover a nearly 10-million-acre area. They also respond to an average of 400 incidents per year, during a fire season that runs from March through October, according to Moab Interagency Fire Center statistics.

“I think (the issue is) communication and overall safety, because we have local dispatchers there who know the area,” Mosher said. “That's always our hardest thing to do, is communicate.”



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An interagency task force that came up with the plans includes representatives from the regional offices of the U.S. Forest Service, the Bureau of Indian Affairs, the U.S. Fish and Wildlife Service and the National Park Service, as well as the Utah and Arizona state offices of the BLM and the Utah Division of Forestry, Fire and State Lands.

Before the agencies announced their decision on July 10, task force members evaluated the workloads, current operating costs and configuration of existing dispatch systems across Utah. The group was then asked to make recommendations for changes, based on financial and operating efficiencies, while still ensuring public and firefighter safety.

While the agencies still need to figure out how they're going to implement the agencies' plans over the next few years, the task force suggested that the dispatch centers statewide can get by with four to six fewer permanent positions. Any potential impacts to full-time employees could be minimized by the fact the agencies have some vacancies statewide, so not all of those positions are filled at this time.

A report from the task force recommends options for relocating permanent interagency employees, or helping them find other positions.

"We care deeply about the people we have," Bryant said. "They do great work."

If any local employees chose to remain, however, they'd have to relocate to one of three remaining dispatch centers near the Interstate 15 corridor: in Cedar City, Richfield or Draper.

"(The task force) felt the most efficient configuration for Utah moving forward would be three operations centers," Bryant said.

Grand County Council member Greg Halliday – who also serves as a wildland firefighter and as a training officer with the Castle Valley Fire Department – said the centers in eastern Utah are essential to ensuring adequate coverage of the entire state.

"We need to keep it the way it is," Halliday said. "They put these fire centers where they are for a reason."

Richfield is about 175 road miles west of Moab via U.S. Highway 191 and Interstate 70, and Halliday is concerned that the move to centralize those dispatch operations will shift resources away from local wildland firefighters.



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"I don't like this idea because it just puts the whole thing to fight fires that much farther away," he said.

Bryant said that officials heard those kinds of concerns "loud and clear" when they attended the June meeting in Moab, and she said that they are committed to ensuring that employees elsewhere understand the lay of the land in southeastern Utah.

"That is probably one of the highest priorities we will be looking at," she said. "... We'll make sure that the transfer of knowledge happens as part of the implementation of this decision."

Although Richfield is home to an existing wildland fire dispatch center, Bryant said that the Utah Legislature allocated funding this year for a new interagency facility in the Sevier County seat.

"Essentially, it's an opportunity to work with the state to build a facility that meets multiple agency needs," she said.

Halliday, though, thinks that any cost savings could be realized by closing the current Richfield center and continuing to invest in the centers on the state's eastern fringes, where the dispatchers are spaced farther apart.

"My feeling is, if they're going to do away with any of these, it should be the one in Richfield because it's only 100 miles from the one in Cedar City," he said.

Halliday's perspective is not unique among local and regional wildland firefighters, judging by the feedback he and others heard during a meeting in Moab last month.

According to Halliday, about four dozen firefighters from southeastern Utah – and even western Colorado and northern Arizona – attended the meeting, and none of them spoke in favor of the agencies' plans.

"Everybody was in opposition," Halliday said. "There was nobody that was in support of doing this."

As they develop their plan to implement the task force's vision, Bryant said that the agencies can always reverse course if they see that it's not working.

"They have the opportunity to revisit that decision," she said.



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Bryant said that each of the five existing centers has provided “ready, reliable and responsive” service over the years, while working together in effective and efficient ways. In the future, she said, the agencies want to look at the configuration of the three-center structure to ensure that service continues.

“It’s really important to all of us that we maintain the level of service,” she said.

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4. **Moab’s Interagency Fire dispatch center to be phased out, officials say**

The (Moab) Times-Independent, July 20 | Jeff Richards

Fire management officials from seven governmental agencies decided last week to consolidate Utah’s wildland fire dispatch system into a three-center model, with interagency dispatch offices in northern Utah, Richfield and Cedar City.

As part of the consolidation, two current dispatch offices located in the eastern part of the state — Moab and Vernal — will be phased out, according to officials.

The decision was made at a July 10 task group meeting that included leaders and representatives from the various different agencies comprising the Utah Interagency Fire Center. Those agencies include the U.S. Forest Service, the U.S. Bureau of Land Management, Utah Department of Natural Resources Division of Forestry, Fire, and State Lands, the Bureau of Indian Affairs, the National Park Service and the U.S. Fish and Wildlife Service.

The task group committee has been discussing consolidating the centers as a potential cost-cutting measure for at least the past several months. A copy of a report showing how much money the move is expected to save has not yet been made public.

Lisa Bryant, public affairs specialist for the BLM’s Green River and Canyon Country districts, said the decision was a difficult one, but it “addresses current and future realities of declining budgets and positioning ourselves as a state, through collaboration and cooperation, to meet budget uncertainties over the long term.”

“While the report estimated cost savings based on different center scenarios, the implementation plan that will be developed will provide a more robust and detailed cost savings analysis,” Bryant added. “The report, in addition to public meetings and input from local governments, and



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input from employees, were all considered by the agency leaders in making this difficult decision.”

She said the changes are likely to take a few years to happen.

“The BLM cares deeply about its employees and values the contributions that they make to our agency and local community,” Bryant said. “Now that a decision has been made to consolidate the number of dispatch centers within the state, the next step is developing an implementation plan, which will include reaching out to employees potentially affected by the decision.”

She said the BLM will help the affected employees by assisting with relocation or finding suitable alternative employment within the organization.

“Implementation will be phased and will take several years,” she said.

Jason Johnson, Southeast Area manager of the Utah Division of Forestry, Fire and State Lands, said the Moab Interagency Fire Center dispatch and operations will be handled from the Richfield office.

“By way of perspective, several years ago Arizona consolidated to a single dispatch center, so this kind of disruption is not unprecedented,” Johnson said. “There is always pressure to look for cost savings, and as communications technology improves, leaders will start thinking about the ‘what if’s.’ Given the current budget climate in Washington, I think those conversations have gotten more pointed.”

Johnson acknowledged that there are concerns about the changes the move will bring, but he said many such concerns have been considered and are being addressed.

“There is a lot of concern on the local level about consolidating dispatching for eastern Utah to Richfield,” he said. “Even if the technological challenges are met and the new center can handle the dispatch load of multiple large fires going simultaneously there will be a loss of local knowledge and relationships and fewer opportunities for duty officers and FMOs [fire management officers] to meet and coordinate face to face at local dispatch centers.”

The report calls for the hiring of a project manager, who will create a timeline and work out the details of the consolidation, including personnel issues. Affected jobs are expected to include



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seasonal dispatchers, along with a handful of state-level full-time positions. Officials said they will try to make adjustments through attrition or reassignment.

“The report recommends options for relocating current permanent employees or providing assistance in finding other suitable positions in the organization,” Bryant said. “The existing UIFC dispatch center building located on BLM land near Ken’s Lake will “likely be re-purposed for an appropriate use that still supports our organization.”

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5. **Work on La Sal Loop Road to continue through October**

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Closures on the La Sal Mountain Loop Road will extend into October as the Federal Highway Administration (FHWA) works to rehabilitate portions of the well-used roadway. The project, FHWA representatives say, includes safety improvements on approximately 12 miles of roadway from the Mill Creek Bridge near the intersection of the Oowah Lake Road and continuing north through the junction with Gateway Road.

“The purpose of the project is to rehabilitate deteriorating pavement conditions as well as improve drainage and safety issues,” said Doug Hecox, FHWA public affairs representative. “The section of the road is in poor condition and requires excessive work by the counties in order to maintain.”

According to Grand County Road Supervisor Bill Jackson, the roadway was “deteriorating rapidly.”

With Moab’s diverse weather patterns — from the snow to the extreme heat — Jackson has said that the road simply “doesn’t hold up.”

“Essentially, the road asphalt condition is failing and it serves a lot of users,” Jackson said in 2016.

The majority of the funding for the \$10.2 million project comes from the Federal Lands Access Program, which Hecox said supports work on public highways as well as roads, bridges, trails and transit systems adjacent to federal lands.



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The Grand County Transportation Special Service District — with the support of a grant from the Utah Permanent Community Impact Fund Board — provided \$944,000 in matching funds for the project.

Hecox said FHWA has a “strong partnership” with Grand County, developed during previous construction projects on the La Sal Loop Road.

“The partnership has succeeded because of the attentive and honest approach to project challenges,” he said.

While FHWA currently provides design services and quality assurance to the La Sal Loop road project, Neilson Construction & Materials is completing the actual construction.

First and foremost, Hecox said, the company is working on safety improvements such as road widening and creating better sight lines.

“This roadway segment has varying lane and shoulder widths as well as areas where horizontal sight distances are below standards,” he said. “The proposed project will improve the drivability and safety of the road as well as reduce the year-to-year maintenance costs for the counties.”

Those widening improvements, according to Hecox, will create two “consistent” 10-foot travel lanes with 1-foot paved shoulders.

Other safety improvements include better sight distances around curves, as well as more “signing, striping, and a continuous roadway section to meet driver expectation,” he said.

Road closures and traffic delays are in effect through October 2017, when the project is expected to be completed, Hecox said.

The section from Oowah Lake at milepost 14 through Sand Flats Road at milepost 18 is open, but visitors should expect a maximum 30-minute delay Monday through Friday, Hecox said.

And the segment from Sand Flats Road at milepost 18 to Gateway Road at milepost 26.5 is closed Monday through Friday, as well as nightly on weekends he said. Daytime weekend visitors on this section of road should also expect a maximum 30-minute delay, Hecox said.

More information about road improvements in Grand County and the rest of the state is available online at the FHWA website: flh.fhwa.dot.gov/projects/ut.



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6. **RECREATION & TRAVEL: Dinosaur National Monument has more than fossils**

The (Price) Sun Advocate, July 20 | Steve Christensen

Dinosaur National Monument is famous for three things: dinosaurs (obviously), rivers, and Native American wall carvings.

