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## **CALIFORNIA**

### House passes bill to speed permitting for dams, reservoirs

*The Hill*, June 22

The House passed a bill on Thursday that supporters say will speed up permitting decisions for water-storage projects such as dams and reservoirs in drought-stricken areas of the United States.

GOP supporters of the bill say it's a necessary step toward alleviating droughts and overhauling the federal permitting process. But most Democrats opposed the legislation, calling it a "sham infrastructure bill" that takes aim at federal environmental rules. The legislation, from Rep. Tom McClintock (R-Calif.), passed on a 233-180 vote.

### BLM Pit River Campground opens

*Herald and News*, BLM Press Release, June 23

Campsites, river access and picnic areas have opened for the summer season at the Bureau of Land Management Pit River Campground in northeast California, according to a news release.

### BLM Initiates Fire Restrictions for Public Lands Managed by the Mother Lode Field Office Including Mariposa County

*Gold Rush Cam*, BLM Press Release, June 23

The Bureau of Land Management (BLM) will initiate fire restrictions for public lands managed by the Mother Lode Field Office effective June 23. The fire restrictions will remain in effect until further notice.

## **NATIONAL**

### Zinke wants more entrance fees to fill budget gap

*GREENWIRE*, June 22

Interior Secretary Ryan Zinke wants the National Park Service to increase entrance fees at some of its sites in an effort to address the agency's more than \$11 billion in deferred maintenance needs, he told lawmakers this week. In testimony before the Senate Energy and Natural Resources Committee this week to discuss his agency's fiscal 2018

budget request, Zinke lamented the fact that less than a third of NPS units charge entrance fees. "The best funds for the parks are through the door: tickets to the door. We've had 330 million visitors through our parks last year. Half our parks didn't charge," Zinke said Tuesday. *See PDF for full story.*

Sexual harassment may plague entire department    Zinke

*GREENWIRE*, June 22

Interior Secretary Ryan Zinke said today that sexual harassment might be a departmentwide problem, not just within the National Park Service. "It's not just the Park Service," Zinke said in response to a question from Rep. Niki Tsongas (D-Mass.) during a House Natural Resources Committee hearing on the administration's fiscal 2018 budget proposal. When Tsongas followed up and asked if he was suggesting sexual harassment was a "broader issue" through the department, Zinke agreed. "It may be departmentwide, I think that is a fair assessment," he said, specifically mentioning the Bureau of Land Management as another trouble spot. *See PDF for full story.*

Lawmakers urge Zinke to crack down on sexual harassment at Interior

*The Hill*, June 22

Lawmakers on Thursday urged Interior Secretary Ryan Zinke to crack down on sexual assault in his agency and pressed him on the steps he is taking to address the issue. Zinke was testifying before the House Committee on Natural Resources on the department's fiscal 2018 budget request, but faced tough questions from Democrats on protecting agency employees from harassment and assault.

Not every review is a 'deep dive'    Zinke

*E&E News*, June 22

Interior Secretary Ryan Zinke revealed today that his agency's review of dozens of national monuments is now focused "on just a few" sites, although he did not detail which, if any, have completed assessments. During testimony today before the House Natural Resources Committee on the fiscal 2018 budget, Zinke reiterated his assertion that the review of 27 national monuments is not aimed at "settled" sites but those he believes either failed to gather sufficient public input or remain areas of contention for local communities. "My intent on the monument review is to ensure that the    some of them monuments are settled    my intent was not, and I've said before, to rip off Band-Aids and then create wounds were there [are] none," Zinke said. *See PDF for full story.*

Trump Administration Outlines Strategy To Rescind Or Revise BLM Venting/Flaring Rules

*Natural Gas Intel*, June 22

The Trump administration has outlined its plans in federal court to ultimately rescind or

revise a rule promulgated by the Department of Interior's (DOI) Bureau of Land Management (BLM) governing flaring and venting of associated natural gas on public and tribal lands. Attorneys with the Justice Department on Tuesday filed a motion in U.S. District Court for the District of Wyoming. They requested a 90-day extension of the deadline to file briefs in a lawsuit filed by four states over the BLM's Waste Prevention, Production Subject to Royalties, and Resource Conservation Rule -- also known as the venting and flaring rule.

