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Attached is the daily news report for June 17 19.

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 – JUNE 17, 2017

1. Summit County leaders pass resolution supporting public lands and national monuments

The Park Record, June 16 | Angelique McNaughton

Wednesday, Summit County Council members agreed to join Salt Lake City and Castle Valley in passing a resolution urging Utah Gov. Gary Herbert and state legislators to stop using taxpayers' money to fund the transfer of control of public lands to the state.

2. Greater Sage-Grouse In Utah on Wild About Utah

Utah Public Radio, June 16 | Shauna Leavitt

Utah's dry, sagebrush covered landscapes are home to one of North American's largest grouse species, commonly known as the greater sage-grouse.

3. If Bears Ears monument gets smaller, oil and gas operators are poised to push for drilling rights

The Salt Lake Tribune, June 17 | Brian Maffly

In making their case for rescinding Bears Ears National Monument, Utah officials have downplayed the potential for oil and gas development on the lands that five tribes persuaded President Barack Obama's administration to set aside under the Antiquities Act.

4. Petroglyph day; interpretations and mysteries of Parowan Gap

St George News, June 18 | Reuben Wadsworth

FEATURE — One of the most concentrated collections of Native American petroglyphs in the Western United States – and also one of the least understood – is in Southern Utah's backyard: the Parowan Gap.



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5. Petroglyph day; interpretations and mysteries of Parowan Gap

The Durango Herald, June 19 | Tay Wiles, High Country News

Thousands of miles of dusty two-tracks crisscross Utah's remote public lands. Some are historical routes, while others were carved more recently by backcountry recreationists in trucks and four-wheelers. Which roads should be used and which should be abandoned to protect the environment has been a topic of intense debate for years. Now, Utah is one step closer to ending its roads controversy.

E&E/NATIONAL NEWS – TOP STORIES

1. Op-ed: Keep America Wild

The New York Times, June 16 | Richard Powers

In 1846, when he was 29, Henry David Thoreau tried to climb to the top of Mount Katahdin in Maine. Living in Massachusetts, where the virgin forest was long since cut down, Thoreau had never seen true wilderness, and the sheer power of the wild Maine woods sent him into an ecstasy of spiritual overload.

2. Interior Head Says Public Lands Can Make U.S. a 'Dominant' Oil Power

The New York Times, June 19 | Reuters

BOSTON — Boosting drilling and mining on America's protected federal lands can help the United States become not just independent, but "dominant" as a global energy force, according to Interior Secretary Ryan Zinke, whose agency manages about one-fifth of U.S. territory.

3. Op-Ed Shrinking Utah's Bears Ears National Monument would be one more broken promise to Native Americans

The Los Angeles Times, June 19 | Stephen Trimble

Secretary of the Interior Ryan Zinke plans to advise President Trump to shrink Utah's Bears Ears National Monument to a scatter of isolated sites. The secretary's recommendation, announced last week, is one more act of disrespect and arrogance in a story that began in 1492.



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4. Study: Wyoming sage grouse habitat has greatest overlap with oil and gas potential

The Casper Star Tribune, June 17 | Heather Richards

Wyoming is known for its central role in sage grouse conservation, but it is not only the state with the largest sage grouse habitat. It is the state with the most overlap with oil and gas development in protected areas, according to a recent study from Backcountry Hunters and Anglers.

5. WATER POLICY: Infrastructure, flood bills set to advance

E & E News, June 19 | Ariel Wittenberg

The House is moving forward with a number of flood insurance and water infrastructure bills this week, with one bill heading to the Rules Committee and a slew of flood insurance reform bills being marked up in the Financial Services Committee.

6. BUDGET: Zinke, Perry on Hill this week as spending talks advance

E & E News, June 19 | George Cahlink and Kellie Lunney

Energy Secretary Rick Perry and Interior Secretary Ryan Zinke are due on Capitol Hill this week to defend their fiscal 2018 budget request as House Republicans scramble to set in motion a plan to pass a spending package before summer recess.

7. FORESTS: House to vote on bill to ease clearing for rights of way

E & E News, June 19 | Marc Heller

The House this week will take up Republican-backed legislation to speed the clearing of vegetation around electric rights of way in federally owned forests.

8. MINING: Lawmakers move to facilitate helium production

E & E News, June 19 | Dylan Brown

Helium is vital to military, medical and other technologies, but a strained global market has Congress once again examining ways to increase supply.



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UTAH – FULL STORY

1. **Summit County leaders pass resolution supporting public lands and national monuments**

The Park Record, June 16 | Angelique McNaughton

Wednesday, Summit County Council members agreed to join Salt Lake City and Castle Valley in passing a resolution urging Utah Gov. Gary Herbert and state legislators to stop using taxpayers' money to fund the transfer of control of public lands to the state.

The council unanimously approved the resolution, which recognizes the "value of federal public lands to Summit County's economy, recreation, heritage and quality of life." Nine people cheered and applauded the decision, including Becky Yih, a Kimball Junction-area resident and volunteer with the campaign "Keep Public Lands in Public Hands."

"It's a statement in favor of preserving the land as it is and listening to the native voices," Yih said. "I think it will bolster efforts in other areas and might trigger other cities and counties to take the same stance."

The resolution states that any loss of access to public lands would have "damaging consequences" for the county's economy, residents and visitors. Additionally, the resolution stresses how the transfer of the county's federal lands would undermine the county's ongoing investment in its open space programs.

"I want to remind you that of all the communication you have received is in support of this resolution and opposed to the transfer of public lands to the state," said Janna Young, director of intergovernmental affairs.

As part of the resolution, the county offered its support for the continued designation of the state's national monuments, including Bears Ears and Grand Staircase-Escalante.

"Summit County has a rich history of multiple use of public lands in support of an agricultural- and natural resource-based economy and more recently, a significant recreation-focused economy," the resolution stated. "Since 1998, the travel and tourism sector has steadily held approximately half of the county's total private employment and a significant portion of Summit



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County's economic livelihood rests on having an active and desirable natural resources, recreation and tourism industry."

Yih said she became involved in the public lands discussion in 2016 after several state legislators wrote a column for the Salt Lake Tribune explaining their reasons for wanting to return control of federal lands to the state.

"They didn't say anything about recreation or the value of public lands. They said it is to develop commerce and that totally incensed me," Yih said. "Senators Orrin Hatch and Mike Lee don't represent me. But, I think, by the Summit County Council being willing to stand up for this, they are representing me and the rest of us who value these lands."

Yih further commended the County Council's consideration of pulling out of U.S. Rep. Rob Bishop (R-Utah) public lands initiative, which has been heavily criticized by the groups who oppose the transfer of public lands. County Council members have not decided whether they want to maintain the county's involvement with the bill or pursue a separate piece of legislation, which will include Wednesday's resolution.

"The county had already tried to work with Rob Bishop and just say, 'OK we can give a little here if you'll give a little,' which he didn't," Yih said. "But by getting a group of entities to make a resolution similar to this, it at least lets the state know they will receive some pushback on the \$14 million lawsuit and Public Lands Initiative."

County Council member Kim Carson said councilors had received approximately 75 emails supporting the resolution prior to the meeting.

"I just want to thank you for your input and thank everyone who sent in comments," Carson said.

To view the resolution, go to <http://summitcounty.org/DocumentCenter/View/5697>.

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2. Greater Sage-Grouse In Utah on Wild About Utah

Utah Public Radio, June 16 | Shauna Leavitt

Utah's dry, sagebrush covered landscapes are home to one of North American's largest grouse species, commonly known as the greater sage-grouse.

The females are attractive chicken-size birds with gently curved bodies. Their feathers show streaks of black, brown and gray. This pattern acts as a natural camouflage in their sagebrush habitat to help protect them from predators.