The National Monument Headquarters is in Dinosaur, Colorado, although most of the park is located near the Green River north of Jensen, Utah. Jensen is 13 miles east of Vernal. The Visitors Center is about 4.6 miles north of Jensen.

Several years ago the ground under the quarry became unstable and made the building unsafe. Since then a new structure has been erected and the Visitors Center has been moved a couple miles away. Visitors are now shuttled from the Visitors Center to the quarry.

Dinosaurs

The Quarry at Dinosaur National Monument contains one of the largest concentrations of dinosaur bones in the world. The quarry wall, which is unique in the world, contains bones from dozens of different dinosaurs, but no intact dinosaurs — only isolated bones.

How, you ask, did all those bones get in one place? The answer is actually quite simple, the river brought them here. In order to understand this one must first understand this occurred over millions of years — perhaps as long as 85 million years.

The location of the mass of bones was on a bend in the river. The water pushed the bones to the side of the bend and eventually the bones were covered with many tons of sand. A few years ago (a tick on the geologic clock), a bone was discovered, then another, and another, and voila, we have what is today an absolutely unique display of dinosaur bones.

People from all over the world come to Dinosaur National Monument to stand in awe before this impressive wall. While dinosaurs to people in Carbon County may not be unique, this display certainly is.

River Running



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There are two major rivers flowing through Dinosaur NM, the Gates of Lodore section of the Green River and the Yampa River. The Yampa merges with the Green near Echo Park. The last 25 miles of a Yampa trip is actually on the Green River.

Several outfitters provide commercial trips on both river sections. It is also possible to do a private trip, but both sections are very popular and all permits are allocated very early in the year. A lottery is conducted in February to allocate private permits. Pre-season (prior to the high-use season) and post-season permits are allocated via a call-in system.

The Gates of Lodore section of the Green River is 44 miles in length and river runners usually take four days. It features some of the most famous rapids in the western United States, including Disaster Falls and Hell's Half Mile, both named by John Wesley Powell during his historic trip of 1869.

Efforts to dam the Green River at Echo Park in the 1950s were thwarted by public outcry, although a compromise did result in the Glen Canyon Dam being built.

The Yampa River is the longest free-flowing river in the United States. There are no dams on the river, although some have been proposed and even planned. The Yampa is one of the most popular rivers and private permits are very difficult to get. The length of the trip, including 25 miles on the Green River, is 71 miles and people usually take five to seven days.

The Yampa is not known as a whitewater river, although it does have the infamous Warm Springs Rapid that has capsized many rafts. Warm Springs Rapid was created in 1965 after a major storm brought a huge amount of debris into the river from a side canyon. The story is that two guides were floating the river. They were not wearing life jackets because the river was not serious. They heard a roar in the distance, but still didn't dawn life jackets. They capsized the raft in the newly created Warm Springs Rapid and one of the men drowned.

Laine Adair, from Kenilworth, tells a story of how he capsized three rafts in Warm Springs Rapid in one day. On a high-water trip two of the boatmen didn't want to run Warm Springs. Laine rowed his boat into the rapid and capsized. After getting out of the river and righting his raft, he walked back to the staging area and took another raft, which he also capsized. Not the kind of person to give up, Laine was determined to make it through with the third raft, but it ended up upside down as well. That story will be told around campfires as long as Laine runs rivers.



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Petroglyphs, pictographs

In the park there are five areas where a visitor can view petroglyphs and pictographs:

Swelter Shelter is located a half mile from the Quarry Visitor Center along the Tour of the Tilted Rocks Scenic Drive. It is an easy walk, approximately 200 feet from the parking area. The area features a variety of both petroglyphs and pictographs designs.

Cub Creek is located 9 miles from Quarry Visitor Center along the Tour of the Tilted Rocks Scenic Drive. It is an easy walk to a panel with a variety of designs, only 50 feet from parking area. Another quarter mile of moderately strenuous hiking take a visitor to lizard figures. The figures can be seen with binoculars from parking area.

The Deluge Shelter trailhead is 44 miles from the quarry visitor center at the Jones Hole Fish Hatchery. There are pictographs approximately two miles from trailhead along the Jones Hole Creek Trail. It is an easy to moderate hike along a fairly level trail. Pictographs depict animals, people, and abstract designs.

McKee Springs is about 22 miles from the Quarry Visitor Center along the Island Park Road. It is a short trail, with some elevation gain. Petroglyphs include some of the finest large human-like designs in the area, as well as many other figures. This road is impassible during wet weather - check road conditions before attempting to drive to this site.

Pool Creek is about 37 miles from the Canyon Visitor Center along the Harpers Corner Scenic Drive. The petroglyph is just a few feet from parking area. There are unusual dot-pattern designs high above the creek This road is impassible during wet weather.

Camping and lodging

There are no rooms for rent in the park. There are six campgrounds, although three are used mostly (but not exclusively) by river runners. Those three are Deerlodge, where most people launch on the Yampa; Rainbow Park, where people launch to float Split Mountain, the daily section of the Green River; and Gates of Lodore, where people launch for the Gates of Lodore section of the Green River.



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The other three campgrounds are Echo Park, Green River, and Split Mountain. Echo Park is 38 miles from the Quarry Visitors Center. Access is via a gravel road which is not suitable for most recreational vehicles. It has 22 sites, including one group site.

Green River Campground is four miles from the Quarry Visitors Center and is the major campground for the National Monument. There are 79 sites. Camping fee is \$18. Some sites are available to reserve, some are first-come, first-serve.

Split Mountain is near the Green River Campground and has four sites, but functions as a group site most of the year.

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7. Newly finished 50-year water plan marks a new era, Utah governor says

The Salt Lake Tribune, July 19 | Emma Penrod

Gov. Gary Herbert on Wednesday heralded the completion of the state's new 50-year water management plan, a document four years in the making.

In a public appearance with his personally appointed, 40-member team of water advisers, the Republican governor accepted the completed blueprint, which maps strategies for water conservation as the state's population grows and calls for the construction of big-ticket water projects at Lake Powell and the Bear River.

The document's development has not been without controversy, with part of the drafting process done in meetings that were not disclosed to the public, prompting an outcry. And that's not the only flashpoint in the 106-page water-management blueprint, compiled with help from Envision Utah.

Herbert offered high praise for the strategy's authors, calling their effort unprecedented and holding it up as a "model of cooperation and collaboration for the rest of nation."

Disagreement over a few of the document's chapters — particularly those regarding water development and conservation — forced advisers into intense deliberations just weeks before the governor's deadline for the completed report.



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But the team was ultimately able to resolve those conflicts and arrive at a compromise based on the importance of water conservation and weighing environmental costs in order to finish the report, said one of the group's leaders.

"It took a lot of work, a lot of flexibility and compromise," said Tim Hawkes, one of the water strategy team's three co-leaders and a Republican representing Centerville in the Utah House.

The final draft does, however, still recommend the construction of both the Lake Powell Pipeline and the Bear River Project, each estimated to cost more than \$1 billion. That fact displeases some environmentally minded members of Herbert's advisory team.

"Utah is not running out of water," said Lynn de Freitas, a team member and executive director of Friends of Great Salt Lake. "I don't see the need, and I don't think the data justify the need, for those two projects."

The Recommended State Water Strategy does urge that the state make efforts to conserve water before building either project.

It also includes a range of conservation ideas that de Freitas described as "very, very positive."

The final report can be read on the Envision Utah website, envisionutah.org.

During Wednesday's ceremony, Herbert said he initially called for the creation of a statewide water management strategy because he believed it was necessary for Utah to analyze its future water needs before they reached a crisis level. A changing and variable climate will make water more difficult to come by, he said, and demand will continue to increase as the state grows.

"We have swings in climate," Herbert said. "We have had drought in the past, and we will have drought in the future. ... We need to anticipate what that's going to be like in a fast growing state."

Herbert, who said he would review the final water plan in the coming weeks, acknowledged that it would be impossible to immediately implement all of the report's recommendations. But central to his approach, the governor said, would be fiscal prudence, followed by safeguarding a sufficient water supply for the state's population and avoiding water waste.

"Any program going forward must include conservation," the governor said.



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Herbert said he would also focus on whether the price Utahns pay for water is appropriate; protecting water quality; and improving the quality of the state's data on water use and demand.

If Utah is judicious in planning for its water resources, Herbert said he believed the state could continue to grow and sustain a high quality of life.

"Water is, in fact, the only limiting factor to the growth and quality of life we've come to enjoy," he said.

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8. **'This is a powerful tool': County adopts land use plan following local input**

The St George News, July 20 | Mori Kessler

ST. GEORGE – After two years of crafting, a countywide resource management plan was adopted by the Washington County Commission Tuesday. The plan outlines the county's plans and preferences for land use and access and also gives federal agencies a better understanding of what their local partners want.

"The state Legislature, in 2015, asked the counties to write a resource management plan that would help guide county decision making, particularly when it comes to natural resources," Deputy Washington County Attorney Celeste Maloy said during the County Commission meeting Tuesday.

The county has been "actively engaged" in writing the plan for the last two years and seeking public input along the way, Maloy said.

The deadline for the state's 29 counties to have resource management plans adopted is Aug. 1, Maloy said. Once all the plans are adopted, the state will use them as the groundwork of a statewide land use plan, she said.

The county's plan contains 26 sections and covers expected areas such as land use and land access, as well as sections related to air and water quality, grazing, mining, wildlife, agriculture and more.

Draft versions of each section are available for view on the Washington County website [here](#).



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The county's resource management plan was written by Maloy, and she stressed the county has sought extensive public comment over the last two years.

"We've tried to make sure everyone is aware," Maloy said.

While the plan has been adopted, county officials plan to continually update the document.

"There are so many times a government entity or county will go through a robust planning process only to put in on the shelf," Washington County Commission Victor Iverson said.

"It's so important this document be kept up to date and reflect the values of the county," he said.

Maloy said the county's land use plan will help give the Bureau of Land Management and other federal agencies a much better idea of how the locals would like to see the public land used and managed.

Under the Federal Land Policy Management Act, Maloy said, federal agencies are required to coordinate planning processes with local partners. That's not always easy to do when the locals don't have a plan to consult beforehand.