Bears Ears advocate gets felony charges over cattle dispute

*GREENWIRE*, June 22

Prominent conservationist Rose Chilcoat and Mark Franklin, her husband, face new felony charges over a face-off with two Utah ranchers who claim the couple endangered their cattle by shutting a gate. In addition to charges of misdemeanor, trespassing on state trust land and providing false information, Chilcoat now faces two new felony counts of "retaliating against a witness" and "attempted wanton destruction of livestock." Chilcoat reportedly asked the Bureau of Land Management to reconsider the ranchers' grazing licenses, spurring the new charges. Chilcoat and her husband call the felony counts politically motivated. Local residents blame Chilcoat and her group for the designation of the Bears Ears National Monument last year and restricted public land access for motorized vehicles. The charges stem from an incident where Chilcoat closed a gate, preventing a cattle herd from reaching a water source (Brian Maffly, Salt Lake Tribune, June 21). NB

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## NATIONAL

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In testimony before the Senate Energy and Natural Resources Committee this week to discuss his agency's fiscal 2018 budget request, Zinke lamented the fact that less than a third of NPS units charge entrance fees.

"The best funds for the parks are through the door: tickets to the door. We've had 330 million visitors through our parks last year. Half our parks didn't charge," Zinke said Tuesday.

Interior spokeswoman Heather Swift clarified that Zinke isn't proposing new fees at parks that do not currently charge admission. Instead, he wants to see each eligible NPS site adhere to the four-tier system of fees established in 2006.

"Many parks do not charge according to their tier, which shortchanges the park and shortchanges the visitor on experience," she said.

NPS spokesman Tom Crosson said that of the 417 NPS units, 118 currently collect fees. Among those sites that charge fees, 74 parks do not currently follow the four-tier fee model — which charges users based on a per-vehicle, motorcycle or per-person model, or by annual park passes — including 57 that adhere partially to the tier system.

"The National Park Service is working with regional offices and individual parks to enhance public engagement efforts and to continue to work towards appropriate fee collection across the service," Crosson said.

The fee structure created in 2006 groups NPS sites into four levels. The lowest tier includes national historic sites, national military parks, national battlefield parks, national memorials and shrines, national preserves and parkways. The second tier is reserved for national seashores, national recreation areas, national monuments, national lakeshores and national historic parks.

The third and fourth tiers include national parks.

Fees range from \$30 per vehicle or \$15 per person at the top tier to \$15 per vehicle and \$7 per person at the lowest end.

According to Crosson, 90 percent of NPS's fee revenue comes from its top 50 fee-collecting facilities.

A Government Accountability Office report from late 2015 showed that Yosemite National Park brought in more than \$15 million and Grand Canyon National Park brought in more than \$16

million in entrance fees in fiscal 2014, for example, while San Francisco Maritime National Historical Park brought in \$58,000 in entrance fees.

But NPS also faced a moratorium on raising its fees between 2008 and 2014. When that moratorium was lifted in 2015, Crosson noted, 93 percent of the parks that collect fees began the steps to increase their rates.

Each NPS unit sets its own fees under the Federal Lands Recreation Enhancement Act and must allow public input into the process.

Zinke did not indicate how much could be added to the NPS budget by increasing fees at those parks that do not currently charge the maximum rates allowed.

But a 2015 report from Interior's Office of Inspector General estimated that NPS could raise an additional \$28 million annually by "fully implementing the current fee model."

Still, National Parks Conservation Association Director of Budget and Appropriations John Garder questioned Zinke's desire to "second-guess" the decisions made by local NPS units on their entrance fees.

"It's unrealistic to think that appropriate fee increases in any way make a significant difference in the funding shortfall the Park Service currently faces," Garder said, adding that it would be "more meaningful" for the administration to "offer a proper budget."

The Trump administration is seeking \$11.7 billion for the Interior Department in fiscal 2018, a reduction of \$600 million from what the agency received from Congress in the omnibus spending bill this year.

Garder also noted that many parks are either statutorily prohibited from collecting fees — like Great Smoky Mountains National Park — or simply aren't equipped to do so, because of either numerous remote entrances or low visitation rates.

