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Attached is the daily news report for April 12.

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DAILY NEWS REPORT - UTAH

UTAH – TOP STORIES – APRIL 12, 2017

1. Utah Hike of the Week: Warner Valley Dinosaur Tracks

The Salt Lake Tribune, April 11 | Tribune Reporters

This short and sweet hike leads to a floor of sandstone that contains a display of dinosaur tracks. The tracks probably were left by the famous carnivore dilophosaurus and smaller megapnosaurus, paleontologists believe. In an interpretive sign at the tracks, officials with the U.S. Bureau of Land Management report that the consistent direction of the tracks suggests that the spot was part of a dino thoroughfare, perhaps alongside water, and petrified wood nearby indicates the area may have been wooded.

2. Easter weekend expected to draw large crowds at Little Sahara

KSL News, April 11 | Sam Penrod

NEPHI — As ATV enthusiasts start their engines at Little Sahara Recreation Area, the setup for the biggest weekend of the year is underway.

3. BLM buys Kanarraville parcel with access to popular canyon

The Salt Lake Tribune, April 11 | Tribune Reporter

The U.S. Bureau of Land Management has acquired 41 acres at the mouth of a popular canyon in the Iron County town of Kanarraville.

4. ATV ban lifted in parts of Utah canyon home to 2014 protest

KUTV News, April 11 | The Associated Press

SALT LAKE CITY (AP) — U.S. Interior Secretary Ryan Zinke lifted a ban Monday on motorized vehicles in some parts of a Utah canyon that was the setting of a 2014 ATV protest ride that was a flashpoint in the Western struggle over government land management.



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5. Urban, rural lawmakers spar over lands-fight spending

KUER News, April 11 | Judy Fahys

A state lawmaker says wilderness advocates are waging a war of attrition in the wildlands fight.

6. Western Democratic Senators Tell Trump: Don't Reverse National Monument Designations

KUER News, April 11 | By U.S. Senator Tom Udall (D-N.M.)

Commentary: Today, U.S. Senator Tom Udall led a group of Western Democratic senators in calling on President Donald Trump to live up to his repeated promises on the campaign trail to protect public lands for all Americans and uphold the existing protections for the 157 national monuments, which have been designated throughout the decades by nearly every U.S. president of the last century.

7. Citizen science: new app seeks to involve next generation in wilderness monitoring

St. George News, April 11 | Julie Applegate

ST. GEORGE – A new app released by the Bureau of Land Management-Utah and American Conservation Experience will allow citizen scientists to help land managers monitor wilderness study areas in Utah.

8. Sacred Tribal Land of Recapture Canyon Is Now Open for Recreational Use

ColorLines.com, April 12 | Yessenia Funes

As of Monday (April 10), recreational vehicles are welcome to ride through the sacred tribal land of Recapture Canyon in San Juan County, Utah.



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9. Op-ed: Two factions face off over Grand Staircase-Escalante

High Country News, April 12 | Geneen Marie Haugen

Alpenglow lights the sandstone mesas as my friends and I drive through Utah's Grand Staircase-Escalante National Monument. We're on our way to a public hearing at the Garfield County Courthouse. No one in this vehicle — and perhaps no one carpooling ahead or behind us — voted for the county commissioners who now propose to shrink the monument.

E&E/NATIONAL NEWS – TOP STORIES

1. Trump's climate demands roil U.S. allies

Politico, April 11 | Andrew Restuccia

President Donald Trump's abrupt turnaround on U.S. climate policy is fueling tension with several of America's closest allies, which are resisting the administration's demands that they support a bigger role for nuclear power and fossil fuels in the world's energy supply.

2. White House plans to slash federal jobs with reorganization plan

The Federal Times, April 11 | Carten Cordel

The Trump administration outlined its intention to dramatically alter the federal workforce with an April 12 executive order that portends a massive restructuring of agencies and will include job reductions.

3. Internal BLM Memo Leaked: Trump's Plan to Make America Great by Expediting Oil, Gas Production, Increasing Border Security, and Creating Jobs

Breitbart News, April 12 | Penny Star

A Bureau of Land Management (BLM) internal working document that was leaked and reported on by the liberal Greenwire website spells out in detail President Donald Trump's plan for making America great again.



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4. A tussle in Oregon raises concerns about handing land to states

The Economist, April 12 | Staff Writer

DEEP in Oregon's Elliott State Forest, past groves of 200-foot Douglas firs and bigleaf maple trees dripping with emerald green Spanish moss, Joe Metzler pulls over his Toyota truck and peeks over a precipitous slope covered in tree stumps for signs of elk. Mr Metzler, a retired coastguard rescue swimmer who looks a good deal younger than his 49 years, frequently hunts in the area.

5. Op-ed: Fracking Bans Hurt Distressed Communities, Inflate Power Costs

Morning Consult, April 12 | Bernard Weinstein

This year, oil production in America is expected to reach an all-time high, close to 9.5 million barrels a day. Similarly, natural gas output is projected to reach a record 75 billion cubic feet per day by the end of 2017.

6. BORDER WALL: Lawsuit aims to force Trump admin to conduct NEPA study

E & E News, April 12 | Amanda Reilly

An environmental group and a Democratic lawmaker sued the Trump administration today over its plans to build a wall along the U.S.-Mexico border.