Males are distinguished from females by their majestic form and decorative feather patterns. They are often twice the size of females and can weigh over seven pounds. A thick layer of white plumage covers the males' breast and wraps up around both sides of their thick necks. Their tails are a long spray of pointy feathers, which rise into a beautiful fan during courting season and provide the basis for their scientific name *Centrocercus urophasianus* derived from the Greek word "kentron" meaning spiny, "kerkos" meaning tail, and urophasianus meaning tail of a pheasant.

To help protect against predators their wing and back feathers have streaks of black, grey, and brown - similar to the females.

Buried under the male's white breast feathers are two air sacs that remain concealed until mating season begins.

The greater sage-grouse are probably best known, by most, for their extravagant courtship rituals.

Around the beginning of March, the male grouse return to their communal mating grounds called a lek where they compete with other males to attract and breed with the females. The ritual is called lekking. The lek is in an open area where visibility is good - such as a dry lakebed.

To show their dominance, the males raise their tail feathers in a magnificent fan, fill their breast sacs with air then thrust the air out of the sacs making a popping/bubbling sound as they strut around the lek in a regal fashion.



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The females are attracted to the leks by the calls of the males, which can carry for over 1.5 miles. When they arrive, they roost among the males to watch their strutting performances. The hens may visit the lek several times during the breeding season before nesting.

During the courtship rituals, the females will begin searching for a nesting site. Most will choose to build their nests under the protective cover of a sagebrush bush. The female lines the bowl-shaped nest with dead grass and a few feathers. When she sits on her nest of 6-8 eggs, her camouflage colors go to work and make her nearly invisible from her surroundings. A potential predator may often pass by her as she sits motionless and in silence on her nest for a 30-day incubation period.

When the eggs hatch, the chicks will immediately follow the female as she leads them to areas within the protective cover of sagebrush that are rich on insects and other green groceries known as forbs. On this high protein, energy-rich diet the chicks grow fast and in less than three weeks can fly.

Dr. Terry Messmer, Utah State University Extension wildlife specialist and director of the Berryman Institute explains, "Greater sage-grouse do not have a muscular crop and are not able to digest hard seeds like other upland game species such as the ring-necked pheasant... they depend on sagebrush for their survival. In fact, during the winter sage grouse survive by only eating sagebrush. They are the only species that can gain weight during the winter by [consuming] sagebrush."

Biologists estimate that since the European settlement of North America there has been a 50% decline of the sage-grouse sagebrush habitat and population.

In the late 1990's, in an effort to reverse this trend, Messmer through Utah State University entered into a collaboration with the State of Utah and numerous other stakeholders to develop a community-based conservation plan. Its purpose was to bring local communities, agencies, and researchers together to determine the best methods to preserve sage-grouse, their sagebrush habitats, and benefit the local community – without having to list it for protection under the federal Endangered Species Act.

After two decades of hard work, the partners have witnessed a resurgence of the greater sage-grouse as their habitats have been protected, enhanced and expanded.



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If you'd like to see greater sage-grouse, the largest populations are found in western Box Elder County, on Blue and Diamond Mountains in Uintah County in northeastern Utah, in Rich County, and on Parker Mountain in south central Utah. Just remember to bring your binoculars.

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3. If Bears Ears monument gets smaller, oil and gas operators are poised to push for drilling rights

The Salt Lake Tribune, June 17 | Brian Maffly

In making their case for rescinding Bears Ears National Monument, Utah officials have downplayed the potential for oil and gas development on the lands that five tribes persuaded President Barack Obama's administration to set aside under the Antiquities Act.

But a review of Bureau of Land Management records indicates that industry does hope to tap hydrocarbon deposits under parts of the Bears Ears region that Interior Secretary Ryan Zinke may soon recommend removing from the monument.

If President Donald Trump's administration shrinks the 1.3-million-acre monument, some of these sought-after parcels could be leased for drilling, particularly given the new administration's pledge to promote an "America first" energy policy and lower hurdles to extraction on public lands.

Since 2013, energy companies have unsuccessfully asked the BLM to lease more than 100,000 acres for oil and gas development within or near public lands that became the monument, according to an analysis by the Center for Biological Diversity.

The environmental group mapped the 88 requested parcels, which are clustered along the eastern fringes of the monument, near Bluff on the south and Hatch Point on the north. The areas have long been subject to exploratory drilling.

"Opening this area for more oil and gas drilling and fracking is going to harm the reasons this monument was established," said Randi Spivak, public lands director for the Arizona-based group. "This is a clear and present danger. It's not theoretical and the only thing staying in the way is monument status."



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Under President Barack Obama's Bears Ears proclamation on Dec. 28, the monument's 1.3 million acres were withdrawn from future mineral leasing.

But existing mineral rights are honored, such as those held by Kirkwood Oil and Gas, one of the firms that also had asked to lease additional lands inside what are now the boundaries.

The parcels sought by industry before the designation are in terrain that the Legislature designated the "San Juan County Energy Zone," a 2.7-million-acre swath where oil and gas development "would be given preferential consideration by the land managing agency," under a 2015 bill.

Much of the area now included in the monument was deemed open to oil and gas leasing under the BLM's 2008 resource management plan, although Cedar Mesa was largely off-limits and much of Hatch Point was subject to strict limits on how much drillers could disturb the land surface.

Under Interior's new direction, leasing, permitting and inspections are top priorities. If the monument designation changes, lands proposed for leasing within the current boundary would still have to undergo site specific reviews, which could result in added conditions on the work, officials say.

If the boundaries contract, "we will, of course, continue to carefully consider all nominated parcels to determine if they are appropriate for leasing and continue to conduct an environmental review before offering any leases for potential oil and gas development," said BLM spokeswoman Lisa Bryant.

Although lying mostly outside of Indian reservations, the Bears Ears region is an ancestral homeland to Navajo, Ute and Puebloan tribes, whose members consider these lands sacred. Drilling here would be wholly incompatible with the tribes' vision, which is given a special advisory role in monument management under Obama's proclamation.

"Opening the monument to development will threaten cultural and natural resources that can never be replaced. These lands are worth more than the minerals beneath them," said Natalie Landreth, an attorney with Native American Rights Fund, a group that has said it will challenge any move to shrink the monument. "The only correct decision is to keep Bears Ears as is."



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Her group represents the Zuni, Hopi and Ute Mountain Ute — three of the five member tribes of the Bears Ears Inter-Tribal Coalition.

Local elected leaders are equally upset that Obama designated the monument, arguing it will stall economic development in Utah's most impoverished county and robs locals of their ability to control their future.

Because the monument designation prevents new mining operations, and "threatens" existing mines and exploration, it "eliminates the valid multiple use of just under one-third of San Juan County by the folks who live there," the Utah Legislature's Commission for the Stewardship of Public Lands wrote Zinke last month.

Sentiments like these prompted Zinke to urge the president this week to "right-size" Bears Ears and narrow its boundaries to specific places he believes warrant protection for their historic and scientific value, while allowing multiple uses elsewhere.

That could pave the way for Kirkwood and other companies to increase their interest in mineral holdings in the area around Hatch Point and Bluff.

The BLM's Utah state office holds four lease auctions a year, each focusing on a particular sector of the state. The next auction for BLM's Canyon County District, which includes Bear Ears, will be in March 2018.

About 80 parcels are in or near the current monument boundaries.

The Obama administration had "deferred" making a decision on whether to lease nearly all these parcels, mostly because they fell within one of three master leasing plans the BLM was developing in San Juan County. In a recent change in policy, the Utah BLM is now open to offering leases inside the master plan areas still being established around the state.

BLM did auction four Bears Ears area parcels at its February 2015 auction to the Wyoming firm Hoover & Stacy Inc. They are just outside the monument south of White Mesa on U.S. Highway 191.