"A lot of the time local governments don't have plans (the federal agencies) can be consistent with," she said. "So if we have resource management plans, it makes us better partners with those agencies ... This is a powerful tool for us to have."

Maloy said she hopes having the plan will improve the current planning process between the federal agencies and county go much smoother as well, especially since the initial introductions of the federal resource management plans two years ago didn't go over so well with the locals.

"When they have a resource management plan, it helps us identify where they want to take the county," Christian Venhuizen, of the Bureau of Land Management, said Wednesday. "It provides us with some strong guidelines."

While the BLM and other federal agencies are to coordinate land use planning efforts with local partners, that cooperation stops short of anything that would be deemed illegal or a violation of federal policy.

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E&E/NATIONAL NEWS – FULL STORY

1. In the push to deliver on campaign promises, Interior's energy drive looms large

The Washington Post, July 19 | Juliet Eilperin

With control over more than 500 million acres of public land and hundreds of millions of acres offshore, Interior Secretary Ryan Zinke is moving rapidly to promote American production of coal, oil and gas — a critical piece of President Trump's vision for "making America great again."

In the past few weeks alone, Zinke has lowered the price companies must pay the government for offshore drilling; acted to accelerate approval for onshore drilling permits; approved exploratory drilling in the Arctic's Beaufort Sea; and scheduled lease sales on Western lands the Obama administration had deemed off limits.

And Zinke's moves have immediate impact. While Trump's ambitious plans to overhaul the tax code and renegotiate international trade pacts remain far off, and his campaign to roll back environmental regulations will take months to produce results for industry, Zinke is taking concrete action to deliver on one of Trump's most important campaign promises.

As a candidate, Trump pledged that within his first 100 days he would "lift the restrictions on the production of \$50 trillion dollars' worth of job-producing American energy reserves, including shale, oil, natural gas and clean coal." While federal rules prevent him from wiping out these curbs overnight, Trump has taken what he describes as "historic steps to lift the restrictions on American energy, to reverse government intrusion, and to cancel job-killing regulations."

At this task, Trump remarked during an event at Interior in late April, Zinke "is doing an incredible job."

"They had very defined policy objectives from the get go — as opposed to some areas where we're still struggling to get meat on the bones, beyond the bullet points," Gore said.

Since taking office, Trump has issued two major executive orders on energy development, ordering the reversal of several of President Barack Obama's signature climate rules, as well as limits Obama imposed on drilling in the Arctic, Atlantic and Pacific oceans. Interior officials



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have moved rapidly to implement those orders, citing them in multiple federal notices seeking big shifts in policy.

On July 6, for example, as he outlined a new secretarial order aimed at speeding the oil and gas permitting process within the department's Bureau of Land Management, Zinke said: "This is just good government, and will further support the president's goal of American energy dominance."

The department has repeatedly upended Obama-era rules that sought to extract higher royalty payments from the energy industry or set new limits on where and how companies can develop publicly owned resources.

The same day Zinke moved to expedite permits, Interior's Bureau of Ocean Energy Management announced it would lower the rate companies must pay the government for shallow-water offshore drilling projects from a planned 18.75 percent to 12.5 percent. Months earlier, Interior's Office of Natural Resources Revenue suspended a new accounting system that would have compelled coal firms and other companies to pay millions of dollars in additional royalties on minerals on federal land.

Critics say these moves will imperil fragile habitats and the species that depend on them, while also depriving taxpayers of the returns they deserve on public resources. The moves could also slow the development of renewable energy sources, such as wind and solar, critics say.

In an interview, acting BLM director Michael Nedd said his agency strives to balance the need for energy with the need to safeguard the environment.

"One could argue — I don't know, but one could argue — that under the previous administration that scale could have been tipped too far on the environmental side and energy wasn't developed," Nedd said. "So right now, what we're looking at is, how can we have that balance?"

Nedd said the administration is allowing firms to develop all forms of energy, including renewables, "and then let the market choose."

Kathleen Sgamma, president of the Western Energy Alliance, a consortium of independent energy producers, met with Zinke in April to discuss federal energy policy. She and five top oil



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and gas officials from the group made the case to Zinke and his deputies that less restrictive federal rules would free their industry to create more high-paying jobs.

“We can help put working-class people back to work, the main constituency of President Trump, back to work,” Sgamma said, adding that the new “mind-set” at Interior “is very helpful.”

Environmentalists and some state officials are protesting the moves. Last month, the attorneys general for California and New Mexico filed suit in federal court challenging Interior’s about-face on royalty payments for federal minerals, saying it “nullifies much-needed, common-sense regulations that were formulated through a time-intensive rulemaking process.”

California and New Mexico also filed suit July 5 charging that the department’s decision to delay implementation of a rule limiting methane emissions from oil and gas operations on federal land deprives them of millions of dollars in payments needed to support education.

Kate Kelly, who served as a senior adviser to former interior secretary Sally Jewell and now directs the public lands program at the liberal Center for American Progress, said in an email that Zinke’s

“singular focus” on energy development “is starting to shift how the department operates,” particularly regarding the collection of royalties.

One area of clear friction is Obama’s identification of priority habitat for the dwindling numbers of greater sage grouse in 11 Western states. The plan took years to develop and received the approval of both Republican and Democratic governors.

Under Zinke, BLM has already scheduled lease sales in at least two areas in Wyoming and Utah identified as priority habitat for the birds. The agency is also moving ahead with a lease sale near Utah’s Dinosaur National Monument, though the National Park Service had in the past objected the project.

“Leasing these lands, most of which do not even have high potential for development according to the BLM’s own analyses, has a lot of risk and not a lot of benefit — except, presumably, to show that more leasing can be considered anywhere at any time,” said Nada Culver, senior counsel at the Wilderness Society.



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Recent developments in the energy market have made the federal government a less central player over the past decade, in part because of new oil and gas finds and easier leasing practices on private lands. The federal share of crude oil production dropped from nearly 36 percent in fiscal year 2010 to 21 percent in FY 2015, according to the Congressional Research Service, while its share of natural gas production dropped from nearly 33 percent in FY 2006 to just 16 percent in FY 2015.

Federal lands remain more central to coal production, accounting for roughly 40 percent of the coal that's burned in American power plants each year. Zinke lifted a year-long moratorium the department had imposed on federal coal leasing, but it is unclear how many buyers there will be: Several companies privately informed department officials last year that they had sufficient supplies for the near term.

Given the continuing retirement of coal-fired power plants, fresh interest in federal coal leases may reflect "a new period of speculation" rather than a rise in demand, said Tom Sanzillo, director of finance for the Institute for Energy Economics & Financial Analysis, in an email.

And Mike Cantrell, co-chairman of the Oklahoma Energy Producers Alliance, noted that public equity offerings in the shale oil industry dropped dramatically this year. Opening up more federal areas to drilling could depress current prices even further.

Still, Erik Milito, who directs the American Petroleum Institute's upstream and industry operations, said Interior is establishing the kind of "stable regulatory regime" that allows firms to make long-term plans.

"It will take some time," he said, "but the signals are very positive."

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2. Trump budget chief touts progress in rolling back regulations

The Hill, July 19 | Niv Elis

White House Budget chief Mick Mulvaney will release on Thursday a report claiming progress on regulatory rollback, a major priority of the Trump administration.



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“In the first five months of this administration alone the net cost of our regulatory agenda has been less than zero dollars,” Mulvaney said in a prepared statement, in which he trumpeted the economic agenda he has dubbed “MAGAnomics.” MAGA is an acronym for President Trump's campaign slogan Make America Great Again.

Mulvaney's report will tout the administration's withdrawal or deactivation of 860 regulatory actions, and that the administration has issued only half as many economically significant regulations when compared to the same period last year.

It also notes that the Congressional Review Act allowed Congress to undo a series of Obama-era regulations, and says the administration has achieved an annualized cost savings of \$22 million from agencies.

“This Agenda represents the beginning of fundamental regulatory reform and a reorientation toward reducing the overall regulatory burden on the American people,” said Neomi Rao, the budget office's administrator for regulatory affairs.

Critics have charged that some of the regulatory rollbacks have come at a cost to the environment, consumer protections, and health.

For example, the Bureau of Land Management is proposing a repeal of a regulation for hydraulic fracturing, also called fracking, which the administration says is duplicative, and the Environmental Protection Agency is giving up regulations on oil and gas development in the Uintah and Ouray Indian Reservations in Utah.

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3. **Climate Scientist Says He Was Demoted For Speaking Out On Climate Change**

NPR News, July 19 | Nathan Rott

A former head policy adviser at the Interior Department is accusing the Trump Administration of reassigning him to a lesser position for speaking out about the dangers of climate change.

Joel Clement, a scientist who was director of the Interior Department's Office of Policy Analysis for much of the Obama Administration, was recently reassigned to work to an "accounting office," the agency's Office of Natural Resources and Revenue.



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In an op-ed published Wednesday in The Washington Post, he wrote that he believes he was retaliated against for "speaking out publicly about the dangers that climate change poses to Alaska Native communities." He says that he's turning whistleblower on an administration that "chooses silence over science."

In his former role, Clement advised the Obama Administration on Arctic issues. He authorized a report to Obama in 2013 that warned the Arctic is warming faster than any other region on Earth and that the implications of the change would include "rapid coastal erosion threatening villages and facilities, loss of wildlife habitat, ecosystem instability... and unpredictable impacts on subsistence activities and critical social needs."

Clement wrote in the op-ed that in the months preceding his reassignment, he had raised the issue with White House officials, senior Interior officials and the international community.

"It is clear to me that the administration was so uncomfortable with this work, and my disclosures, that I was reassigned with the intent to coerce me into leaving the federal government," he wrote.

Interior Secretary Ryan Zinke told lawmakers last month that he aims to reduce the workforce of his agency by 4,000 employees to achieve a "balanced budget." And to achieve those cuts, he said the agency would rely on buyouts, attrition and reassignments.

At an earlier event, Zinke told reporters the agency was about to enter "probably the greatest reorganization in the history of the Department of the Interior."

Around the same time, there were reports that a massive reshuffling of senior Interior Department officials was underway. Clement was confirmed to be one of them.