7. PUBLIC LANDS: Bills reintroduced to aid sportsmen and small-scale moviemakers

E & E News, April 12 | Corbin Hiar

An Ohio Republican yesterday reintroduced bipartisan bills that would benefit filmmakers and sportsmen.



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8. INTERIOR: Grijalva challenges BLM's claim of drilling 'backlog'

E & E News, April 12 | Scott Streater

The House Natural Resources Committee's top Democrat is taking aim at the Bureau of Land Management after a draft "priority work" list for the agency leaked to E&E News this week called for the agency to focus on permitting oil, gas and coal projects.

9. ENERGY POLICY: Finance experts question Trump admin's embrace of coal

E & E News, April 12 | Hannah Hess

The Trump administration has been urging its allies to support "clean coal" technology, most recently at meetings of the Group of Seven industrialized nations.

10. EPA: Public is asked to help pick rules for chopping block

E & E News, April 12 | Arianna Skibell

U.S. EPA's regulatory task force is looking for suggestions on what rules should be repealed, replaced or modified.

11. NATIONAL PARKS: Yellowstone crew sexually harassed female workers -- IG

E & E News, April 12 | Corbin Hiar

A Yellowstone National Park repair crew engaged in sexual harassment, drunkenness and crude comments on the job, an internal government watchdog said today.

12. AIR POLLUTION: Federal appeals court freezes ozone litigation

E & E News, April 12 | Sean Reilly

A federal appeals court threw a massive tangle of litigation over U.S. EPA's 2015 ozone standard into limbo yesterday, agreeing to the agency's request to indefinitely delay oral arguments as Trump administration officials review their position on the 70-parts-per-billion air quality benchmark.



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13. FEDERAL WORKFORCE: White House to lift hiring freeze, with eye toward budget plan

E & E News, April 12 | Emily Holden

The White House today will lift a hiring freeze for agencies but issue guidance encouraging them to follow the Trump administration's vision for slashing staff and restructuring the federal government.

14. ENERGY TRANSITIONS: Coal's up, climate's down in Trump era — UT poll

E & E News, April 12 | Nathaniel Gronewold

The election victory of President Trump and the ascendancy of fossil fuel interests in the nation's capital could be boosting support for coal and weakening concern for climate change.

15. ENERGY TRANSITIONS: Coal lobby says it is exploring building new U.S. plant

E & E News, April 12 | Emily Holden

The coal lobby is in the market to build a new plant, a prospect that would have been unthinkable just months ago.



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UTAH – FULL STORY

1. **Utah Hike of the Week: Warner Valley Dinosaur Tracks**

The Salt Lake Tribune, April 11 | Tribune Reporters

This short and sweet hike leads to a floor of sandstone that contains a display of dinosaur tracks. The tracks probably were left by the famous carnivore dilophosaurus and smaller megapnosaurus, paleontologists believe. In an interpretive sign at the tracks, officials with the U.S. Bureau of Land Management report that the consistent direction of the tracks suggests that the spot was part of a dino thoroughfare, perhaps alongside water, and petrified wood nearby indicates the area may have been wooded.

The now seemingly barren desert was a lovely place to view spring wildflowers; as of early April, I found desert sage and Mormon tea shrubs smothered with flowers, and big swaths of marigold and desert alyssum nearby.

Directions • From Hurricane, take South Airport Road to the south end of town, where the road makes a sharp right turn. Stay on the main road as it bends south again and continues for about 6.5 miles to a fork in the road. Take the west fork and continue 2.8 miles to the southwest, to a junction with a westbound road. Take that road as it winds west for about 3.2 miles and turns sharply north. About 0.6 miles after the road turns north, there is a junction with a sign to the dinosaur tracks. Follow the sign onto the east road, which continues about a half-mile east and then a half-mile north to a parking lot and trailhead. The roads were fine for a passenger car in dry condition, but never underestimate the power of a late summer storm to wreak havoc on southern Utah's roads.

Hike • The hike is only a quarter-mile one-way, heading north and then east. A metal bar protects the dinosaur tracks from water, and a sign at the site shows a map of the tracks. Some of them are large — about a foot long — and others are smaller. Children of all ages will have fun searching for tracks in the rock and imagining the 8-foot-tall predators that left them. You can continue exploring down the drainage a bit or return to the car.

Digital map available at <https://drive.google.com/open?id=1HxLFrq6jYGDqBXkncBSIhCa-xXs&usp=sharing>.



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Destination: Warner Valley Dinosaur Tracks — Hurricane

Hiking time: 30 minutes

Round-trip miles: 0.5 miles

Elevation gain: 40 feet

Difficulty: Easy

Trailhead restrooms: No

Dogs allowed: Yes

Bikes allowed: Yes

Fees: None

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2. **Easter weekend expected to draw large crowds at Little Sahara**

KSL News, April 11 | Sam Penrod

NEPHI — As ATV enthusiasts start their engines at Little Sahara Recreation Area, the setup for the biggest weekend of the year is underway.

Vendors' row is filling up. The food trucks are arriving, and crews are installing temporary cellphone towers to accommodate what will become a small city here this weekend.

"Towards the weekend, a lot of people start rolling in, and that is when we sit back and watch," said Zack Mansir.

Mansir arrived early at the recreation area this year. He said he's seen for himself that the Easter crowds can be dangerous in "just all the YouTube videos you see of the head-on (collisions) and all that."