None of the parcels industry had requested before the monument designation are on Cedar Mesa, the archaeologically rich core of the monument. Three years ago, a Blanding firm called KP



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Operations Corp. drilled a well on an old federal lease on the mesa, but it came up dry and the lease has since been retired.

But industry is curious about lands in the north end of the new monument, in the Canyon Rim area just across the Colorado River from Canyonlands National Park.

Here the Bears Ears designation overlaps two exploratory oil and gas fields — known as Hatch Point and Three Mile — that had long been approved by BLM, according to Steven Degenfelder spokesman for Kirkwood.

The company can drill on the leases it had before the designation, but without the ability to expand operations onto new leases nearby, the project might not be economically feasible. For that reason, "we were concerned with the monument initially that it negatively impacts some of our existing lease rights," he said.

The Casper, Wyo.-based producer has acquired a highly productive oil field at nearby Big Flat, outside Canyonlands' north entrance, and an interest in three San Juan County fields. Kirkwood has three nonproducing wells at Hatch Point, but hopes to keep looking and plans a seismic study.

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4. **Petroglyph day; interpretations and mysteries of Parowan Gap**

St George News, June 18 | Reuben Wadsworth

FEATURE — One of the most concentrated collections of Native American petroglyphs in the Western United States – and also one of the least understood – is in Southern Utah's backyard: the Parowan Gap.

The Native Americans who etched these images into the rock held it in high regard, as do their descendants today.

"It's a peaceful site, a sacred site," said Dave Jacobsen, Bureau of Land Management Cedar City Field Office outdoor recreation director. "There is a unique feeling to it."

According to archaeologists, people have been living in the area surrounding the Parowan Gap for over 12,000 years. The first inhabitants were hunters and gatherers, moving with the seasons.



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Few artifacts remain of these ancient people, and archaeologists believe that the people responsible for most of the rock art lived during what is known as the Fremont period, starting at about 500 A.D. These people may have lived just east of the Gap, living in pit-houses, growing staple crops such as corn and making pottery.

However, excavations of the site have shown no evidence to suggest ancient peoples lived near the Gap long term, BLM Cedar City Field Office archaeologist Jamie Palmer said. They probably stayed for a couple of days and then moved on.

The ancient peoples passing through wanted to put their mark on the place.

"They followed the animals and the seasons," said Dorena Martineau, cultural resources director of the Paiute Indian Tribe of Utah.

Given the petroglyphs' abstract nature, nothing sticks out to give archaeologists a firm idea as to when they were inscribed, Palmer said.

Regardless of their date, the Gap's petroglyphs tell countless stories – of the people who etched the rock art itself, of the plants and animals of the area and also of the formation of the Gap.

"Even though we can't read the petroglyphs, they're important stories from our past, small and big," Martineau said. "It's like our library."

The Gap's petroglyph gallery includes over 90 panels and approximately 1,500 figures of varied subjects including lizards, snakes, human figures, bear claws, mountain sheep and even geometric designs.

The challenge is the interpretation of these stories displayed in stone for thousands of years. For instance, some interpret cross-shaped images as birds either in flight or making tracks along the ground. This depiction matches up with the bird habitat around the Gap today, where birds of prey such as golden eagles, peregrine falcons, prairie falcons, red-tailed hawks and great-horned owls nest.

The most unique rock art at the Gap is what is known as the "zipper glyph." While the other rock art in the Gap isn't necessarily one-of-a-kind, there is nothing like the zipper glyph seen anywhere else.



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And it is a prime example of the differences in interpretation of the Gap petroglyphs. In the astroarchaeological perspective, the zipper is a map of the site, showing how the solstices and equinoxes align with it.

However, according to the Paiute Tribe, the glyph is about a man's journey and a few other events, such as people starving.

"It's a map of where they had gone," Martineau said of the zipper glyph with its corresponding marks all the way around.

One of the fun things each visitor gets to do is interpret the petroglyphs him or herself, Palmer said, but probably no one will ever know what they truly mean.

"We're not likely to understand it anytime soon," he said.

From then until now

The Parowan Gap is made of Navajo sandstone and started forming approximately 200 million years ago when sand dunes covered much of the area. Many other layers of sediment compressed, uplifted and faulted to expose the layer of stone. It is known as a wind gap because the ancient river that carved it no longer runs through it, drying up possibly when the climate grew hotter and drier.

The first recorded mention of the Parowan Gap was in the journal of Robert Campbell, clerk and historian of an exploring expedition that broke off from a larger group led by Parley P. Pratt, an early apostle of The Church of Jesus Christ of Latter-day Saints.

Campbell copied some of the petroglyphs into two pages of his journal. Upon returning to Salt Lake City, Pratt told Brigham Young that Ute Indian leader Chief Walker called the Parowan Gap "God's Own House."

One of the most interesting aspects of the Gap's history is the transformation over the years both of the site itself and its interpretation. Better interpretation, aesthetics and different perspectives were at the core of a BLM upgrade of the site in 2013.

For years, there was a chain-link fence as a barrier between visitors and the petroglyphs with a three-panel kiosk in the dirt parking lot providing the interpretation of the rock art.



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One of the disadvantages of this arrangement was aesthetics, but the main problem was that visitors were receiving no chance themselves to view the interpretation in close proximity to the actual petroglyphs. Either the visitor would read about the rock art on the interpretive panels then go see the petroglyphs or look at the rock art first, then read about it.

The BLM observed that people interacting with the site seemed confused. When considering changes to the site, the BLM wanted to ensure it meshed well, and with the help of a landscape architect they did their best to put together the best interactive flow.

Another problem with the previous setup was that visitors were only getting one side of the story: the astroarchaeological perspective of archaeologists who have researched the Gap. There was no perspective of the Paiute Tribe, the descendants of the native peoples who etched the art into the stone thousands of years ago.

"The tribe really wanted their voice heard," Palmer said, adding that the BLM approached the tribe in 2003 about changing the interpretation of the site.

Martineau said she appreciates the BLM's efforts on behalf of the tribe and that the tribe has a great relationship with the agency.

Today, interpretive panels – several with the Paiute perspective next to the astroarchaeological perspective – stand near the petroglyphs. More attractive, less imposing steel fences were erected between the visitor area and the rock art.

Jacobsen said he thinks there is a night-and-day difference in what the site looks like now compared to what it used to be. There is no more confusion among visitors.

Before the placement of the new interpretive materials, Jacobsen said, people didn't know where to go, but now they know where to go intuitively.

"It just draws you into it," he said, adding that visitor survey data regarding the improvements has been positive.

Another advantage of the new interpretive materials is awareness of the nearby dinosaur tracks. Before the new interpretation, mostly only locals knew about the nearby dinosaur tracks. There was no interpretation at the site and a lot of trash, Jacobsen said. Now they know it's there, they can learn more about it and they respect it.



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The new improvements have also helped somewhat with vandalism, which has been a problem at the Gap since early settlers discovered it. Today, pioneer inscriptions on the rock have become part of the historical record, but in general, defacing the rock art or putting one's own mark on the stone is an offense punishable by law.

Jacobsen said vandalism has decreased at the site since the installation of the new fences and interpretive panels, but unfortunately it hasn't ceased completely. There were bullet holes in some of the interpretive panels before new ones were ordered and placed just in time for the Summer Solstice event.

Defacing aside, visitors are asked to not even touch the petroglyphs, Martineau said, because the oils from their skin can harm them.

In addition to the better physical interpretation at the site, the BLM has started to promote the Gap in other ways. It recently revamped its webpages that discuss the Gap. Part of the interpretation on the website includes interviews with Paiute tribal elders.

Palmer said that they want to promote it better, tell the story and let people know it's for everyone, not just for Iron County.