His op-ed appears to be his first public comment since the reassignment. In it, Clement says he's hoping for a thorough investigation into the Interior Department's actions. "The threat to these Alaska Native communities is not theoretical. This is not a policy debate," he writes. "Retaliation against me for those disclosures is unlawful."

The Interior Department has not responded to a request for comment.



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The impacts of climate change are already being felt in Alaska's coastal communities. Residents of the island community of Shishmaref, Alaska, voted to relocate last year because of rising sea levels.

The tiny village of Newtok asked the Obama Administration for disaster relief resources to help relocate their entire community, but their request was denied.

The Trump Administration has downplayed the effects and threat of climate change.

Many mentions of it have been removed from government websites. Funding for climate research has been stripped from proposed budgets. In early June, President Trump announced that the U.S. would withdraw from the Paris Climate accords.

During his confirmation hearings, Zinke told lawmakers that he believes the climate is changing and that man is an influence, but that he thinks there's debate on "what that influence is [and] what can we do about it."

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4. **Ryan Zinke touts increased partnerships, celebrates American Products**

Ammoland.com, July 20 | Joe Evans

WASHINGTON, D.C. -(Ammoland.com)- Interior Secretary Ryan Zinke and other senior federal officials met with representatives of the outdoor recreation industry, including Archery Trade Association President and CEO Jay McAninch, at the U.S. Department of the Interior to discuss how the use of public-private partnerships can help improve visitor experiences on America's public lands and waters.

"One of my top priorities is to expand recreational access to public lands and waters. Today I'm excited to announce that, for the first time, the Department of the Interior will host a recreation advisory committee dedicated to looking at public-private partnerships across all public lands, with the goal of expanding access to and improving the infrastructure on public lands," said Secretary Zinke. "We already have thousands of private partners who operate on federal lands. Whether it's the iconic Jammers in Glacier National Park, the historic El Tovar lodge at the Grand Canyon, or



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the kayaks that you can rent on the Potomac River, American workers are at the heart of helping American families experience our great outdoors.”

“The ATA is pleased that Secretary Zinke is moving quickly to implement public-private partnerships as a mechanism to maximize outdoor recreation on public lands,” McAninch said. “The public-private formula will ensure the public’s right to access to enjoy the great outdoors while providing the funding that will not only provide excellent recreational opportunities but also cover the critical infrastructure needs that have so often been ignored when support comes only from Federal budgets.”

Thom Dammrich, President of the National Marine Manufacturers Association and a leader of the Outdoor Recreation Industry Roundtable (ORIR) began the meeting by introducing almost 30 offers of private investment on public lands totaling more than \$80 million, calling them “just the first wave of thousands more opportunities that will emerge over the next few months.”

National Park Hospitality Association (NPHA) President Terry MacRae outlined 19 proposed projects in national parks alone. These projects will help improve visitor experiences by modernizing accommodations, expanding connectivity, improving campgrounds, adding new services and more.

“The ATA is excited to work with staff of the U.S. Fish and Wildlife Service and Bureau of Land Management to use public-private partnerships to implement Secretary Zinke’s Order No. 3347,” McAninch said. “The order seeks to expand access for recreational hunting and fishing on public lands, and members of our industry are poised and ready to invest in making sure that happens. We are also pleased to hear that Secretary Zinke is directing Interior staff to coordinate closely with the state fish and wildlife agencies in prioritizing access for hunters and anglers. Bowhunters count on the states for scientific management of all wildlife, and having the states play a prominent role on Federal lands is long overdue.”

Outdoor recreation is vital to the economic and healthful well-being of America. The industry generates \$887 billion in direct spending and supports 7.6 million jobs across all 50 states.

Secretary Zinke, representatives of the Outdoor Recreation Industry Roundtable (ORIR), key national park concessioners and Members of Congress discussed how improving infrastructure, encouraging innovation, and developing new and enhanced public-private partnerships will give



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the American people more opportunities to enjoy healthy, active fun on their public lands and waters, while helping outdoor recreation continue to grow as a powerful and positive economic force in America.

Public-private partnerships have existed on public lands and waters for more than a century and currently provide a vast array of services across the country. From the iconic lodges of our national parks to world-class ski resorts on national forests, federal agencies and private industry have a proven history of working together to provide great activities on public lands.

Expanding partnerships – especially at campgrounds – would allow park rangers to focus on welcoming visitors with a great experience, rather than on less mission-focused activities like fee collection and trash collection.

Following the meeting, Secretary Zinke led the group to Simón Bolívar Park and a showcase of American-made outdoor recreation products as part of “Made in America Week.” There are more than 100,000 manufacturing jobs provided by the recreation industry – producing boats, RVs, off-road vehicles, outdoor equipment and more.

ORIR, NPHA and experienced partners across the country pledged to collaborate with the Department of the Interior and other federal land management agencies. They offered innovative solutions and expanded partnerships to advance a shared vision of increasing access to modern recreational opportunities and enjoyable experiences for all visitors to federal lands.

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5. **NOMINATIONS: Trump announces picks for key jobs at Interior, Ag, Defense**

E & E News, July 20 | Margie Hobson, Marc Heller and Nick Sobczyk

President Trump last night announced a series of nominations for key positions at the departments of the Interior, Agriculture and Defense, among other agencies.

Former Alaska Natural Resources Commissioner Joseph Balash was nominated to be Interior's assistant secretary for land and mineral management.



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The job would put Balash in charge of the Bureau of Land Management, the Bureau of Ocean Energy Management and the Bureau of Safety and Environmental Enforcement, as well as the Office of Surface Mining Reclamation and Enforcement.

Balash is currently chief of staff to Alaska Sen. Dan Sullivan (R).

The nomination comes at the same time the Trump administration is advocating greater oil and gas development in Alaska, including allowing exploration in the Arctic National Wildlife Refuge and protected areas of the National Petroleum Reserve-Alaska.

The administration is also pushing for more offshore energy development in the Arctic Ocean and in other parts of the U.S. outer continental shelf.

Alaska Gov. Bill Walker (I) praised Balash's nomination. "With over 60 percent of our land owned by the federal government, it is absolutely critical that Alaska's voice be heard in Washington D.C.," he said in a statement. He added that he "look[s] forward to the invaluable contributions [Balash] will make to our nation in the years ahead."

Alaska Oil and Gas Association President Kara Moriarty said Balash "understands how to break down complex policies, work with various stakeholders, and he knows how to make government work efficiently and effectively. He will serve our country very well."

But the nomination was blasted by Bill Snape, senior counsel at the Center for Biological Diversity and assistant dean at American University's Washington College of Law.

"Balash is yet another Trump nominee with deep ties to the fossil fuel industry and with no understanding of the value of public lands for all Americans, not just resource extractors," he said. "As with its current refusal to blow up public health care, we hope the U.S. Senate starts rejecting these retrograde nominees."

Balash served as deputy commissioner of the Alaska Department of Natural Resources from 2010 to 2013 at a time when Sullivan held the commissioner post. When Sullivan left that job to run for U.S. Senate, Balash was promoted to the commissioner slot.



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Prior to that, Balash advised two governors on natural resources and energy issues and served as a state legislative staffer. He went to high school in Fairbanks and has a bachelor's degree in government and politics from Pacific University in Oregon.

Balash's appointment must be confirmed by the Senate Natural Resources Committee, which is chaired by Sen. Lisa Murkowski (R-Alaska), before heading to the full Senate.

Agriculture

Sam Clovis, a former conservative radio host and co-chairman of Trump's presidential campaign, was tapped to a top research and economics post at the Department of Agriculture.

Yesterday's announcement of Clovis for undersecretary for research, education and economics confirmed reports from several weeks ago that Trump was considering him for the job. Clovis' lack of a background in science sparked criticism from some science and research organizations (Greenwire, May 15).

In a statement, Agriculture Secretary Sonny Perdue praised Clovis as a trusted hand at the department, where he served as a liaison for Trump's transition team before Perdue took office.

"He looks at every problem with a critical eye, relying on sound science and data, and will be the facilitator and integrator we need," Perdue said.

The undersecretary's position, which is subject to Senate confirmation, oversees agencies such as the Agricultural Research Service and Economic Research Service.

As the undersecretary with oversight of science matters, Clovis would have considerable influence over USDA's decisions on how strongly to pursue research on climate change's effect on crops, for instance. He has publicly said he doubts the science of climate change.

Although he has no science-related work experience and little advanced education in that area, Clovis is a former economics professor at Morningside College in Sioux City, Iowa. He is currently senior White House adviser to USDA.

A native of rural Kansas, Clovis was in the Air Force for 25 years and retired as inspector general of the North American Aerospace Defense Command and U.S. Space Command.



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The White House also announced that Trump will nominate Ted McKinney, director of the Indiana Department of Agriculture, as undersecretary for trade and foreign agricultural affairs, a post Congress created in the 2014 farm bill but which has never been filled.

McKinney is a former director of global corporate affairs for Elanco Animal Health, a subsidiary of Eli Lilly and Co., according to the announcement. He also worked for 19 years with Dow AgroSciences, a maker of farm chemicals and biotechnology products.

Those connections with big ag are likely to raise eyebrows in organic agriculture groups and in liberal political circles, but USDA and Congress have generally been supportive of agribusiness and biotechnology, in particular.

McKinney has headed Indiana's Agriculture Department since 2014, including under Vice President Mike Pence, when he was governor of the state. McKinney grew up on a farm in Indiana and received a bachelor's degree in agricultural economics from Purdue University.

McKinney and his wife, Julie, have three children and four grandchildren, the White House said.

Defense

The Trump administration also moved to fill a key open slot in the Department of Defense, nominating Mark Esper for Army secretary.

Esper, a graduate of the U.S. Military Academy, served more than 20 years in the military before taking a government relations position at Raytheon Co., a defense contractor.

The Washington Examiner first reported Esper's nomination yesterday afternoon before Trump officially announced the pick late last night. Esper is Trump's third pick for Army secretary; the first two removed their names from consideration.

Service secretaries have significant influence on policy decisions in the military branches, including on issues like energy and the environment.