With serious accidents occurring regularly at Little Sahara, a helipad for medical helicopters was built nearby. Riders are required to have a flag on their ATV to increase visibility.



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Officials at the Bureau of Land Management are also worried people can become dehydrated quickly, so they're reminding people to have at least a gallon of water per person, per day while at the dunes.

"Just get out, enjoy camping and sitting around the campfire," said Michael Andrews, who was in town from Rock Springs, Wyoming, Monday. He's there to enjoy what he says is the best sand for riding at the right time of the year.

"The weather is just right — not too cold, not too hot," Andrews said. "The machines don't like it in June or July ... so right now (it's) sometimes a little cool in the evening, but during the daytime it is perfect weather for riding."

In addition to safety concerns, illegal alcohol use is also a concern at Little Sahara — particularly underage drinking and people who are operating ATVs while under the influence. The Utah County Sheriff's Office will run a sobriety checkpoint outside of Elberta at times between Thursday morning and Monday night to help with that enforcement effort.

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3. **BLM buys Kanarraville parcel with access to popular canyon**

The Salt Lake Tribune, April 11 | Tribune Reporter

The U.S. Bureau of Land Management has acquired 41 acres at the mouth of a popular canyon in the Iron County town of Kanarraville.

In recent years, Kanarra Creek has becoming a busy hiking destination thanks to its stunning slot canyon and waterfalls. The town has developed a trailhead and parking lot, but private ownership of the canyon mouth constrained management options for the trail used by 40,000 hikers a year, according to the BLM's environmental analysis.

The BLM announced Tuesday it has tapped the Land and Water Conservation Fund to buy the land for \$660,000 from the owner Blaine Webber and S.C. LLC.



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"This land leads to an incredible slot canyon that is growing in popularity and a [wilderness study area] that is home to two major canyons, with ridges nearly 8,000 feet up," said Keith Rigtrup, BLM's acting Cedar City field office manager.

"We know there are many groups that have different interests in what this land has to offer, which is why the BLM's multiple use mission is uniquely qualified to help coordinate with organizations and local governments that have a vested interest in the area," Rigtrup said.

The 2-mile hike to Kanarraville Falls ascends a slot canyon and would be an ideal family hike but for some pour-overs that would be difficult for small children to negotiate.

The terrain is in the Spring Creek Canyon Wilderness Study Area, mostly BLM land except for a few sections of state trust lands.

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4. ATV ban lifted in parts of Utah canyon home to 2014 protest

KUTV News, April 11 | The Associated Press

SALT LAKE CITY (AP) — U.S. Interior Secretary Ryan Zinke lifted a ban Monday on motorized vehicles in some parts of a Utah canyon that was the setting of a 2014 ATV protest ride that was a flashpoint in the Western struggle over government land management.

The decision opens nearly 7 miles of trails for motorized vehicles at the north end of Recapture Canyon and the canyon's west rim. But ATVs still won't be allowed to travel the entire length of the canyon, including sensitive riparian areas on the canyon floor where some of the people rode in the protest ride, said Lisa Bryant, a Bureau of Land Management spokeswoman.

Providing recreation access on public lands is important, and disabled people can't get around without motorized vehicles, Zinke said in a news release Monday.

The move marks a shift from previous administrations that banned ATVs to protect Recapture Canyon, which is home to Native American cliff dwellings. The U.S. government had previously closed 1,871 acres of the canyon area to motorized vehicles because of damage caused by unauthorized trail construction and damage to the archaeological sites.



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Zinke said the design of the trails and other measures will protect cliff dwellings and natural sites important to wildlife.

The May 2014 protest ride was organized shortly after Nevada rancher Cliven Bundy had a standoff with federal officials over similar issues. San Juan County Commissioner Phil Lyman, who was convicted of trespassing in the Utah ride, became a cause celebre in the movement.

Lyman said Monday that Zinke's decision is "very vindicating" and brings some U.S. government recognition that the trail in the canyon is a road and opens the door for San Juan County's pending legal claims that the county has a right to and ownership of the road.

"I'll take it and I'm grateful," said Lyman, who has appealed his conviction to the Denver-based 10th Circuit Court of Appeals. The court has not yet ruled on the appeal.

Lyman said Zinke's decision on Recapture Canyon also bodes well for local officials who are calling for President Donald Trump to rescind the recent declaration of Bears Ears National Monument in the area. A coalition of tribes pushed for President Barack Obama to designate the monument, but Lyman, state lawmakers and Gov. Gary Herbert have called it overly broad and said it closes off access.

Zinke "has shown pretty clearly that he is willing to look at the realities of these situations," Lyman said.

Mathew Gross with the Southern Utah Wilderness Alliance said his organization is pleased that Monday's order doesn't give the county rights to the road, a move that could potentially open the door to widening or expanding the road. Gross said the order is "a reasonably balanced approach," and his organization wants to ensure that cultural resources near ATV routes are not disturbed.

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5. Urban, rural lawmakers spar over lands-fight spending

KUER News, April 11 | Judy Fahys

A state lawmaker says wilderness advocates are waging a war of attrition in the wildlands fight.

Kathleen Clarke leads Utah's public lands policy office. Her job includes guiding the state's legal battle over 12,000 roads in rural Utah. The state is fighting the federal government to prevent federal wilderness designation on the land those roads cross. She told legislative budget-makers Thursday some of her agency's budget will help pay for 200 crucial interviews that need to be done in the next two years.