Visiting the Parowan Gap

To get to the Parowan Gap, drive north on state Route 130 (accessed from Interstate 15's Exit 62) approximately 17.3 miles and turn right on 12800 North.

here is a sign clearly labeling the turnoff to the Gap, which is only 2.4 miles after you turn. Park in the parking lot to the left after driving through the Gap itself.

For the full experience, walk the pathways on both sides of the road and read the interpretive signs at each set of petroglyphs and points of interest.

The dinosaur tracks are a nice supplement to the petroglyphs – a stroll through what feels like a rock garden with birds of prey nesting above.

Summer Solstice event details



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Solstice and equinox parties, the Summer Solstice one in particular, are the most popular events at the Gap. Hosted by the Parowan Heritage Foundation with permission from the BLM, the Solstice event allows visitors to see the summer sun line up perfectly with the Gap.

“It’s pretty spectacular,” Jacobsen said.

Because of this ideal alignment, some say the Parowan Gap serves as a calendar, but that’s the white man’s perspective, Jacobsen said, adding that the tribe doesn’t feel it’s a calendar.

This year’s Summer Solstice event will be Saturday. It will include a hands-on workshop at the Gap by rock art specialist Nal Morris from 10 a.m. to noon, an archaeology presentation at 3 p.m. at the Parowan City Offices by Garth Norman, who has excavated and researched the Gap extensively, a barbecue dinner at the Gap from 6:30-7 p.m. and the main program, which starts at 7:30 p.m.

For tickets to the Solstice events or more information, visit the Cedar City-Brian Head Visitor Center or Parowan City Library or call 435-463-3735.

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5. Petroglyph day; interpretations and mysteries of Parowan Gap

The Durango Herald, June 19 | Tay Wiles, High Country News

Thousands of miles of dusty two-tracks crisscross Utah’s remote public lands. Some are historical routes, while others were carved more recently by backcountry recreationists in trucks and four-wheelers. Which roads should be used and which should be abandoned to protect the environment has been a topic of intense debate for years. Now, Utah is one step closer to ending its roads controversy.

Recently, an eight-year lawsuit spanning 11 million acres and 20,000 miles of routes in southern and eastern Utah ended with a settlement. Ten environmental groups argued that Bureau of Land Management plans created in 2008 for Utah public lands were too heavily weighted to favor off-highway vehicle interests. U.S. District Court Judge Dale A. Kimball in Salt Lake City agreed, in part.

Now, the BLM must review 13 travel-management and five land-use plans by 2025. Court orders requiring the BLM to re-do management plans are not uncommon, but the scale of the recent



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settlement is rare in the sheer acreage involved. The land affected stretches from Daggett County in the north down to the Arizona border, and from the Colorado border in the east to the town of Richfield in the center of the state. The area includes the San Rafael Swell, Nine Mile Canyon, Paunsaugunt Plateau, the Dolores River, Gemini Bridges and the Book Cliffs.

“The agency certainly erred on the side of providing motorized access above many other concerns,” Nada Culver, senior counsel and director of the BLM Action Center at the Wilderness Society, a plaintiff in the case, says. “In the legal standards, (the BLM must) minimize harm to wilderness, wildlife, to riparian areas, water quality. If you apply those standards, I think it’s fair to say you don’t get to 20,000 miles.”

The BLM will survey only about half of those routes, though. The settlement orders the agency to focus only on the most sensitive habitat and cultural areas to determine two things: first, whether the designated roads actually exist (some were created over a century ago and have long since disappeared), and second, whether existing roads should be closed to motorized recreation.

Roads that appear on BLM maps but have physically vanished can create damage nonetheless, from people crisscrossing landscapes in a futile search. Along with the surveys, the agency will include other federal, tribal, state and local agencies in developing new management plans, and conduct a public review process before creating new maps showing only approved routes. The agency will take into account wilderness characteristics of the land, archaeological sites and backcountry recreational opportunities.

Officials from the counties that intervened in the case – Kane, Carbon, Duchesne, Daggett, Grand, Emery, San Juan and Uintah – as well as the state of Utah, oppose the settlement. The compromise is “unfair and unreasonable,” the state argued in court documents, and infringes on recreational opportunities and residents’ livelihoods. Some county commissioners are concerned about the settlement’s potential implications for other litigation involving old roads traversing public land. Utah counties and the state are attempting to claim tens of thousands of miles of historical routes using a 151-year-old law, RS2477.

While most of the settlement concerns roads, it also requires the agency to update its 2011 air resource-management plan for Utah to make sure oil and gas impacts are sufficiently studied before approving future development projects in the Uintah Basin. The agency will have to update the plan within a year.



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BLM district offices in Moab, Price, Vernal and Kanab are all part of the settlement. The Monticello field office was excluded from the settlement because of the Bears Ears National Monument designation late last year.

“It was going to be complicated to try to apply a settlement that was negotiated for lands outside a national monument to a field office with a national monument,” Culver says. Richfield was also part of the lawsuit, but was dealt with in an earlier “test” case for the larger suit. The Richfield case concluded in 2013 in favor of the environmental groups.

While this settlement is a victory for proponents, the next step won’t be easy: eight years of planning for millions of acres. Culver is optimistic, though: “We’re glad that we get to move forward and improve the BLM plans – they really need it.”

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E&E/NATIONAL NEWS – FULL STORY

1. **Op-ed: Keep America Wild**

The New York Times, June 16 | Richard Powers

In 1846, when he was 29, Henry David Thoreau tried to climb to the top of Mount Katahdin in Maine. Living in Massachusetts, where the virgin forest was long since cut down, Thoreau had never seen true wilderness, and the sheer power of the wild Maine woods sent him into an ecstasy of spiritual overload.

“This was that Earth of which we have heard, made out of Chaos and Old Night,” he proclaimed, rejoicing in the “rocks, trees, wind on our cheeks! the solid earth! the actual world! the common sense! Contact! Contact!”

Lost in fog at Katahdin’s upper altitudes and defeated by the rugged mountain, Thoreau never did reach the summit. But his words have lived on in the deepest parts of the American mind, shaping this country’s conscience toward nature. Last year, President Obama designated 87,563 acres of the land that so moved Thoreau as the Katahdin Woods and Waters National Monument — a win for the solid earth, the actual world.



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In a few weeks, Thoreau will turn 200, giving the nation a cause for celebrating. But just in time for the bicentennial, the Trump administration is considering stripping Katahdin Woods and Waters of its new designation.

Interior Secretary Ryan Zinke visited Katahdin this week as part of a systematic review of more than two dozen national monuments being considered for delisting. He's acting under the executive order of President Trump, who has called the creation of the monuments "abuses." The president has set his developer's eye on public property, promising to "free it up" and threatening that "tremendously positive things are going to happen on that incredible land."

Other targets for possible delisting include Basin and Range in Nevada, Canyons of the Ancients in Colorado, Grand Canyon-Parashant in Arizona, Craters of the Moon in Idaho and Giant Sequoia in California. A few of those locations might arguably have some economic potential beyond their incalculable worth as tourist destinations. The oil and gas industries have begun circling around the culturally significant Bears Ears National Monument in Utah, for example, with hopes of fracking it. Many of the monuments also serve as battlefields in the longstanding ideological war between federal power and states' rights.

But such arguments over cash or ideology make no sense in the case of the Maine woods. Far from being a federal land grab, the more than 87,000 acres of forest and waters around Mount Katahdin were donated to this country by private owners, along with \$40 million earmarked for the land's preservation and care in perpetuity. The land's status as a public monument has already begun to return considerable economic value to the local tourist economy.

To his credit, Secretary Zinke concluded his visit to Katahdin by saying that he, at least, is comfortable with the site remaining in "public hands." But the fight over this and other monuments across the country is far from over.