The administration yesterday announced two other Pentagon picks, including Robert Wilkie for undersecretary of Defense for personnel and readiness.



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Amid the slew of nominees, Trump also moved to fill a job at the Federal Emergency Management Agency, picking Daniel Kaniewski for deputy administrator for national preparedness.

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6. **COAL: Wash. export terminal gets first permit**

E & E News, July 20 | Dylan Brown

County officials in southwestern Washington state awarded a first approval to developers of a major coal export terminal there, part of an effort to increase shipments from the Pacific Northwest.

The move provides the venture with an important lifeline but doesn't guarantee the project will come to fruition amid ongoing headwinds.

Millennium Bulk Terminals received a critical area permit for its proposed \$680 million, 44-million-ton facility along the Columbia River in Longview.

Cowlitz County found the company could meet state standards for development in designated areas like wetlands, wildlife habitat and flood plains.

"It's not an authorization to go construct, but it's saying, 'Hey, for all your critical area activity, this is what you're going to have to do to be compliant,'" Nick Little, deputy director for Cowlitz County's Building and Planning office, told the Longview Daily News.

While the county permit is the first of many required approvals for the 5-year-old proposal, Millennium President and CEO Bill Chapman hailed it as "a new and exciting phase."

"Our goal of building a state-of-the-art export terminal in Cowlitz County, creating thousands of family-wage jobs and pumping millions in tax revenue into the Washington economy is now closer than ever," he said.

The Army Corps of Engineers has yet to finalize an environmental impact statement. A separate final state EIS came out in April, but the comment period does not end until July 27 (E&E News PM, April 28).



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Millennium has also sparred with the Washington State Department of Natural Resources after the agency indicated it would refuse to lease state-owned riverbank for coal export development (Greenwire, Jan. 4).

Millennium is the last of a number of West Coast terminal proposals. Others have succumbed to weak demand overseas and local environmental opposition.

"Today's decision does not change the reality of Millennium's long-shot business venture: Coal is a dying industry, and this project faces unprecedented grass-roots opposition," said Jasmine Zimmer-Stucky, co-director of the Power Past Coal coalition.

While coal exports are expected to rise in 2017 after plummeting in recent years, the U.S. Energy Information Administration forecasts a return to decline in 2018 (Greenwire, July 18). EIA said only one-third of national export capacity is currently being used.

Still, advocates say Millennium would offer a more direct route to Asia for the cheap, plentiful coal in Montana and Wyoming.

Analysts, however, foresee a tall task in competing with countries closer to key markets.

"Shipments off the West Coast are a matter of opportunism in the times when prices are high, which is not a permanent situation," Andy Roberts, research director for global thermal coal markets at research firm Wood Mackenzie, told E&E News last year.

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7. INTERIOR: Zinke heads West to meet conservative groups

E & E News, July 20 | Michael Doyle

Interior Secretary Ryan Zinke will soon be communing with nature and convening with conservative allies, in a Colorado trip that shows two facets of his leadership.



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On Sunday, Zinke will hang out at Rocky Mountain National Park. His visit to the photogenic park is open to press coverage and marks his latest in a series of visits to a national park since becoming secretary (Greenwire, June 22).

"I'm having a ball," Zinke told recreation industry leaders earlier this week.

The nonpartisan outdoor fun, though, will be preceded by an indoor talk Saturday at the Western Conservative Summit and a speech tomorrow to members of the American Legislative Exchange Council. The Saturday talk at the Colorado Convention Center in Denver will be open to the press, while tomorrow's is closed.

Environmentalists are seizing on Zinke's closed-door appearance before the American Legislative Exchange Council as evidence of the policies he wants to pursue.

"By aligning himself with the most anti-public lands organization in America, Secretary Zinke is sending a clear message about his intentions with our nation's forests, monuments, refuges and other public lands," Brad Brooks, director of the public lands campaign for the Wilderness Society, said in a statement.

The senior Democrat on the House Natural Resources Committee, Rep. Raúl Grijalva of Arizona, added today that Zinke's appearance at ALEC's 44th annual conference "is troubling and demands explanation."

Interior Department officials say Zinke's appearance is strictly routine.

"The secretary speaks to advocates on all sides of issues," Interior spokeswoman Heather Swift said today. "He plans to reiterate his position against the sale or transfer of public lands and that he is committed to better land management."

Commonly dubbed ALEC, the American Legislative Exchange Council bills itself as "America's largest nonpartisan, voluntary membership organization of state legislators dedicated to the principles of limited government, free markets and federalism."

Often that's meant framing opposition to environmental rules, through endeavors like one called the "EPA Regulatory Train Wreck Initiative." The group drafts model bills and resolutions, like



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one in 2013 that "calls upon the Bureau of Land Management to expedite the approval of existing oil and gas development and permitting requests on public lands."

Most recently, it's been able to tout its ties to the Trump administration, with several Cabinet secretaries among those slated for speaking roles at this week's conference held in the Hyatt Regency Denver.

"ALEC has had an amazing year and is taking full advantage of having an administration that is a friend to the states," ALEC National Chairman Jim Buck said in a statement.

Labor Secretary Alexander Acosta, Education Secretary Betsy DeVos and former House Speaker Newt Gingrich, an informal Trump adviser whose wife Callista was nominated to serve as the U.S. ambassador to the Vatican, were also set to speak.

In addition to speakers, the three-day conference features workshops with titles like "Why the Nation Needs YOU to Drain the Swamp With the Ultimate Tool of Federalism" and one involving oil and natural gas regulations subtitled "How the Industry Can Best Balance Transparency and Safety."

Past funding for ALEC, in addition to dues paid by legislators, has come from conservative foundations associated with the Koch family, trade associations like the American Petroleum Institute and corporations like Exxon Mobil Corp., according to studies by the Center for Media and Democracy.

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8. **WHITE HOUSE: Trump outlines deregulation agenda**

E & E News, July 20 | Arianna Skibell

The White House this morning released the new administration's first regulatory plan, a sweeping survey for all federal agency actions.

The latest issue of the biannual so-called Unified Agenda includes mostly notices to withdraw or revise regulations, a sharp contrast to the Obama years. Plans for dozens of rules have disappeared.



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The agenda details how U.S. EPA intends to withdraw the Clean Power Plan and Clean Water Rule. The Department of Energy is considering modifying its energy efficiency standard program. And the Department of Transportation will likely not issue an Obama-era regulation to require highway planners to account for greenhouse gas emissions.

President Trump has made rolling back federal regulations a top priority of his administration. In March, he issued a memo specifically directing agencies to prioritize deregulatory actions in the agenda (E&E News PM, March 6).

Strangely, scholars note, the agenda appears to deviate from Trump's Jan. 30 executive order that requires agencies to identify two rules for repeal for every new rule they plan to issue.

"It's pretty interesting that I'm not seeing rules identified as offsets to new rules that would impose costs," said Amit Narang, regulatory policy advocate for Public Citizen's Congress Watch.

"For example," he said, "they are listing the updates to the lead in drinking water rule with a timeline but no mention of how they will offset the costs."

The only proposed significant rules that are not deregulatory appear to be in response to litigation, according to James Goodwin, senior policy analyst for the Center for Progressive Reform.

He said the remaining Obama-era actions are routine, noncontroversial ones. Rules that have been withdrawn or relegated to "long-term" actions are the more significant ones.

Goodwin noted that, traditionally, the agenda has specified whether it's the fall or spring edition, while this year is simply called "Update 2017."

"Does this imply that they're not doing a Fall 2017 agenda?" he said.

Climate

EPA listed President Obama's signature climate rule, the Clean Power Plan, as a long-term action with no end. The agency simply states the regulation exceeds statutory authority under the Clean Air Act.



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The administration has said it plans to roll back the rule, which required states to craft plans to reduce carbon dioxide emissions from existing power plants.

The Obama EPA estimated that, by 2030, the plan would bring up to \$45 billion annually in net public health and climate-related benefits.

Also moved to long-term actions is a rule that would address emissions from new and modified plants. Here, too, EPA states it plans to withdraw the standards on the grounds they exceed statutory authority.

EPA is moving to extend the stay of Obama-era methane standards for the oil and gas industry until August. A federal court last week granted EPA a two-week reprieve from complying with its recent ruling that the agency lacked authority to delay the rule (E&E News PM, July 13).

Air quality

The agenda includes no major short-term initiatives on air pollution. Instead, EPA will focus on tending to statutorily required responsibilities, albeit sometimes with the prodding of deadlines set by settlements.

Near the top of the list of proposed rules, for example, is the agency's review of the primary air quality standards for nitrogen oxides.

Only last week, EPA Administrator Scott Pruitt signed a draft rule leaving the current thresholds in place; the final rule is due by next April, under a consent decree made final this spring in response to a suit by two environmental groups.

Similarly, EPA will be moving forward with the third of four rounds of attainment designations for the 2010 sulfur dioxide standard that is also required by a court order.

The agency said it was looking into numerous "risk and technology reviews" intended to revisit guidelines for hazardous air pollutants from various industrial emissions sources.



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Those reviews are supposed to be carried out every eight years, but because EPA is chronically behind, environmental groups have repeatedly sued to set legally binding timetables for their completion.

The agency also plans to continue with a rulemaking launched under the Obama administration to spell out the requirements for state cleanup plans needed to meet its 2015 ozone standard, with the final rule scheduled to be made final next March.

The agenda notes that the final attainment designations for the ozone standard are now due by October 2018, after Pruitt recently delayed them, saying the agency needs more information. Environmental and public health groups filed suit last week to reverse that decision.

Noticeably absent from the agenda are some Obama administration rulemakings that were withdrawn soon after Trump took office and have apparently not been revived.

Those include proposed new pollution controls on existing oil and gas operations on the Uintah and Ouray Indian Reservation in Utah and a final rule to tighten emission standards on grain elevators.

Energy efficiency

The agenda states that DOE is examining whether to modify its energy efficiency standard program into "a market-based approach."

The effect of such a proposal is unclear. The notice states that DOE is "evaluating the potential use of some form of a market-based approach such as an averaging, trading, fee-based or other type of market-based policy mechanism."

The agency added it was planning a proposed rule in December that would ease the application process for small-scale natural gas exports, including liquefied natural gas.