"We have great concern our witnesses are dying, quite frankly," she told the panel. "In order to prove the state's interest in a road, we have to have aerial photos, hopefully USGS maps that identify the roads. We need to have a witness that can testify that that road was in existence for 10 years prior to 1976."

Salt Lake City Democratic Senator Jim Dabakis questioned the rural roads fight itself.

"My constituents just think a lot of this is a terrible waste of taxpayers money," he said.

But Rep. Mike Noel blamed Dabakis' supporters.

"Your constituents have delayed this case for years and years and years," said Noel, "because they recognize that as a great mechanism to out-wait people 'til they die, to cause the county the most extreme stress, to cost the state millions of dollars."

The budget-making committees have been meeting in the State Capitol all week. They are reviewing executive branch spending plans for the budget year that begins in July. The public lands policy office has requested nearly 2.3 million dollars for its work.

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6. **Western Democratic Senators Tell Trump: Don't Reverse National Monument Designations**

KUER News, April 11 | By U.S. Senator Tom Udall (D-N.M.)

Commentary: Today, U.S. Senator Tom Udall led a group of Western Democratic senators in calling on President Donald Trump to live up to his repeated promises on the campaign trail to protect public lands for all Americans and uphold the existing protections for the 157 national monuments, which have been designated throughout the decades by nearly every U.S. president of the last century.

In particular, the senators warned President Trump against reversing the recent designation of the Bears Ears National Monument in Southern Utah, an unprecedented step that some congressional Republicans have urged the president to take. In their letter, the senators noted that Bears Ears enjoys strong support from the \$646 billion outdoor recreation industry, as well as from Tribes, archaeologists, and local conservation organizations. The senators wrote that Tribes with ancestral ties to the Bears Ears region joined forces to protect sacred areas, and that is part of the reason that Bears Ears was designated as the first-ever national monument to be co-managed by Tribes. Rescinding protections for Bears Ears would betray the core commitments that Interior Secretary Ryan Zinke has made to Tribes and that President Trump made to voters, the senators added.

"Weakening the protections for this deserving landscape [Bears Ears National Monument], or any of the 157 Monuments previously protected, would be a direct affront to the local communities and stakeholders who worked collaboratively to identify and advocated to protect these areas for future generations. This is especially true, in the case of Bears Ears National Monument, for the Native American tribes who call this living cultural landscape their ancestral home. It also would cut against your commitment to be a good steward of our nation's public lands," the senators wrote. "We urge you to maintain the current protections so that our children and grandchildren can experience them with the same wonder we do today."

They continued, "We urge you to honor your promise to be a great steward of our public lands by upholding the existing protections for the 157 National Monuments that have been designated through the years by nearly every President since the Antiquities Act was enacted into law in 1906. They have protected iconic landscapes across the United States, such as the Grand Canyon, Zion National Park, Chaco Canyon in New Mexico, and Olympic National Park in



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Washington, as well as cultural icons, including the Statue of Liberty and the Belmont-Paul Women's Equality Monument. Removing protections for any of these areas would threaten the cultural, historical and biological wealth of our country."

In addition to Udall, the letter was signed by U.S. Senators Martin Heinrich (D-N.M.), Maria Cantwell (D-Wash.), Dianne Feinstein (D-Calif.), Ron Wyden (D-Ore.), Patty Murray (D-Wash.), Michael Bennet (D-Colo.), Jeff Merkley (D-Ore.), and Catherine Cortez Masto (D-Nev.).

The full text of the letter can be found below and [here](#).

Dear Mr. President,

During your campaign, you stated that America's protected federal public lands make America great, once stating that, "We have to be great stewards of this land. This is magnificent land. And we have to be great stewards of this land." You promised that, if elected, you'd emulate President Teddy Roosevelt's efforts to protect public lands for all Americans. During his confirmation hearing, Interior Secretary Zinke reaffirmed your Administration's commitment to President Roosevelt's conservation vision. Unfortunately, some members of Congress do not share that commitment to conservation and are calling for the repeal of National Monument designations using a never-tested and questionable legal theory.

We urge you to honor your promise to be a great steward of our public lands by upholding the existing protections for the 157 National Monuments that have been designated through the years by nearly every President since the Antiquities Act was enacted into law in 1906. They have protected iconic landscapes across the United States, such as the Grand Canyon, Zion National Park, Chaco Canyon in New Mexico, and Olympic National Park in Washington, as well as cultural icons, including the Statue of Liberty and the Belmont-Paul Women's Equality Monument. Removing protections for any of these areas would threaten the cultural, historical and biological wealth of our country.

In particular, we urge you to reject calls to rescind protections for the Bears Ears National Monument in Southern Utah. This area contains thousands of archeological and Native American sacred sites currently threatened by looting and vandalism. Notably, this designation represents the first time in which two federal agencies will jointly manage a National Monument along with a commission of elected tribal leaders. For the first time, the designation allows tribal



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co-management of the Monument—a strong move toward tribal self-determination. Despite the claims of some, there is wide tribal, regional and national support for maintaining protection for Bears Ears. Outdoor recreationists, who drive a \$646 billion industry, tribes, archeologists, and local conservation organizations all support the Bears Ears designation.