"It would be inappropriate to create a fee system that would price families of lesser means out of parks. These are public lands. It would be inappropriate to charge as much as private-sector amenities," Garder said.

Sexual harassment may plague entire department — Zinke  
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"It's not just the Park Service," Zinke said in response to a question from Rep. Niki Tsongas (D-Mass.) during a House Natural Resources Committee hearing on the administration's fiscal 2018 budget proposal.

When Tsongas followed up and asked if he was suggesting sexual harassment was a "broader issue" through the department, Zinke agreed.

"It may be departmentwide, I think that is a fair assessment," he said, specifically mentioning the Bureau of Land Management as another trouble spot.

Zinke, who reiterated that he has "zero tolerance" for sexual harassment, which he witnessed in the military, told lawmakers he may need legislative help in combatting the problem.

"I want to make sure we have an environment free of harassment and free of intimidation," said the secretary.

One area where Zinke might seek help from Congress is getting bad apples out of the department faster. It's notoriously difficult to fire career federal employees, something Zinke alluded to in response to a question from Rep. Don McEachin (D-Va.).

McEachin today asked the full panel and the Oversight and Investigations Subcommittee to hold a hearing to investigate the pervasive sexual harassment at agencies, including the NPS (E&E Daily, June 8).

The Virginia Democrat asked Zinke why Interior hasn't hired more lawyers in response. Zinke said some of the problem is structural and that he "couldn't fire" those who engaged in misconduct because of red tape.

"I need some help from Congress," he said. Lawmakers recently passed legislation to make it easier to fire employees at the Veterans Affairs Department.

Subcommittee Chairman Raúl Labrador (R-Idaho) said he was open to McEachin's request to holding a hearing on sexual harassment at NPS.

### **'No gag order'**

Zinke today also committed to meeting Democrats "in person" to discuss department issues, after hearing complaints from the minority over the department's failure to respond to several formal information requests.

"There is no gag order," Zinke said, responding to questions from House Natural Resources Committee ranking member Raúl Grijalva (D-Ariz.). "I have met with the minority in person; I committed to meeting with the minority."

Zinke, who sat on the Natural Resources panel when he was a Montana congressman, added that he would give Grijalva his phone number as a professional courtesy. Zinke also said he has pledged to meet quarterly with members.

"While I appreciate the gesture, the fact remains these responses for the record need to occur," Grijalva said, referring to letters from Democrats to Interior.

Grijalva has sent Interior several missives since January on various issues, including the department's wide-ranging review of 27 national monuments, and has not yet received any response, said Adam Sarvana, communications director for the Democrats on Natural Resources.

The Justice Department earlier this month concluded that the executive branch's constitutional duty to respond to information requests is largely limited to committee chairs (Greenwire, June 9).

Senate Judiciary Chairman Chuck Grassley (R-Iowa) later dismissed DOJ's interpretation as "nonsense," joining Democrats in their criticism.

### **Offshore drilling**

Zinke largely stuck to his script during his appearance, one of several this week, pointing out that the budget proposal was a "starting point" and that it represented a "balanced" approach.

Members once again outlined concerns about the \$11.7 billion request and proposed cuts affecting a host of programs, including the Land and Water Conservation Fund, payments in lieu of taxes program, and the administration's Atlantic and Pacific offshore drilling push.

"All of a sudden, the talk is doing more with less, everyone tightening their belts, making sacrifices," said Grijalva, who complained about the 85 percent proposed cut to LWCF in particular.

He added: "But I don't see the oil and gas industry making sacrifices in this budget. I don't see polluters setting up any new cleanup fund to pay for their actions."

The Natural Resources panel boasts several members from California, and a couple of them took an opportunity this morning to grill Zinke over President Trump's April 28 executive order directing Interior to review offshore oil and gas drilling in the Atlantic and Pacific outer continental shelf regions, which President Obama declared off-limits under a five-year plan.

"We do not want new leasing off our coastline," said Rep. Jared Huffman (D-Calif.). "The people of California are simply not going to allow it to happen. You will be doing less with less if you attempt to drill for oil off the coast of California."