Also, several rules facing a lawsuit by multiple states are slated for final action in September. Three of those are for portable air conditioners, commercial boilers and uninterruptible power supplies. DOE originally issued standards in December but never published them in the Federal Register (E&E News PM, June 13).



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Several efficiency rules on appliances are planned this year, including a standard for room air conditioners in September, according to the agenda.

DOE said at that time it would either propose and adopt more stringent guidelines or issue a determination that no amendments to current standards are required.

A final rule on gas furnaces — long a source of contention between environmentalists and industry — is scheduled for November.

DOE's efficiency program is viewed by many clean energy advocates as critical for cutting emissions and lowering costs. The Obama administration made it a central plank of a broader Climate Action Plan.

The Trump administration proposed a 70 percent funding cut to DOE's Office of Energy Efficiency and Renewable Energy, which oversees the rulemaking.

Transportation

The Department of Transportation does not appear to be planning on reissuing a final Obama-era rule that would have required highway planners to measure and take into account the anticipated greenhouse gas emissions from vehicles traveling on their roads.

The controversial metric was part of a package of performance standards the Federal Highway Administration completed in the final days of the Obama administration.

The highway agency decided to indefinitely delay the metric in May, vowing to start an entirely new rulemaking process to take comments on a possible revision or elimination within weeks (Climatewire, May 19). Democrats accused it of eschewing normal procedure in an attempt to kill the rule.

The measure does not appear on the Transportation Department's agenda, and aides for the agency did not respond to a request for comment in time for publication.

Drilling, land management



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The Interior Department's regulatory plans for the rest of the year largely focus on rule rollbacks that are already in motion.

Top on the agency's list is rescission of the Obama-era hydraulic fracturing rule. The agency has been engaged in a legal battle over the action since its release more than two years ago, and the measure has never taken effect.

Interior's rollback of the rule may be instrumental in persuading a federal court to pause related litigation. According to the Unified Agenda, the Obama-era safety and environmental standards for fracking do not reflect the policies and priorities of the new administration.

The Bureau of Land Management also wants to delay until July 17, 2019, the Obama-era rule restricting methane flaring from oil and gas operations on federal lands.

The issue has been controversial, with Democrats questioning whether the department has the authority to keep the November 2016 rule on ice after the Senate this spring voted against overturning it through the Congressional Review Act.

A proposed rule effectively suspends implementation of the methane regulation for the next 18 months. A separate proposed rule listed seeks to "revise or rescind" it.

Water

The agenda indicates that the administration intends to move quickly in its efforts to repeal and replace the 2015 Clean Water Rule, which clarifies which waters are covered by the Clean Water Act.

While it does not set a timeline for a final regulation repealing the controversial regulation, also known as the Waters of the U.S., or WOTUS, rule, the agenda shows the administration plans to propose a replacement regulation by December.

This year's agenda moves back the timeline for revising the Lead and Copper Rule, which regulates those metals in drinking water.



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The Trump administration has delayed the timeline for promulgating the rule by about six months, with a notice of proposed rulemaking expected in January 2018 and a final rule expected in July 2019.

The delay comes despite mounting pressure from Congress to upgrade standards in the wake of the Flint, Mich., drinking water crisis.

The agenda no longer includes a rulemaking to set new levels of coliform bacteria in water. The Obama administration had expected to release a notice of proposed rulemaking by January 2018 for the bacteria, which can contaminate water supplies through fecal matter and cause digestive problems in humans.

Coal and mining

Except for declaring the Stream Protection Rule dead, the agenda makes no mention of any regulations at Interior's Office of Surface Mining Reclamation and Enforcement.

Gone are the Obama-era proposal to reform self-bonding — a practice unique to coal mining that allows a company to promise to clean up mines without collateral if it meets certain financial criteria — as well as new standards for coal dam impoundments, disposal of coal ash in mine reclamation and permits to avoid coal companies idling a mine to avoid reclamation.

The Office of Natural Resources Revenue plans to take final action on its repeal of new fossil fuel valuation standards for royalty purposes. Environmentalists have sued to block the change (Greenwire, April 27).

For hardrock mining, EPA is working toward meeting a court-ordered deadline of Dec. 1 for publishing a final rule for new financial assurance requirements under the Superfund law. The industry and its Republican allies have been lobbying for the Trump administration to rewrite the proposed rule or take no action.

The agenda also established no date for a final rule on new underground water protections for in-situ uranium mining, which EPA delayed in January (Greenwire, Jan. 6).



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At the Department of Labor, the Mine Safety and Health Administration will see new pre-emptive workplace examination requirements for non-coal mines, which the Trump administration delayed this year, go into effect Oct. 2 (Greenwire, March 24).

The agency will also continue gathering public input until Jan. 9, 2018, on addressing concerns about miners' exposure underground to diesel exhaust linked to lung cancer (E&E News PM, Jan. 11).

The Trump administration does not specify when it will act on a proposed crystalline silica dust rule despite acknowledging current standards dating back to 1985 may not protect workers from developing respiratory disease.

Agriculture

For the Department of Agriculture, the administration said it would publish next April a final rule on the import, movement and environmental release of genetically engineered organisms. That proposed regulation falls under USDA's Animal and Plant Health Inspection Service.

The Forest Service said it would have ready in December a procedural final rule intended to expand public participation in the agency's formulation of standards and guidelines on programs.

EPA has several regulations in play regarding agricultural pesticides. The agency plans a notice of proposed rulemaking in January revising procedural rules for hearings on cancellations and denials of pesticide registrations.

Another proposed rulemaking for next April is meant to allow certain notices about new uses of pesticides to be posted on a new EPA webpage, rather than in the Federal Register.

EPA said it doesn't have timelines in place for other proposals, including updated rules on certification of restricted-use pesticide applicators and changes in the grouping of crops for use of certain substances.

EPA said it will propose next June an update to pesticide data requirements regarding possible threats to insect pollinators.



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EPA also remains on target for a December 2017 publication of final renewable fuel volumes for 2018, according to the agenda.

Chemicals

The regulatory agenda included updates on several significant chemicals rules, some of which the administration is currently preventing from taking effect.

The final rules in limbo would update decades-old certification and training standards for pesticide applicators, reduce the public's exposure to formaldehyde vapors from wood products, and create landmark disclosure requirements for companies that use nanoscale materials (Greenwire, Jan. 12).

All three looming regulations were finalized in the last two months of the Obama administration. Trump's regulatory agenda says the effective date for them is now "to be determined."

Also uncertain is the fate of other rules — opposed by Congress and the chemical industry — that would ban certain uses of three deadly industrial solvents (Greenwire, July 18).

After twice extending the comment period on actions to prohibit the manufacture, import, processing and distribution of the carcinogenic trichloroethylene in degreasing and dry cleaning operations, the Trump administration hasn't set a date for issuing the final rule.

Meanwhile, a similarly delayed rule restricting the use of methylene chloride and n-methylpyrrolidone (NMP) in paint stripping is poised for a supplemental notice of proposed rulemaking at some undetermined date. Methylene chloride is a suspected carcinogen, and NMP has been linked to dozens of deaths from acute exposure.

And the Trump administration has signaled its intent to revisit reporting guidelines that forced manufacturers to provide justification when they request that information on certain compounds be kept secret (Greenwire, Jan. 20).

Endangered species, parks, oceans



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The Fish and Wildlife Service included several proposed rules that would affect the listing and critical habitat determinations for several animals, including the Sierra Nevada red fox, the white-tailed prairie dog and the Pacific walrus.

Another proposed rule seeks to revise and streamline the 1992 Wild Bird Conservation Act "in light of our experiences in implementing the legislation and regulations over the past 15 years," the Unified Agenda said.

The department by September plans to finalize a rule that would authorize and allow bicycling on a 2-mile segment of the East Shore trail within Rocky Mountain National Park.

As a long-term action, the Commerce Department wants to amend its fishery management plan for the red snapper in the Gulf of Mexico, allowing more "regional management."

Last month, the department extended the 2017 fishing season by 39 days, siding with sports fishermen who complained the season was too short.

The department said regional management "would enable regions and their associated communities to specify the optimal management parameters that best meet the needs of their local constituents."

Commerce also plans to finalize a rule by December that would put caps on the number of permits and lobster traps that can be actively fished in an attempt to rebuild the southern New England lobster stock.

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9. **INTERIOR: Senate advances Bernhardt for deputy**

E & E News, July 20 | Kellie Lunney

The Senate this afternoon advanced the nomination of David Bernhardt for Interior Department deputy secretary, teeing up the final confirmation vote expected Monday.

Senators voted 56-39 to invoke cloture on the nomination. All Republicans present, six Democrats and one independent voted in favor.



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Democrats Martin Heinrich of New Mexico, Heidi Heitkamp of North Dakota, Joe Manchin of West Virginia, Joe Donnelly of Indiana, Brian Schatz of Hawaii and Michael Bennet of Colorado voted with Republicans, as did independent Angus King of Maine.

Senators not voting were: Patrick Leahy (D-Vt.), Jerry Moran (R-Kan.), Ben Sasse (R-Neb.) and Debbie Stabenow (D-Mich.). Sen. John McCain (R-Ariz.), recovering from surgery and recently diagnosed with brain cancer, was absent.

Bernhardt's nomination has attracted strong support because of his extensive public policy experience in the executive and legislative branches, but also robust opposition from Democrats and green groups alarmed by his ties to oil and gas lobbyists.

The Campaign for Accountability today filed a complaint with the U.S. attorney for the District of Columbia to investigate whether Bernhardt violated the Lobbying Disclosure Act by continuing to lobby despite formally withdrawing his registration in 2016.

Emails obtained through the California Public Records Act show Bernhardt continued to advise the Westlands Water District, a California agricultural organization, after terminating his lobbying registration (Greenwire, July 18).

Bernhardt was registered as a Westlands lobbyist between June 2011 and Nov. 18, 2016, when he was a member of the Trump administration's Interior Department transition team and potential nominee. The president formally picked him in April.