Most notably, after working individually for decades, the tribes with ancestral ties in this region—the Hopi, Navajo, Ute Mountain Ute, Uintah and Ouray Ute, and Zuni—joined forces to protect Bears Ears and ensure these sacred areas are maintained for future generations. In addition, six of the seven Navajo Chapter Houses in Utah supported the designation, as did the Tri-Ute Council, the Utah Tribal Leaders Association, the Utah Navajo Commission, the National Congress of American Indians, and 25 additional tribes, including many in our home states. This designation culminated more than 80 years of efforts to protect the Bears Ears region. Changes to the designation would strike at the core of the commitments Secretary Zinke has promised tribes.

Weakening the protections for this deserving landscape, or any of the 157 Monuments previously protected, would be a direct affront to the local communities and stakeholders who worked collaboratively to identify and advocated to protect these areas for future generations. This is especially true, in the case of Bears Ears National Monument, for the Native American tribes who call this living cultural landscape their ancestral home. It also would cut against your commitment to be a good steward of our nation's public lands. We urge you to maintain the current protections so that our children and grandchildren can experience them with the same wonder we do today.

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7. Citizen science: new app seeks to involve next generation in wilderness monitoring

St. George News, April 11 | Julie Applegate

ST. GEORGE – A new app released by the Bureau of Land Management-Utah and American Conservation Experience will allow citizen scientists to help land managers monitor wilderness study areas in Utah.



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The app, which is only available in Utah, so far has modules to cover nine of the 86 wilderness study areas in the state including Spring Creek Canyon, which borders Zion National Park and can be accessed by a trailhead in Kanarraville.

“BLM-Utah is incredibly excited about the potential for the WildSNAP app to engage a new generation of citizens in the stewardship of public lands,” Aaron Curtis of American Conservation Experience said.

“WildSNAP brings the past and the present together. Wilderness Study Areas protect some of America’s most pristine and primitive landscapes, while this new mobile monitoring app brings monitoring into the 21st century.”

The new iOS application, WildSNAP, is available for download through Apple’s App Store.

The public is invited to help monitor wilderness study areas and enjoy the new opportunity to participate in the care of public lands, BLM Utah spokeswoman Kimberly Finch said in a statement.

Wilderness study areas are designated by Congress, and BLM is required to manage the areas in a way which would not prevent them from being designated as wilderness.

A wilderness study area designation remains in place until Congress either releases the area or designates it as wilderness.

Other study areas include White Rock Range, which straddles Beaver and Iron counties in Utah and Lincoln County, Nevada; along with Wah Wah Mountains study area, which is located in Beaver County.

Other areas include the White Rock Range Wilderness Study Area located more than 50 miles west of Cedar City, Utah.

“The WildSNAP app packages the traditional approach of using a stack of paper, pen, camera, resource guides, compass and maps into a single, cleanly packaged and user-friendly interface. This new app technology will make field data collection more useful and efficient. WildSNAP is a one stop shop for WSA monitoring,” American Conservation Experience director of technology Tim England said.



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The app allows users to collect information about natural and cultural resources within the study areas and will be available to members of the public who complete the required online training, Finch said. So far, the app is only available for Apple iPads, but will soon be available for iPhones.

Members of the public that collect data through the app are considered “citizen scientists” and greatly enhance the BLM’s monitoring efforts on public land, Finch said.

Data collected through the app is sent to the local BLM office, and once verified by BLM staff, becomes part of the official file. The BLM will review the information to determine whether any responses are appropriate when issues are discovered.

So far, specific guides for nine wilderness study areas are available in the app: Crack Canyon, Mexican Mountain, San Rafael Reef, Sids Mountain, Deep Creek Mountains, North Stansbury Mountains, Spring Creek Canyon, Wah Wah Mountains and White Rock Range. Additional monitoring guides will be released on a rolling basis.

American Conservation Experience is a non-profit organization which aims to provide rewarding environmental service opportunities to help restore America’s public lands.

For more information, see www.wildSNAP.org or contact Peter Woodruff, American Conservation Experience Program Manager at pwoodruff@usaconservation.org; or Allison Ginn, BLM-Utah National Conservation Lands Program Lead at aginn@blm.gov.

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8. **Sacred Tribal Land of Recapture Canyon Is Now Open for Recreational Use**

ColorLines.com, April 12 | Yessenia Funes

As of Monday (April 10), recreational vehicles are welcome to ride through the sacred tribal land of Recapture Canyon in San Juan County, Utah.

The Bureau of Land Management announced a “travel management plan” that will provide roughly seven miles of trails for full-size and all-terrain vehicles (ATVs) to roam ancient Pueblo peoples’ land. They built cliff dwellings at Recapture Canyon over 800 years ago.



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Interior Secretary Ryan Zinke said, in a press release, that permitting vehicles is necessary for people with disabilities who need one to visit. “Allowing ATVs and other vehicles in Recapture Canyon will open up opportunities for people to enjoy our public lands while still protecting the cultural and natural resources that make the place special,” Zinke said.

However, the federal agency cancelled vehicle access to the site’s 1,871 acres in 2007 after it suffered damage from unauthorized trail construction and harm to its archaeological sites. In 2014, in an act of protest, opponents to this restriction illegally rode through the area on ATVs with the support of former San Juan County commissioner Phil Lyman, who led the ride.