Paul R. LePage, the Republican governor of Maine, opposed President Obama's creation of the Katahdin Woods and Waters National Monument, and he continues to oppose it. His opposition seems little more than an attempt to incite partisan rancor and now to ingratiate himself with the Trump administration, with an eye to aggrandizing his own political future. The fight to deprive the country of this public treasure feels like pure tribalism, sticking it in the eye of the enemy, like a boy defacing a prominent hillside just to leave his mark.



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No president has ever rescinded a national monument created by his predecessor, and a recent article in the Virginia Law Review contends that only Congress, not the president, has the legal authority to do so. But here we are, in a whole new country, where precedent, civil custom and the shared understanding of law is being challenged every week.

Mount Katahdin stands as the northern terminus of the Appalachian Trail, the arrival and departure point of that 2,200-mile trek through what remains of Eastern American wilderness. The mountain shook Thoreau to his innermost core, and it still rocks countless American visitors who each year make the journey to experience it. How can it threaten us, to care for such a prize and its surroundings in common? Once we “free it up” and spend these lands in the name of development, what then?

In “Walden,” Thoreau wrote that a “man is rich in proportion to the number of things which he can afford to let alone.” For Thoreau’s 200th birthday, let’s let the Katahdin Woods and Waters National Monument — and all those other deeply treasured, absurdly beautiful American vistas — alone. We can afford to.

Let’s call these places ours, the solid earth, the actual world, held and revered and looked after in common, as common members of this magnificent country. Let’s make America rich again, as deliriously rich as it was on the day Thoreau tried to climb that wild mountain.

Richard Powers is the author of 12 novels, including the forthcoming “The Overstory.”

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2. Interior Head Says Public Lands Can Make U.S. a 'Dominant' Oil Power

The New York Times, June 19 | Reuters

BOSTON — Boosting drilling and mining on America’s protected federal lands can help the United States become not just independent, but “dominant” as a global energy force, according to Interior Secretary Ryan Zinke, whose agency manages about one-fifth of U.S. territory.

In an interview with Reuters, Zinke outlined his approach to development and conservation in America’s wildest spaces, and discussed how that philosophy was guiding his review of which national monuments created by past presidents should be rescinded or resized to make way for more business.



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"There is a social cost of not having jobs," the former Montana Congressman and Navy Seal said in the interview on Friday. "Energy dominance gives us the ability to supply our allies with energy, as well as to leverage our aggressors, or in some cases our enemies, like Iran," he said.

Former President Barack Obama, who oversaw a huge increase in domestic energy production during his tenure while strengthening environmental protections, had advocated reducing U.S. dependence on foreign oil.

Obama had also adopted a policy to factor in a "social cost of carbon" emissions from burning fossil fuels - which scientists believe drive global climate change - in making decisions about regulation and land protection.

While total U.S. oil production has risen to near records in the past decade, the share produced on federal land has dropped to a fifth in 2015 from more than a third in 2010, according to federal data from the Department of the Interior.

The administration of President Donald Trump is seeking to sweep away many Obama-era environmental and climate initiatives to bolster the U.S. oil, gas, and coal industries.

MONUMENT REVIEW

Zinke is in the midst of reviewing some 27 national monuments created since the 1990s and covering millions of acres of land mostly in Western states, as part of a plan by the Trump administration to expand development of public land.

Zinke was in New England touring the region's monuments as part of the review.

At least six of those monuments are believed to hold oil, gas, and coal potential.

Zinke issued his first major recommendation to President Trump on one of the monuments last week, a reduction in the size of the 1.35 million acre Bears Ears National Monument in Utah created by Obama in his last days in office.

Zinke told Reuters he is likely to take a similar approach to the other monuments, including the 4,913 square mile Northeast Canyons and Seamounts Marine National Monument off the coast of Massachusetts – which is roughly three times the size of Montana's Glacier National Park.



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It was created by Obama last September to protect whales and newly discovered coral formations.

During meetings with New England-based marine scientists, commercial fishermen and National Parks Service employees last week, Zinke argued that the Interior Department now makes around \$15.5 billion per year less in revenue from offshore drilling than it did in 2008 due to Obama-era restrictions.

Last month Zinke signed an executive order to lift some of those restrictions. He told Reuters he wants increased revenue from offshore to be used to finance a backlog of repairs throughout America's national parks.

He was also in New England to gather input on the Katahdin Woods and Waters National Monument in Maine. He will later tour more monuments in Western states, and offer recommendations on all the monuments to Trump in August.

ECONOMY BEFORE ENVIRONMENT

On the last day of his New England monument tour in Boston, dressed in jeans and a belt with a cowboy style Montana buckle, Zinke met with officials and scientists from the U.S. Fish and Wildlife Service and New England Aquarium, followed by a roundtable discussion with commercial fishermen.

Zinke argued the recent use of the Antiquities Act by presidents to create national monuments exceeded the intent of its creator President Theodore Roosevelt because they block development on too much land around the specific monument sites.

Marine scientists gave Zinke a virtual tour of the Canyons monument at the New England Aquarium, and argued there was a need to preserve the area as a "reference point" to measure the impacts of climate change and overfishing.

Zinke later told Reuters he believed "there are legitimate scientific endeavours and research that are recognised and important (around the site), but there are also recognised livelihoods, fishing jobs that are also important."



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During his tour, Zinke also fielded questions about the Trump administration's decision to withdraw from the Paris Climate Agreement, a global pact to fight climate change. Zinke defended the administration's decision, calling the agreement a bad deal for the United States.

Zinke later told Reuters while the U.S. government should find solutions to adapt to changing climate, jobs are a priority. "If you don't have an economy you can't afford to put in the environmental protections you need," he said.

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3. Op-Ed Shrinking Utah's Bears Ears National Monument would be one more broken promise to Native Americans

The Los Angeles Times, June 19 | Stephen Trimble

Secretary of the Interior Ryan Zinke plans to advise President Trump to shrink Utah's Bears Ears National Monument to a scatter of isolated sites. The secretary's recommendation, announced last week, is one more act of disrespect and arrogance in a story that began in 1492.

In December, President Obama proclaimed the Bears Ears monument, adding new protections for cultural resources on 1.35 million acres of public land in San Juan County, Utah, while preserving traditional uses for both Indians and ranchers. Native nations — especially the Hopi, Navajo, Zuni and two Ute tribes that make up the Bears Ears Inter-Tribal Coalition — led the campaign for the creation of the monument on what for them is ancestral, sacred land.

The Bears Ears proclamation was historic, creating an innovative tribal commission to help manage the monument. The new preserve grants "traditional ecological knowledge amassed by the Native Americans" the status of "a resource to be protected and used in understanding and managing this landscape sustainably for generations to come."

At the core of that understanding of the land is a sense of wholeness, of interconnection. As the Inter-Tribal Coalition said in response to Zinke's announcement, "The Bears Ears region is not a series of isolated objects, but the object itself, a connected, living landscape, where the place, not a collection of items, must be protected."

When Zinke came to Utah in May on a "listening tour," he spent just one hour with the leaders of the Inter-Tribal Coalition and several days with politicians ferociously intent on undoing



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Obama's legacy. One of them, Utah Sen. Orrin Hatch, dismissed seven years of grass-roots work by Indian people, in Indian country, who gathered the data necessary to propose significant protection for Bears Ears.

The tribes, the GOP senator said, were "manipulated" by the "far left." "The Indians," he said, "they don't fully understand that a lot of the things that they currently take for granted on those lands, they won't be able to do.... Just take my word for it."

Indian people have good reason not to take Hatch — or any white person — at his word. Like every Native Nation, the tribes of the Bears Ears coalition have endured centuries of white people trampling on promises.

In 1864, the U.S. Army burned Navajo homes, fields and orchards, forcing families off their land. A few Navajo escaped this "Long Walk," retreating to the fringes of Navajo Country around Navajo Mountain and the Bears Ears Buttes in southern Utah. That's one reason they hold the area in such regard.