Bernhardt, who had served as chairman of the natural resources department at the law firm Brownstein Hyatt Farber Schreck LLP, previously promised lawmakers that if confirmed, he would "not participate personally or substantially in any particular matter involving" his former clients or "specific parties in which I know the firm is a party or represents a party" for two years, unless he receives authorization to do so.

Administration aides have said they thoroughly vetted Bernhardt on ethics. They and other defenders, including Sen. Cory Gardner (R-Colo.), call him an experienced nominee.

In addition to his lobbying career, the Coloradan has worked as a Capitol Hill aide and served as an Interior official during the George W. Bush administration.



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Bernhardt has taken heat over allegations of mismanagement at Interior during his tenure there, including a drug and sex scandal at the former Minerals Management Service and political interference in endangered species decisions.

'Disqualifying'

Energy and Natural Resources Committee ranking member Maria Cantwell (D-Wash.) has led the opposition to Bernhardt and spoke on the floor before today's vote.

Cantwell said that while it's true Bernhardt has "considerable" experience to do the job, the revolving-door nature of his career continues to concern her and raises a serious appearance of conflict-of-interest issues.

By putting forward Bernhardt as Interior's No. 2, President Trump is not helping to drain the swamp, "he's helping to fill it," Cantwell said.

The League of Conservation Voters also reiterated its opposition to Bernhardt today after sending a letter last month to the full Senate urging it to reject the nomination.

"Bernhardt's long list of conflicts of interest alone should be disqualifying — but given the Trump administration's incredible disregard for integrity, science and facts, it's no surprise that a top nominee would have a record of altering government science for political gain and overseeing an office plagued by scandal," said Tiernan Sittenfeld, LCV's senior vice president for government affairs.

Sittenfeld added: "We strongly urge senators to oppose Bernhardt's nomination and will continue to hold Congress and the administration accountable for putting polluter profits ahead of our clean air, clean water, public lands and families' health."

Zinke 'miserable' by lack of help

Gardner on the floor today praised Bernhardt's experience and commitment to public service, noting that other nominees considered by the Energy and Natural Resources panel have toggled between government and the private sector.



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"What we see is another nominee, dedicated public servant, who gained experience in the private sector and is willing to come back to public service to give back to our great country," said Gardner, who noted that Bernhardt worked with his wife, Jaime, at Interior during the Bush administration. "Mr. Bernhardt's integrity and ability are two of his strongest qualities for his nomination."

Several stakeholders have voiced their support for Bernhardt as well, including the Colorado River District, Colorado Water Congress, Southern Ute Indian Tribe, Outdoor Recreation Industry Roundtable and Theodore Roosevelt Conservation Partnership.

Yesterday, House Natural Resources Chairman Rob Bishop (R-Utah) talked with reporters about the lack of confirmed appointees in place at Interior — and how it's making Secretary Ryan Zinke's life "miserable."

"There are a whole lot of problems that could be solved if Bernhardt was there now," the chairman said. "The Senate waiting as long as it has is wrong, it's simply wrong."

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10. **INTERIOR: Murkowski to press Zinke on climate scientist's reassignment**

E & E News, July 20 | Arianna Skibell and Geof Koss

Republican Sen. Lisa Murkowski of Alaska today said she plans to press Interior Secretary Ryan Zinke about accusations of retaliation lobbed by a former policy analyst over climate-related work in her home state.

Joel Clement yesterday published an [op-ed](#) in The Washington Post accusing the Trump administration of reassigning him to another office in order to suppress information about climate change.

"I believe I was retaliated against for speaking out publicly about the dangers that climate change poses to Alaska Native communities," he said.

Murkowski told E&E News that she read the story last night, but has yet to hear from or speak to Clement.



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"So I don't know anything about his specific story, other than what I've read in the paper," she said. "Obviously I'm going to want to talk to Secretary Zinke about it."

Sen. Maria Cantwell (D-Wash.), the senior Democrat on the Senate Energy and Natural Resources Committee, said Clement's situation amounts to a lot of "confusion" and "undermining of science."

"I am concerned enough that I am going to be asking the inspector general to look into it," she said at a hearing today.

Clement joined Interior seven years ago, where he worked to help communities in Alaska tackle impending and present climate change impacts. He said he was one of 50 senior department employees who received involuntary reassignments last month.

He was moved to an unrelated job in an accounting office that collects royalty checks from fossil fuel companies, he said.

"I am not an accountant — but you don't have to be one to see that the administration's excuse for a reassignment such as mine doesn't add up," he said.

A few days prior to Clement's reassignment, Zinke testified before Congress that he planned to use a combination of attrition, reassignment and separation incentives to cut roughly 4,000 full-time employees.

"Removing a civil servant from his area of expertise and putting him in a job where he's not needed and his experience is not relevant is a colossal waste of taxpayer dollars," Clement said.

"Trump and Zinke might kick me out of my office, but they can't keep me from speaking out," he said. "They might refuse to respond to the reality of climate change, but their abuse of power cannot go unanswered."

Andrew Rosenberg, director of the Center for Science and Democracy at the Union of Concerned Scientists, called the affair "disgraceful."



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"They're shameless," he said. "This says, 'No, we're going to pretend [climate change] is not happening because it's inconvenient to our political views or for our donors.'"

Scientists agree that the Arctic is warming twice as fast as the rest of the planet. Communities that live in affected areas of Alaska — like the Native villages of Kivalina, Shishmaref and Shaktoolik — are about to sink into the Arctic Ocean, Clement said.

"As permafrost melts and protective sea ice recedes, these Alaska Native villages are one superstorm from being washed away, displacing hundreds of Americans and potentially costing lives," he said.

Next month marks the start of the fall storm season in Alaska, when the risk of hurricane-strength storms and flooding is heightened. For some of these Native villages, there are no roads, and therefore no evacuation routes.

"It's at this critical time of the year that these communities face imminent danger," said Robin Bronen, executive director of the Alaska Immigration Justice Project.

Bronen, a human rights attorney and senior research scientist at the University of Alaska, Fairbanks, said addressing rising sea levels is crucial not only for native communities in the Arctic, but also for southeast Florida, Lower Manhattan and Boston.

"We are a harbinger of what's coming in the not-too-distant future for the rest of the United States," she said.

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11. **WILDLIFE: Dems decry ESA provisions in bipartisan conservation bill**

E & E News, July 20 | Scott Streater

A bipartisan conservation package drew criticism from Democrats at a Senate hearing yesterday for including a provision that would remove federal protection for the Wyoming and western Great Lakes gray wolf populations and block judicial review of that decision.

The provision, and its implications for both the future of gray wolves and the Endangered Species Act, took center stage at yesterday's Environment and Public Works Committee hearing



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on the "Hunting Heritage and Environmental Legacy Preservation (HELP) for Wildlife Act," [S. 1514](#), sponsored by Chairman John Barrasso (R-Wyo.).

The bill would reauthorize a number of critical conservation statutes and programs, including the decadeslong cleanup program for Chesapeake Bay. Those provisions have drawn the support of eight co-sponsors, including Democratic Sens. Ben Cardin of Maryland, Amy Klobuchar of Minnesota and Tammy Baldwin of Wisconsin.

"This bill is another example of how we can work together, both Democrat and Republican, to both protect the environment and grow the economy," Barrasso said. "So I look forward to working with my colleagues on moving this important legislation out of the committee and passing it to the Senate floor."

But it was clear during yesterday's two-hour hearing that the legislation will face opposition from Democrats over the management of gray wolves, which are currently listed as endangered across the United States except in Alaska, Montana and Idaho, as well as in portions of Oregon, Washington and Utah.

The wolf provisions in the bill are tied to the yearslong court battle over the status of the carnivores. States like Wyoming have long argued that gray wolves have recovered and should be delisted.

The U.S. Court of Appeals for the District of Columbia Circuit in March reversed a lower court's ruling restoring federal protection for the wolves. In doing so, the appellate court upheld the Fish and Wildlife Service's initial 2012 determination to delist the animals in Wyoming (E&E Daily, July 12).

FWS also opted in 2012 to delist gray wolves in the western Great Lakes, but the Humane Society of the United States has challenged that decision.

Barrasso's bill as written would address both populations by requiring FWS reissue the 2012 delisting rule and shielding that decision from litigation by preventing judicial review.

So would the separate \$31.4 billion spending bill for U.S. EPA, the Interior Department and related agencies approved this week by the House Appropriations Committee. It includes a rider



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directing the Interior secretary to reissue the delisting rules for the Wyoming and western Great Lakes populations, though it does not include the provision blocking judicial review (E&E Daily, July 19).

But the potentially far-reaching effects of such a move may erode bipartisan support for the Barrasso bill.

"As ranking member of this committee, I've made clear my firm commitment to ensuring that wildlife management decisions are guided and driven by the best available science," said Delaware Democratic Sen. Tom Carper. "The idea of intervening in the current science-based, publicly informed species management process to legislatively delist a species gives me great pause."

Undermining ESA?

Sen. Cory Booker (D-N.J.) echoed Carper, saying, "ESA decisions must be based upon science without interference from Congress."

Sen. Kirsten Gillibrand (D-N.Y.) added that while the bill "includes several important beneficial conservation provisions that I support, I'm concerned about other parts of the bill that would have some very negative impacts on the Endangered Species Act."

John Vucetich, a wildlife management professor at Michigan Technological University who has studied wolf ecology and management for 20 years, said the concerns of Gillibrand, Booker and Carper are valid.

"My professional understanding of the 'HELP for Wildlife Act' is that it is a Trojan horse and should be opposed or amended," Vucetich said. "It contains some important positive provisions, but its most important effect, I believe, would be to undermine the Endangered Species Act and to subvert wolf conservation."

He testified at the hearing that gray wolves don't qualify for ESA delisting, noting they occupy only about 15 percent of their historical range.



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ESA requires that a recovered species must be "relatively widely distributed across its former range," he said. While there have been legal arguments over how to define widely distributed, he said that "there does not seem to be much dispute that 15 percent doesn't qualify."

Brian Nesvik, chief game warden for the Wyoming Game and Fish Department, disagrees.

Nesvik and Barrasso pointed to FWS statistics that show there are more than 3,600 gray wolves in the western Great Lakes region and about 300 in Wyoming.

"Wolf populations in the northern Rocky Mountains have done quite well and have expanded," Nesvik said.