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9. **Op-ed: Two factions face off over Grand Staircase-Escalante**

High Country News, April 12 | Geneen Marie Haugen

Alpenglow lights the sandstone mesas as my friends and I drive through Utah’s Grand Staircase-Escalante National Monument. We’re on our way to a public hearing at the Garfield County Courthouse. No one in this vehicle — and perhaps no one carpooling ahead or behind us — voted for the county commissioners who now propose to shrink the monument.

We’re constituents without much influence. Nonetheless, we’re on the road early, headed to the small town of Panguitch, Utah, two hours from our homes. The sandstone labyrinth we traverse is beautiful enough to break any hearts available for breaking.

Perhaps a dozen of our allies will have a chance to speak to the commissioners. We’re hand-delivering dozens of letters to these men. But no one expects a different outcome from that in neighboring Kane County, whose commissioners supported the non-binding resolution to shrink the monument.

Our small, regional newsweekly doesn’t investigate outsider involvement in public lands policy, so many locals are unaware of the Koch brothers-supported American Legislative Exchange Council (ALEC) and its influence on Utah’s Republican politicians, including Republican Gov. Gary Herbert. Even our county commissioners may be unaware of being manipulated by outside corporate interests.



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Upon our arrival at the courthouse, we're split into two groups, assigned numbers and ordered to remain in line except for closely monitored bathroom breaks. The group favoring the resolution to shrink the Grand Staircase lines up just across a tape barrier, but there is no conversation between factions. The "shrinkers" turn their backs to the rest of us, who stand near enough to reach out and tap an arm. As I do, after the commissioners decide who will be allowed to speak.

"Excuse me," I say to one woman in a group of six or seven. "May I ask a question? Did any of you sign up to be a speaker?" "Oh, no," one says. A few shake their heads. They all turn away. The line starts to move as small numbers of people are called inside to the too-small chamber, and no one from "the other side" makes eye contact or smiles. I hear myself saying, "Hey, here's a great idea: Let's not talk to each other! It's too dangerous." There are times when Coyote speaks from my mouth, surprising even me, but no one looks in my direction. The shrinkers file past or lean against the courthouse in the sun. Many of the men wear black cowboy hats. There are at least six law enforcement agents assigned to this gathering of about 200 people, many citizens armed with signs.

Divisiveness regarding the desirability of shrinking the Grand Staircase — or eliminating altogether the new Bears Ears National Monument — is built into the Utah politicians' agendas. Divide and conquer is a time tested strategy of the ruling class. But as I study my fellow citizens, I wonder why it is so easy to pit us against each other. I recognize that there is a genuine difference of cultures — not only in worldview and probably religion — but in something resembling class. I don't know if any of the old-timers value the contributions of the recent arrivals, but I do know many newcomers who respect, as I do, the close-to-the-ground living, self-reliance and community values of Utah's pioneer families.

Newcomers — who are often outdoor recreationists — broadly support maintaining the monument boundary, while the old-timers resent the monument's creation. The newcomers arrive with skills, education and vision from other places, and often bring money enough to build houses, start businesses, retire, or occupy a second home. Many old-timers regard the new people as alien outsiders who compromise traditional values and livelihoods based on timber, mining and ranching.

But on the Grand Staircase, there is scant evidence of valuable timber or cost-effective coal, and without government subsidies, the desert isn't economically viable for ranchers to graze. But the Garfield County commissioners aren't really interested in my opinion, or in the ideas of my colleagues and neighbors. They're not interested in building bridges or in reading our letters.



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They have already decided to approve the resolution, as they promptly do when the few speakers allowed have barely concluded.

The commissioners' vote changes nothing except to amplify the existing divisions and mutual suspicion. It's an adolescent way to govern. True leaders would commit the radical act of engaging other people in conversation, inviting questions and genuine listening, with love of the land as our common ground. If our minds and hearts could open, what might we create together with our collective skills, resources and passion?

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E&E/NATIONAL NEWS – FULL STORY

1. **Trump's climate demands roil U.S. allies**

Politico, April 11 | Andrew Restuccia

President Donald Trump's abrupt turnaround on U.S. climate policy is fueling tension with several of America's closest allies, which are resisting the administration's demands that they support a bigger role for nuclear power and fossil fuels in the world's energy supply.

The dispute blew up at this week's meeting of G-7 energy ministers, at which Trump administration officials pushed to include stronger pro-coal, pro-nuclear language in a proposed joint statement on energy policy. The fight had been simmering behind the scenes for weeks as the White House, Energy Department and State Department clashed with negotiators from other G-7 countries over the statement, according to an internal document obtained by POLITICO and interviews with diplomats.

After a tense back-and-forth at the meeting in Rome on Monday, the G-7 energy ministers — including representatives from Canada, Great Britain and several European Union countries — wound up scuttling the statement altogether.

The feud comes as Trump, who often touts his "America first" approach to foreign policy, is considering whether to pull the United States out of the climate change accord that the Obama administration and leaders of nearly 200 other nations negotiated in Paris in 2015. Some Trump advisers have suggested that he should remain in the deal — but in return, should demand concessions to aid the fossil fuel sector.



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G-7 officials, led by the Europeans, refused to agree to stronger language touting fossil fuels without assurances from the United States that it would stay in the Paris climate change agreement, according to officials briefed on the discussions.