Zinke told Huffman the department plans to publish a request for information on the five-year plan. "I want to say in the next 30 days, if not sooner," said Zinke. "We think the whole five-year plan will be done in two to three years."

### **'I don't have a director of anything'**

Zinke today complained, as he has previously, that he is the only confirmed official in place at his department. "I've got about 70 appointments, not one that has gone through Senate confirmation yet," he told lawmakers, during the exchange with McEachin.

"I have five solicitors that are pending confirmation," Zinke said. "I don't have a deputy. I don't have a director of Fish and Wildlife. I don't have a director of parks. I don't have a director of anything."

Zinke has frozen hiring in Washington, D.C., and Denver, but told McEachin that he might be open to an exception to that if necessary.

### **Monuments review**

Natural Resources Chairman Rob Bishop (R-Utah) praised Zinke for his "inclusive process" in the department's review of 27 national monuments, including two in Utah.

"After eight years, it is a breath of fresh air to have someone leading the department who understands the reason why it was created in the first place, and just how far its core statutory functions have strayed since that time," Bishop said.

The Utah Republican said he was committed to introducing legislation to help Zinke clean up ambiguities in the management of monuments, including Bears Ears.

Zinke has said previously that while the 1906 Antiquities Act gives the president authority to proclaim monuments, managing those properties — especially when they conflict with other designations such as wilderness areas that have separate federal restrictions — is challenging. And in those cases, it's Congress, not the president, with the authority to sort that out.

"The committee is ready to do any kind of legislation to succeed in any of those broader reforms you would like to do," Bishop said.

Not every review is a 'deep dive' — Zinke  
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"My intent on the monument review is to ensure that the — some of them monuments are settled — my intent was not, and I've said before, to rip off Band-Aids and then create wounds were there [are] none," Zinke said.

The Interior Department is reviewing the boundaries of dozens of protected areas, including five marine monuments, under an executive order issued by President Trump in late April.

The review is focused on sites created since 1996 that include more than 100,000 acres of public land or water. Zinke has already issued an interim report recommending significant cuts to the Bears Ears monument in Utah, although he has not provided details about how many acres would be included in the reduction (E&E News PM, June 12).

Interior must issue its final recommendations by Aug. 24. But Zinke revealed today that his department will not make detailed inquiries into each of the monuments on its list.

"I think we're focusing on just a few," Zinke told Rep. Scott Tipton (R-Colo.).

Asked for clarification following his testimony, Zinke told reporters that he would talk to lawmakers and constituents with ties to the sites under review but, "We're not taking a deep dive in all of them."

Earlier this week, Zinke told Sen. Cory Gardner (R-Colo.) that the Canyons of the Ancients National Monument was among those sites not on his agency's "priority review list" (E&E News PM, June 20).

But he declined to offer similar assurances to Sen. Tom Udall (D-N.M.) yesterday when asked about the Organ Mountains-Desert Peaks and Rio Grande del Norte monuments (Greenwire, June 21).

Rep. Steve Pearce (R-N.M.) today pushed Zinke to shrink Organ Mountains-Desert Peaks, calling it "a very highly volatile issue in the district" and suggesting it should be reduced to 60,000 acres from 497,000 acres. Zinke did not have an opportunity to respond to Pearce's comments during the hearing.

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*GREENWIRE*, June 22

Prominent conservationist Rose Chilcoat and Mark Franklin, her husband, face new felony charges over a face-off with two Utah ranchers who claim the couple endangered their cattle by shutting a gate.

In addition to charges of misdemeanor, trespassing on state trust land and providing false information, Chilcoat now faces two new felony counts of "retaliating against a witness" and "attempted wanton destruction of livestock."

Chilcoat reportedly asked the Bureau of Land Management to reconsider the ranchers' grazing licenses, spurring the new charges.

Chilcoat and her husband call the felony counts politically motivated.

Local residents blame Chilcoat and her group for the designation of the Bears Ears National Monument last year and restricted public land access for motorized vehicles.

The charges stem from an incident where Chilcoat closed a gate, preventing a cattle herd from reaching a water source (Brian Maffly, Salt Lake Tribune, June 21). — NB