The Ute people ranged throughout the Rocky Mountains, from present-day Denver to Salt Lake City and south to the Bears Ears. They've lost all but the driest corners of this homeland.

In 1868, the U.S. government granted Colorado Utes the western third of that state. Then gold was discovered in the San Juan Mountains. By 1882, northern Ute bands were forced to move to the Utah desert. Congress promised the southern Utes 3 million acres in Utah's San Juan County and, again, never delivered.

As scholar Floyd O'Neill says of the 20th century Utes, "The Indians continued to be the dispossessed in all areas of life: property, education, and employment."

The Pueblo members of the Bears Ears Inter-Tribal Coalition, the Hopi and the Zuni, have been fighting for land around their villages since the Spanish conquistadors arrived in 1540.

Utah officials who oppose Bears Ears conveniently ignore the fact that these Native nations survive. When county commissioners speak against the monument and for "the people of San Juan County," they mean white people. When they rail against "large out-of-state groups and Washington ... bureaucrats," they fail to acknowledge that the Bears Ears proposal came from the tribes.



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And when County Commissioner Bruce Adams calls his Mormon ancestors the first settlers in the southern Utah wilderness, he neglects the Native people who have lived in these canyons for more than 12,000 years. Indeed, San Juan County was more densely populated in Ancestral Puebloan times than it is today, when half its residents are still Navajo or Ute Mountain Ute.

Many reasons exist to cherish and sustain Bears Ears National Monument. Until the monument designation, this was the most important unprotected archaeological district in North America. It's an untapped treasure of recreational, paleontological and ecologic resources, and conservation biologists have clearly established the importance of preserving it as a large landscape rather than isolated parcels.

But the most important reason to decry Zinke's shortsighted capitulation to Utah's anti-public-lands politicians is that diminishing the monument would break yet another government commitment to the Native nations.

The American people, Congress and the president should insist that Bears Ears remains the monument envisioned by Navajo leader Willie Grayeyes, a place for Native people "to be respected, to be heard and to be understood."

Stephen Trimble is the editor of "Red Rock Stories: Three Generations of Writers Speak on Behalf of Utah's Public Lands" and author of "The People: Indians of the American Southwest."

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4. Study: Wyoming sage grouse habitat has greatest overlap with oil and gas potential

The Casper Star Tribune, June 17 | Heather Richards

Wyoming is known for its central role in sage grouse conservation, but it is not only the state with the largest sage grouse habitat. It is the state with the most overlap with oil and gas development in protected areas, according to a recent [study](#) from Backcountry Hunters and Anglers.

The takeaway from the report is that the seven states that hold the largest sage grouse habitats and populations can coexist with development, according to Backcountry.



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“Energy development is an appropriate and necessary use of our public lands, particularly in the West, yet it must be pursued responsibly and in the right places,” said John Gale, conservation director for BHA, in a statement.

“Our report shows that the vast majority of greater sage grouse habitat is ill-suited to energy development of any kind, now or in the future – and that more than three-quarters of areas potentially suited to energy production are located outside areas important to sage grouse.”

There is only a 4 percent overlap with existing mineral leases or mineral split-estates and the Bureau of Land Management and U.S. Forest Services’ Priority Habitat Management Areas for the chicken-sized bird. Nearly 80 percent of federal lands and minerals within those habitat areas have a low to very low potential for development, according to the analysis.

According to the study, Wyoming and to some degree Colorado have the greatest challenge with overlapping mineral leases and development potential in sage grouse areas.

A little more than 10 percent of the bird’s priority habitat, within Wyoming borders, is currently leased for oil and gas development, or about 1.7 million acres, according to the study. That far exceeds the second-largest crossover with existing development, Colorado, which has a little over 300,000 acres leased in federal priority habitat for the grouse.

The amount of Wyoming land that has a high potential for oil and gas development in priority habitat significantly outstrips five other states at 32 percent, according to the study.

The numbers are more dramatic in a simple count of leases. States like Idaho and California have zero existing leases within priority habitat. Montana and Utah have more than 100. Wyoming has 3,005.

Concern for balancing energy development with other public land uses and allowing more state flexibility in sage grouse management is an ongoing struggle in Western states that depend on energy industry revenue. This is nowhere more true than in Wyoming, where the majority of oil and gas development falls on public land and the three largest fossil fuel industries account for three-fourths of state income.

Federal and state management plans were credited with staving off an endangered species listing in late 2015 that many feared would have derailed energy development, bruising state economies. But concern that energy development can be better represented in the plans justifies a



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current review of the management plans that protect grouse habitat, announced by Interior Secretary Ryan Zinke last week.

Ideas such as captive breeding and setting population targets were raised multiple times by the secretary to the consternation of those in Wyoming that have spearheaded efforts to conserve the species by focusing on habitat preservation and restoration. Both environmental groups and industry leaders made significant compromises in developing Wyoming's state plans and in assisting the federal agencies with their own habitat strategies.

Sage grouse populations have fallen by half largely due to habitat erosion but also increased predation and disease due to habitat changes. The bird's population generally rises and falls in 10-year increments, but highs have been lower in each successive cycle.

Though sage grouse live in 11 western states and parts of Canada, the majority of the bird's habitat is in Wyoming. Habitat and development is in particular conflict in regions like the Powder River Basin in the state's northeast and the Green River Basin in the southeast.

However, according to the study, the highest potential for oil and gas development, 71 percent, lies outside protected areas, even in Wyoming.

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5. **WATER POLICY: Infrastructure, flood bills set to advance**

E & E News, June 19 | Ariel Wittenberg

The House is moving forward with a number of flood insurance and water infrastructure bills this week, with one bill heading to the Rules Committee and a slew of flood insurance reform bills being marked up in the Financial Services Committee.

The Rules Committee will meet Tuesday evening to review the "Water Supply Permitting Coordination Act" ([H.R. 1654](#)), sponsored by Rep. Tom McClintock (R-Calif.). The bill would streamline the federal and state permitting process for new surface water storage projects on public lands, designating the Bureau of Reclamation as the lead agency to process permits for those projects.



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It appears to be a companion bill to [S. 677](#), introduced in the Senate by John Barrasso (R-Wyo.). At a Senate Energy and Natural Resources Subcommittee on Water and Power hearing last week, acting Interior Assistant Secretary for Water and Science Scott Cameron said the bill complements the Trump administration's efforts to reduce bureaucracy for infrastructure generally.

"The administration is looking into pilot programs to enhance the environmental review and permitting process, designate a single federal entity to coordinate between other federal agencies, and allow state and local entities to be responsible for permitting when appropriate," he said. "This initiative dovetails into the goals set forth in [S. 677](#)."

Flood insurance

Also this week, the House Financial Services Committee will continue marking up a slew of flood insurance reform bills.

Congress is racing to reauthorize the National Flood Insurance Program before it expires in September. The program owes \$24 billion to the Treasury Department.

Already last week, the committee advanced two reform bills during a daylong markup.

The "National Flood Insurance Program Policyholder Protection Act," [H.R. 2868](#), from Rep. Lee Zeldin (R-N.Y.), would authorize a study of flood insurance coverage for urban properties and allow more flexibility for owners trying to prevent damage to high-rise buildings.

The "21st Century Flood Reform Act," [H.R. 2874](#), from Rep. Sean Duffy (R-Wis.), seeks to improve the financial stability of the NFIP by increasing the role of private markets in flood insurance, among other things.

On Wednesday, the committee will consider five additional bills:

The "Flood Insurance Market Parity and Modernization Act," [H.R. 1422](#), from Reps. Dennis Ross (R-Fla.) and Kathy Castor (D-Fla.), to accelerate the development of the private insurance market.