The U.S. emphasis on coal "was seen as an issue for all of us," one G-7 country negotiator told POLITICO, noting that Canada, Europe and Japan all expressed frustration about the Trump administration's position. The United States' refusal to discuss or mention the Paris agreement in the joint statement was EU's "biggest" red line during the meeting, the negotiator added.

The meeting underscored the increasingly wide gulf between the Trump administration and its allies over climate change. The leaders of the other G-7 nations have all called for a shift away from fossil fuels and toward renewable energy. Meanwhile, Trump has dismissed climate change as a Chinese hoax and sought to revive the ailing U.S. coal industry.

The draft joint statement obtained by POLITICO, which is dated March 31 and is labeled as a "second draft," provides an unfiltered look at the Trump administration's energy policy priorities.

In one instance, the U.S. rewrote part of the statement to stress that fossil fuels "including coal and natural gas will remain part of the global energy mix for the foreseeable future," striking vaguer language from an earlier draft that said countries would rely on fossil fuels for "some time, as countries progressively reduce greenhouse gas emissions of their energy system."

In another section, the U.S. added a mention of fossil fuels and nuclear power to a line calling on countries to "work together on policies to deploy clean, reliable and affordable energy."

The U.S. also proposed completely eliminating a line stating that since renewable energy will help cut carbon dioxide emissions, the G-7 nations would "take the lead in tackling the challenges of electricity systems with high shares of variable renewable energy and in addressing the resilience of the electricity system" as the energy industry transitions to cleaner sources.

And U.S. officials added a section promoting nuclear power that reads in part, "We note the importance of civil nuclear energy for providing reliable and clean baseload energy."

While the U.S. appeared to back language calling for phasing out "inefficient fossil fuel subsidies that lead to wasteful consumption" over the medium term, it proposed striking a line calling on G-7 countries to "increase efforts to phase them out by 2025."



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Ultimately, the Trump administration's demands proved too difficult to overcome, and the G-7 nations scuttled the joint statement. Carlo Calenda, Italy's economic development minister and the chair of the summit, instead released a written summary of the meeting, which noted that the delegation heads of every country but the United States reaffirmed their commitment to the Paris deal.

Energy Secretary Rick Perry, who led the U.S. delegation to the meeting, said the Trump administration "is in the process of reviewing many of its policies and reserves its position on this issue," according to the summary.

It's not the first time the U.S. has been the odd country out in an international meeting since Trump took over. During a March G-20 meeting of finance ministers in Germany, Treasury Secretary Steven Mnuchin pushed for the removal of language calling on countries to help finance efforts to tackle climate change.

In the run-up to the G-7 meeting, Trump administration officials had asked foreign officials not to pack the joint statement with mentions of renewable energy and climate change, noting that they wouldn't be able to sign off on the text because the White House was still weighing its stance on the Paris deal, according to people familiar with the deliberations.

But sure enough, early drafts of the joint statement included frequent mentions of climate change. And U.S. officials sought to revise the drafts, sparking a fierce round of edits between representatives of the G-7 nations ahead of this week's meeting. One diplomat who worked on the text called it a "slow and complicated process."

At one point during the gathering, tempers flared so high that a European official accused a U.S. official of trying to "internationalize" the Trump administration's focus on fossil fuels, according to one person briefed on the exchange.

Indeed, Trump administration officials have adopted the president's "America first" approach in making the case to industry lobbyists that remaining in the Paris agreement is the best choice for the country, arguing it gives the U.S. leverage to win broader support for technologies to slash emissions from fossil fuels.

During a recent meeting on the Paris agreement, George David Banks, a top White House international energy adviser, pointed to a map of the United States in his office and said, "That's the only thing that matters to me," according to an industry official who attended.

Banks, an advocate of staying in the Paris deal, has been meeting with industry officials for weeks to discuss their views on the agreement. The meetings have had some success: Several coal companies recently endorsed remaining in the pact.



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But it remains to be seen whether Trump will ultimately decide to keep the U.S. in the agreement. Steve Bannon, Trump's chief strategist, is said to be opposed to remaining in the deal, while the president's daughter Ivanka and his son-in-law, Jared Kushner, are said to be supportive of staying.

White House press secretary Sean Spicer has said Trump will make a final decision by late May, when he and other world leaders will travel to Italy for a G-7 summit.

Asked for comment, a White House official said Trump "has emphasized the value of the U.S. energy sector as a strategic tool in U.S. foreign policy." The official added: "All U.S. energy resources and technologies, including coal and nuclear, should play an important role in achieving universal access to affordable and reliable energy."

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2. **White House plans to slash federal jobs with reorganization plan**

The Federal Times, April 11 | Carten Cordel

The Trump administration outlined its intention to dramatically alter the federal workforce with an April 12 executive order that portends a massive restructuring of agencies and will include job reductions.

Office of Management and Budget Director Mick Mulvaney touched on the broad strokes of a plan in an April 11 press conference, detailing the White House's goal to reorganize the executive branch with a focus on maximizing efficiency and improving the delivery of services.

"This is something that goes much deeper and into the structure of government," Mulvaney said. "The executive branch of government has never been rebuilt. It has grown organically over the course of the last 240 years.

"And the president of the United States has asked all of us in the executive branch to start from scratch."