There's no reason why gray wolves in Wyoming should not be delisted and management turned over from FWS to the state, which has a plan in place to work with the service to ensure a healthy and viable population remains in place, he said.

Barrasso's bill would not preclude FWS from relisting the gray wolf if population numbers significantly decline in the future.

"The gray wolf population in our state has been recovered since 2002," Nesvik said.

"For over 15 years, Wyoming citizens have been extremely patient while the service and the courts have wrestled with the status of recovered populations of wildlife within the Wyoming borders," he added. "The citizens of the state are ready for predictability and commitments that ensure state management into the future, and this bill provides that."

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12. APPROPRIATIONS: Panel approves cuts to global enviro programs, worker safety

E & E News, July 20 | Dylan Brown and Arianna Skibell

House lawmakers passed fiscal 2018 spending bills yesterday that would trim funding for mine safety enforcement and prohibit international environmental funding.



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The House Appropriations Committee passed spending bills for the departments of Labor, Health and Human Services, and Education, as well as the State Department and foreign operations.

The international measure would allocate \$47.4 billion, a \$10 billion cut from fiscal 2017 enacted levels, when counting additional funds provided by the Further Continuing and Security Assistance Appropriations Act of 2017. That represents a 14 percent cut to State. It passed by voice vote.

The bill would, like previous years, prevent money from going to the U.N. Green Climate Fund and the Intergovernmental Panel on Climate Change. While President Trump's budget requested \$102 million for the Global Environment Facility, the House bill would remove money.

Rep. Debbie Wasserman Schultz (D-Fla.) offered an amendment to ensure American dollars kept flowing to the union of countries. She withdrew the amendment after the GOP majority promised to work with her on the issue. Wasserman Schultz noted the program has bipartisan support.

Under the current bill approved in committee, the GEF — which includes more than 180 nations — would lose funds for global agricultural and food security programs, which received \$23 million in 2017.

Labor

Under the Labor bill, the Mine Safety and Health Administration would receive \$360 million, a nearly \$14 million cut from fiscal 2017. The Trump administration had actually recommended a slight increase. It passed 28-22.

The committee justified the reduction in its bill report, noting "significant worker dislocations and mine closures as a result of economic conditions throughout the mining industry, and in coal mining in particular."

The legislation fulfilled a Trump administration request for up to \$66 million from the Dislocated Workers National Reserve to help laid-off miners in Appalachia.



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A bipartisan group of lawmakers have promised to ignore the White House's proposal to cut other programs helping coal communities, including the Appalachian Regional Commission (E&E Daily, May 24).

MSHA was also praised for emphasizing compliance assistance over "punitive enforcement," frequently maligned by coal executives, after a spate of recent coal mining fatalities (Greenwire, June 26).

"The Committee continues to receive reports of inspectors exceeding necessary and appropriate levels of oversight to the point of significantly impeding mining operations," the report states. "The Committee questions whether this strategy materially improves safety and if the costs outweigh the benefits of such additional oversight."

Coal miners' union officials condemn the method touted by Labor Secretary Alexander Acosta as coddling coal companies (E&E Daily, June 28).

The bill does not, however, take aim at the controversial respirable coal dust rule, setting aside \$10.5 million for grants to help states buy personal dust monitors and take other steps to combat black lung disease.

Lawmakers also matched the Trump administration's proposed increase for the Black Lung Disability Trust Fund to \$414.8 million and maintained current rural health program spending that includes \$7.3 million for black lung clinics.

The Occupational Safety and Health Administration would receive a \$21.3 million cut to \$531.5 million.

The House next week will take up a package of spending bills, including measures to fund the departments of Energy and Defense and the Army Corps of Engineers. It's unclear when other funding legislation will hit the floor.

Appropriators wanted to consider a broad fiscal 2018 omnibus bill for the entire government, but many House lawmakers balked at the idea.

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13. **ENERGY POLICY: House passes bills to boost pipeline, transmission projects**

E & E News, July 20 | Sam Mintz

The House passed two bills today aimed at speeding the approvals of pipeline and transmission projects over the objections of Democrats.

In a 254-179 vote, the House passed [H.R. 2883](#), from Rep. Markwayne Mullin (R-Okla.), which would transfer approval authority for cross-border energy projects from the State Department to the Federal Energy Regulatory Commission for pipelines and to the Department of Energy for electric transmission projects.

And by a 254-179 margin, lawmakers approved [H.R. 2910](#), by Rep. Bill Flores (R-Texas), which would reinforce FERC's role as the lead agency for permitting interstate gas pipelines and allow the agency to impose deadlines on other federal and state regulators.

Wyoming Republican Rep. Liz Cheney said the bills would help reverse the effects of the Obama administration's "war on fossil fuels."

The legislation, she said, is "at the center of the agenda that we are pushing forward with historic progress in this Congress to begin to generate the kind of economic growth that we need to get back on track."

Democrats were able to add an [amendment](#) from Rep. Marc Veasey (D-Texas) to the border-crossing bill that says the legislation wouldn't limit the scope of reviews under the National Environmental Policy Act.

But Republicans knocked down other amendments and sailed through Democrats' attempts to set up procedural roadblocks.

Both bills were opposed by the League of Conservation Voters, which said it might track votes for its 2017 scorecard (E&E Daily, July 19).



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But H.R. 2910 was supported by two dozen trade groups, including the American Petroleum Institute and the Interstate Natural Gas Association of America, which wrote in a [letter](#) that the bill would advance a "coordinated review of proposed natural gas projects."

Neither bill has companion legislation in the Senate, a point alluded to by Rep. Louise Slaughter (D-N.Y.) on the House floor.

"The American people may be scratching their heads, wondering why, with everything going on in the world, we are prioritizing bills that put our environment at risk, bills the Senate may never take up," she said. "The majority is just doing the bidding of an administration that has shown a complete disregard for air, water and land."

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14. **INTERIOR: Scientist on adaptation reassigned to job with 'no duties'**

E & E News, July 20 | Brittany Patterson

A top Interior Department employee filed a complaint yesterday as a whistleblower, alleging that he was removed from his position in retaliation for speaking publicly about the dangers of climate change to Alaska Natives.

Until last week, Joel Clement was director of the Office of Policy Analysis at Interior, which provides scientific and economic analysis on a range of issues, including climate change.

A scientist by training who spent the last 15 years working on climate change in the Arctic, Clement was reassigned to the Office of Natural Resources Revenue as a senior adviser. He said the job "has a title, but no duties."

"It seems quite clear to me," he told E&E News. "The manner in which they reassigned me, going from climate adaptation work in the Arctic to collecting royalty checks [from oil and gas companies], made it pretty clear what their intent was."

He believes officials thought he would quit.

Clement was among dozens of career senior executives who learned they were being reassigned last month (Greenwire, June 16).



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The goal of the Senior Executive Service (SES) employee program, created in the late 1970s, is to allow flexibility among federal agencies to move high-ranking managers throughout the workforce.

While reassignment is a known part of the gig, some lawmakers have questioned Interior's motives behind the personnel moves.

In a letter sent last week, Sen. Tom Udall (D-N.M.) said he was "deeply concerned" about the reshuffling, in part because the changes "are uprooting employees who have formed deep and lasting relationships with the surrounding communities" with "virtually no notice or input" (Greenwire, July 14).

Clement has filed two forms with the U.S. Office of Special Counsel, a complaint and a disclosure of information document.

In the complaint, he alleges that his reassignment was in retaliation for speaking about climate change on multiple occasions.

Clement said he gave several public speeches on the plight facing Alaska Native communities and the immediate need to increase their resilience to sea-level rise and other impacts of climate change. Alaska is warming at twice the rate of the rest of the world, and a number of villages are facing imminent threats from melting permafrost, eroding shorelines and rising seas.

Prior to his reassignment, he also spoke at the United Nations and briefed White House staffers, including climate adviser George David Banks, on adaptation efforts being undertaken by the Interior Department, he said.

Clement said his involuntary move has had "a chilling effect" on the Office of Policy Analysis.

'In the crosshairs'

He said stakeholders were shocked when Trump signed an executive order on April 28 that revoked the Northern Bering Sea Climate Resilience strategy put in place by President Obama in December 2016.



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The Obama order established an advisory council, co-chaired by Interior, NOAA and the Coast Guard, that brought multiple federal agencies and Alaskan tribes together to jointly manage more than 100,000 square miles of Bering Sea waters. The move was supported by the Alaska congressional delegation, tribes and Alaska Gov. Bill Walker (I).

"To be honest, at DOI what we do is adaptation, resilience," Clement said. "We assumed that work would continue, maybe not using the same language, which is fine, but we don't do greenhouse gas stuff. I didn't think we'd be in the crosshairs."

In the disclosure form, Clement argues that his removal threatens the health and safety of Alaska Native communities already dealing with the impacts of climate change, he wrote in a Washington Post [op-ed](#).

The agency has not replaced him, he said. Interior did not respond to a request for comment.

Last month, Interior Secretary Ryan Zinke said the reassignments were "completely normal."

"They have their choice whether to go, they have options, but it's not unprecedented," he told reporters after a Senate budget hearing.

He indicated that the reshuffling was part of a larger effort to shift Interior employees away from headquarters and to the front lines.

"We don't want to kick anyone to the curb. We're working with people, but we're also looking at where the most value of these people are," Zinke said. "Sometimes it's not in the halls of Washington, and in some cases, it's a different hall in Washington."

Clement sees those comments differently. While he accepts that being reassigned is part of the job in the SES, he said the scale and manner in which Interior carried them out point to misuse.

"I was reassigned to a job that has a title but no duties," he said. "So it's pretty clear what they wanted to have happen is that I would quit rather than take that position."



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Becoming a whistleblower is not something he envisioned doing, but the Trump administration's "devaluing and, in some cases, purging the scientists and experts in government" was too important to ignore, he said.

"If it weren't that there are lives at stake, I'd be thinking long and hard about it, but it really was a no-brainer," Clement added. "If we're not going to be able to work on this issue and help protect Alaska Natives in peril, that's a big problem for the Department of the Interior, and it's a big responsibility for the Department of the Interior."

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