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The "Repeatedly Flooded Communities Preparation Act," [H.R. 1558](#), from Reps. Ed Royce (R-Calif.) and Earl Blumenauer (D-Ore.), to require communities with repeatedly flooded properties to map them and associated public infrastructure.

The "Taxpayer Exposure Mitigation Act of 2017," [H.R. 2246](#), from Rep. Blaine Luetkemeyer (R-Mo.), to repeal the mandatory flood insurance coverage requirement for commercial properties located in flood zones.

[H.R. 2565](#), also from Luetkemeyer, to require the use of replacement cost value in determining the premium rates for flood insurance coverage under the National Flood Insurance Act.

The "National Flood Insurance Program Administrative Reform Act of 2017," [H.R. 2875](#), from Rep. Nydia Velázquez (D-N.Y.), to prevent fraud and abuse in the program.

Senate action

In the upper chamber, senators have also been introducing NFIP reform bills, though none has received a markup yet.

The latest bill, the "Sustainable, Affordable, Fair and Efficient (SAFE) National Flood Insurance Program Reauthorization Act of 2017" ([S. 1368](#)), comes from Senate Banking Committee members Bob Menendez (D-N.J.), John Kennedy (R-La.), Chris Van Hollen (D-Md.), Marco Rubio (R-Fla.), Elizabeth Warren (D-Mass.) and Thad Cochran (R-Miss.). The bill would reauthorize the NFIP for six years, cap annual rate increases to 10 percent and expand flood-risk mitigation programs, among other things.

Meanwhile, two Senate committees will hold a pair of hearings on watersheds and infrastructure this week while the House moves forward on its water policy bills.

Federal and local land managers will appear before the Senate Energy and Natural Resources Subcommittee on Public Lands, Forests and Mining tomorrow as part of an oversight hearing on collaborative initiatives to restore watersheds through state and federal partnerships.

Bureau of Land Management Assistant Director for Resources and Planning Kristin Bail and Forest Service Deputy Chief Leslie Weldon are expected to testify, as are state officials from Idaho and Utah.



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Also tomorrow, members of the Senate Environment and Public Works Subcommittee on Fisheries, Water and Wildlife will hold a hearing on how to address America's water infrastructure through "innovative financing and funding."

Officials from Chicago; Camden, N.J.; and Rogers, Ark., will testify about their experiences with federal loan programs for water infrastructure investment.

Schedule: The House Rules hearing is Tuesday, June 20, at 5 p.m. in H-313 the Capitol.

Schedule: The House Financial Services Committee markup is Wednesday, June 21, at 10 a.m. in 2128 Rayburn.

Schedule: The Senate Energy and Natural Resources subcommittee hearing is Tuesday, June 20, at 2:30 p.m. in 366 Dirksen.

Witnesses: Kristin Bail, assistant director for resources and planning, Bureau of Land Management; Leslie Weldon, deputy chief, Forest Service; Dylan Kruse, policy director, Sustainable Northwest; Virgil Moore, director, Idaho Department of Fish and Game; and Tyler Thompson, watershed program director, Utah Department of Natural Resources.

Schedule: The Senate Environment and Public Works subcommittee hearing is Tuesday, June 20, at 2:30 p.m. in 406 Dirksen.

Witnesses: Mike Frazee, recent participant in a rural drinking water assistance program, Rogers, Ark.; Andrew Kricun, executive director, Camden County Municipal Utilities Authority; and Josh Ellis, vice president, Chicago's Metropolitan Planning Council.

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6. **BUDGET: Zinke, Perry on Hill this week as spending talks advance**

E & E News, June 19 | George Cahlink and Kellie Lunney

Energy Secretary Rick Perry and Interior Secretary Ryan Zinke are due on Capitol Hill this week to defend their fiscal 2018 budget request as House Republicans scramble to set in motion a plan to pass a spending package before summer recess.



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GOP leaders have been eyeing packaging all 12 annual spending bills in a single omnibus before the five-week break. That would allow the House to focus on tax reform in the fall and strengthen its hand in final spending talks with the Senate.

But lawmakers first will need to adopt a budget — or a substitute deal — to set domestic and defense discretionary spending levels. Without an accord, it would be much harder to move the omnibus.

"You can't have the cart get before the horse, you have to have the [budget] number," Rep. Jim Jordan (R-Ohio) said.

Negotiations have gone on for weeks in the House, but the Budget Committee has yet to schedule a markup — something usually done in April or May. The administration's delay in delivering its spending plan affected the panel's planning.

Rep. Ken Calvert (R-Calif.), chairman of the House Interior and Environment Appropriations Subcommittee, said last week the GOP is grappling with how to deal with strict budget caps set by the 2015 budget deal.

Calvert suggested there is broad support within the party for increasing defense spending, but he says doing so by cutting domestic accounts — as some conservatives want — would be "untenable."

If Congress does not raise the budget caps, overall discretionary spending would be cut by about \$5 billion next year, according to the 2015 deal.

The House Appropriations Committee already signaled its interest in going beyond those caps by approving a fiscal 2018 military construction and veterans affairs spending bill that includes \$6 billion more than last year's figure. That bipartisan bill is the first — and so far only — spending measure to surface this year.

Freedom Caucus

House conservatives, particularly members of the hard-right Freedom Caucus, are among those pressing for deep cuts in mandatory spending programs, like welfare, in exchange for any domestic boost in 2018.



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Those conservatives likely have the votes to block any fiscal 2018 spending bills if they do not win funding reductions.

Rep. Tom Cole (R-Okla.), a member of the Interior and Environment Appropriations Subcommittee, said the House would need a budget or spending framework this month to make its plans work.

But Democrats in both the House and Senate are already worried about the impact of delays in adopting a budget.

"Until you have a budget resolution, until you know what the allocation of the overall discretionary dollars are, you have no idea frankly what the ramifications of \$6 billion extra" for military construction and veterans affairs are, said House Minority Whip Steny Hoyer (D-Md.) last week.

Hoyer warned that appropriators could slash programs in upcoming spending bills to make up the difference. "You give more to one, you've got to take more from another," he noted.

Democrats in the Senate have the same concerns.

"You bet I'm worried," Sen. Patty Murray told E&E News last week. The Washington Democrat sits on both the Budget and Appropriations committees.

"We are way late in this process, we are running fast into a September deadline, [and] putting ourselves in jeopardy with Trump already saying he wants to shut down government."

In early May, just after the government averted a shutdown, President Trump tweeted that the country could use a "good shutdown" in September, when the current fiscal year ends.

While there's talk of the House putting an omnibus spending bill on the floor before the August recess, Sen. Tom Udall (D-N.M.), ranking member of the Interior and Environment Appropriations Subcommittee, said he hasn't yet heard of a similar plan for the Senate.

"I think our plan right now is to either have individual appropriations bills or small minibuses at this point," he said.

Interior



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Zinke, who will be defending his agency's \$11.7 billion fiscal 2018 budget request, will likely receive a friendly reception from lawmakers, despite expected pushback from Democrats and Republicans on proposed cuts to popular programs, including the Land and Water Conservation Fund and payments in lieu of taxes (E&E Daily, May 26).

Questions about the administration's preference for more energy development over new federal land acquisition are a safe bet.

Democrats, including Cantwell and Rep. Raúl Grijalva of Arizona — ranking members of the Natural Resources panels in the Senate and House — will likely seize on Zinke's recent secretarial order directing a review of sage grouse policies, as well as his review of 27 national monuments.

Zinke, a former Montana congressman, released his interim report on Bears Ears last week, recommending a to-be-determined reduction of the Utah monument's 1.35-million-acre footprint (E&E News PM, June 12).

Another flashpoint: the Bureau of Land Management's announcement last week that oil and gas companies don't have to comply with the Obama-era rule on methane venting, flaring and leaking on public and tribal lands, pending judicial review (Greenwire, June 14).

Senate Energy and Natural Resources Chairwoman Lisa Murkowski (R-Alaska) will no doubt ask Zinke about the department's proposal to open up a portion of the Arctic National Wildlife Refuge in Alaska to drilling, a route she has long championed.

On the other side of the Capitol, House Natural Resources Chairman Rob Bishop (R-Utah) will likely seek answers on how Congress can work with the executive branch to reform the 1906 Antiquities Act and shrink Bears Ears.

The Alaska Wilderness League will hold a media conference today, ahead of the budget hearings, to oppose drilling in ANWR (E&E Daily, May 24).

Energy

Energy Secretary Perry, who will be defending his agency's \$28 billion budget request, is facing questions over proposed cuts, like scrapping the Advanced Research Projects Agency-Energy



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and slashing the Office of Energy Efficiency and Renewable Energy by 70 percent, from \$2.1 billion to \$636 million.

Supporters of the president's plan say the Department of Energy has shifted too far away from its core mission and needs rebalance. In budget documents, the administration said, "The private sector is better positioned to finance disruptive energy research."

But critics say independent analyses, such as one this month from the National Academies of Sciences, Engineering and Medicine on ARPA-E, show DOE funding plays a unique and needed role.

Lawmakers also are likely to press Perry on how the administration's stated goals — such as support for the national laboratories and coal technology — mesh with the budget proposal.

Under the request, research and development at the Office of Fossil Energy — which oversees carbon capture and storage research — would see its budget cut by more than half, from \$668 million to \$280 million. Funding at the Office of Science, which oversees the majority of the labs, would fall by about 17 percent, to \$4.5 billion.

Also likely to come up is the administration's plan to eliminate the mixed oxide fuel fabrication facility in South Carolina, a program with GOP backing (E&E Daily, May 24).

One of the project's most vocal supporters, Sen. Lindsey Graham (R-S.C.), sits on the Senate Energy and Water Development Appropriations Subcommittee, which is hosting Perry this week.

The Energy chief might also face questions about nuclear waste, mainly the agency's proposed \$120 million to work on resuming the licensing process for the controversial Yucca Mountain repository in Nevada.

Reporters Manuel Quiñones, Christa Marshall and Sam Mintz contributed.

Schedule: The House Energy and Water Development Appropriations Subcommittee hearing on the Energy budget is Tuesday, June 20, at 1 p.m. in 2359 Rayburn.

Witness: Energy Secretary Rick Perry.



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Schedule: The Senate Energy and Natural Resources Committee hearing on the Interior budget is Tuesday, June 20, at 10 a.m. in 366 Dirksen.

Witness: Interior Secretary Ryan Zinke.

Schedule: The House Financial Services and General Government Appropriations Subcommittee hearing on Office of Management and Budget spending is Wednesday, June 21, at 2 p.m. in 2359 Rayburn.

Witness: Office of Management and Budget Director Mick Mulvaney.

Schedule: The Senate Interior and Environment Appropriations Subcommittee hearing on the Interior budget is Wednesday, June 21, at 9:30 a.m. in 124 Dirksen.

Witnesses: Zinke; Olivia Barton Ferriter, deputy assistant Interior secretary for budget, finance, performance and acquisition; Denise Flanagan, director of Interior's Office of Budget.

Schedule: The Senate Defense Appropriations Subcommittee hearing on the Air Force budget is Wednesday, June 21, at 10:30 a.m. in 192 Dirksen.

Witnesses: Air Force Secretary Heather Wilson, Air Force Chief of Staff Gen. David Goldfein.

Schedule: The Senate Energy and Water Development Appropriations Subcommittee hearing on the Energy budget is Wednesday, June 21, at 2:30 p.m. in 138 Dirksen.

Witness: Perry.

Schedule: The House Natural Resources Committee hearing on the Interior budget is Thursday, June 22, at 9:30 a.m. in 1324 Longworth.

Witnesses: Zinke, Ferriter and Flanagan.

Schedule: The Senate Energy and Natural Resources Committee hearing on the Energy budget is Thursday, June 22, at 10 a.m. in 366 Dirksen.

Witness: Perry.

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7. **FORESTS: House to vote on bill to ease clearing for rights of way**

E & E News, June 19 | Marc Heller

The House this week will take up Republican-backed legislation to speed the clearing of vegetation around electric rights of way in federally owned forests.

Backers of the legislation say it is needed to reduce the risk of wildfires that can start when trees fall on transmission lines. It would allow for expedited approval of routine maintenance projects to keep electric rights of way clear and protect "categorical exclusions" from extended environmental reviews under the National Environmental Policy Act.

The bill, [H.R. 1873](#), sponsored by Rep. Doug LaMalfa (R-Calif.), picks up on efforts Interior Secretary Ryan Zinke made in 2015 when he represented Montana in Congress.

The House Natural Resources Committee marked up the legislation in April, and the Rules Committee takes up the bill tomorrow.

According to a Natural Resources Committee [report](#) accompanying the bill, the Forest Service reported 113 and 232 wildfires in 2013 and 2012, respectively, caused by contact between power lines and trees on its lands. In addition, 14 federal land agencies have been subject to criticism for not allowing utilities to carry out vegetative management policies, the committee said.

The legislation, called the "Electricity Reliability and Forest Protection Act," applies to lands overseen by the Forest Service as well as the Bureau of Land Management. The Forest Service has about 18,000 miles of such rights of way, and BLM has more than 71,613 miles of electricity transmission and distribution, the committee reported.

The Western Governors' Association supports the legislation. Some supporters of pollinators have said keeping rights of way clear helps provide habitat for bees and butterflies.

Democrats on the Natural Resources Committee said the measure doesn't do much for coordination between federal agencies and utilities, given that up-front planning for maintenance of rights of way would remain optional, rather than mandatory. They complained that Republicans pushed the measure through the committee rather than consider changes Democrats would offer.



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Broadly, Democrats said in the report, they support better coordination to keep rights of way clear of overgrown vegetation.

In addition, they said, the bill would shift liability for wildfire damage from utilities to the government, costing taxpayers.

Schedule: The Rules Committee meeting is Tuesday, June 20, at 5 p.m. in H-313 Capitol.

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8. **MINING: Lawmakers move to facilitate helium production**

E & E News, June 19 | Dylan Brown

Helium is vital to military, medical and other technologies, but a strained global market has Congress once again examining ways to increase supply.

The House Natural Resources Subcommittee on Energy and Mineral Resources will review a [discussion draft](#) of the "Helium Extraction Act" at a Wednesday hearing.

The one-paragraph bill would allow a company to lease public land for extracting helium the same way it would for oil or natural gas. Currently, helium is only a byproduct of drilling for other commodities.

In 1920, the Mineral Leasing Act set aside all helium on federal land for government use in the Federal Helium Reserve, a natural geologic reservoir located northwest of Amarillo, Texas.

Gradually, the stockpile has been sold to refiners and wholesalers, making the U.S. the world's top supplier and source of roughly one-third of the planet's helium.

The government is in the midst of selling off the entire reserve, which is scheduled to close in 2021. The deadline has sparked concerns about global supply of an irreplaceable part of MRI machines and missile systems.

A group of Arab states cutting ties with Qatar in recent weeks highlighted fears. Qatar is the world's second-largest helium supplier.



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Reuters reported that Qatari state-owned RasGas Co. Ltd. closed its two helium production plants after Saudi Arabia closed their shared border.

Lawmakers are also looking to increase U.S. production as geologists scour the globe for gas deposits (Greenwire, June 28, 2016). Senate Energy and Natural Resources Chairwoman Lisa Murkowski (R-Alaska) proposed similar legislation in the previous Congress, [S. 1226](#).

Schedule: The hearing is Wednesday, June 21, at 10 a.m. in 1324 Longworth.

Witnesses: TBA.

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