The new executive order is closely aligned with President Trump's 2018 budget, which calls for double-digit cuts for agencies like the Environmental Protection Agency, State Department and the Labor and Agriculture departments.



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Based on the budget's numbers, agency leaders will have to plan for workforce reductions where necessary, as well as develop agency reform plans to submit to OMB by June 30.

Those plans would have to be ready to be put into effect by the end of fiscal 2017 in September.

Mulvaney called the order a more surgical plan than the hiring freeze — which ends April 12 — noting that the so-called “skinny budget” outlines which agencies will likely grow and which will almost certainly see workforce reductions.

“I think that everybody acknowledges that given the proposed reductions to the Environmental Protection Agency in the budget, they would have to reduce the size of their workforce,” he said. “It’s up to them to come up with ideas on how to do that and effectively put the president’s priorities into play.

“At the other end of the spectrum, clearly you would expect the DoD and Veterans Administration to get larger.”

To determine the level of workforce reductions required, agencies will have to assess personnel staffing levels needed, total personnel costs, organizational design, policy creation, the need to fill vacant positions and where technology may be applied for some positions.

Reorganization plans will come online in fiscal 2019, after the administration has outlined new efficiencies and possibly new operations and functions for the agencies.

The OMB director said the administration would reach out to Congress, the private sector and even the public to solicit ideas on how agencies and programs could operate more efficiently under the reorganization plans.

“This is about good government,” he said. “It’s not about big government, it’s not about small government, it’s about good government.

“You go back home and look at Washington, D.C., and if you are on the left, the right, the middle — they don’t know where they are philosophically, they know that Washington doesn’t function well. And what the businessman-in-chief has essentially come to us and said is, ‘Look, make sure this government functions properly.’ That means it’s going to be more efficient, more accountable and more effective at providing the services that we need.”



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That may still be a tall order for the White House, who must still navigate budget negotiations to avert a possible shutdown by April 28 and get its full budget passed through Congress.

And after that, for the Trump administration to permanently reorganize the executive branch it needs more legislation and statutory reforms to ensure they wouldn't be overturned by another president.

But while Mulvaney acknowledged that the White House is confined to reform through executive order unless it gets congressional support, the reverberations of this policy temblor will be tough to undo.

"Don't discount the power of inertia," he said. "Because what we are battling against right now is the inertia of 240 years of federal government weighing down on its ability to change government. It starts to work to your advantage when you change it because then it becomes very hard to change again."

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3. Internal BLM Memo Leaked: Trump's Plan to Make America Great by Expediting Oil, Gas Production, Increasing Border Security, and Creating Jobs

Breitbart News, April 12 | Penny Star

A Bureau of Land Management (BLM) internal working document that was leaked and reported on by the liberal Greenwire website spells out in detail President Donald Trump's plan for making America great again.

It lists expanding production of domestic energy resources, supporting law enforcement, the military, and enhancing border security.

"Several conservation and government watchdog groups say they're concerned about the direction the Bureau of Land Management is headed after a draft list of agency priorities under the Trump administration surfaced this week," Greenwire's E&E News reported on Monday.

"The draft five-point 'BLM Priority Work' list, first reported on yesterday by E&E News, calls for the agency to focus on increasing energy development in suitable areas of the 245 million acres BLM manages (Greenwire, April 10)," E&E reported.



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The document is divided into five sections — “Making America Safe through Energy Independence”; “Making America Great Through Shared Conservation Stewardship”; “Making America Safe – Restoring Our Sovereignty”; “Getting America Back to Work”; and “Serving the American Family.”

E&E gathered statements from environmental activists in response to the leaked document, which it said “calls on the agency to streamline federal coal, hardrock mining, and oil and gas ‘leasing and permitting processes.’”

“It also prioritizes streamlining unspecified ‘processes’ mandated by the National Environmental Policy Act (NEPA), as well as ‘land use planning to support energy and minerals development and other priorities,’ including ‘rights-of-way processing for pipelines, transmission lines, and solar/wind projects,’” E&E reported.

Under the “Make America Safe” headline, it calls for BLM taking action to “coordinate with the Department of Defense to ensure that public lands and resources are available to support the mission of our military” and to “prioritize clearance and approval process to support Southern Border actions.”

E&E illustrated its report with a photograph of the wall now in place along the U.S. border with Mexico, which Trump has vowed to expand.

The document states that BLM will “provide employment opportunities for veterans and youth to work on public lands.”

But critics of Trump’s plans expressed horror after reviewing the document.

“The Trump administration is prioritizing drilling, mining and the construction of an immoral and environmentally-destructive border wall over protecting America’s public lands and people’s health,” League of Conservation Voters Deputy Legislative Director Alex Taurel said in a statement given to E&E.

“Our country’s public lands should be preserved for all people to enjoy and should not be handed over to corporate polluters,” Taurel added.



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“The priorities from Trump’s Bureau of Land Management make it clear that the administration is not planning to manage our parks and other special places for the use and enjoyment of the people, but rather for the profits of corporate polluters,” Athan Manuel, director of the Sierra Club’s public lands protection campaign, said in a statement provided to E&E.

“America’s public lands are worth much more than what lies underneath,” Manuel said. “These are the places where families spend time together, where people and wildlife both can take refuge as they enjoy and explore our wild places.”

But E&E reported that a senior BLM official “defended the priority work list, telling E&E News this week that it is meant to help agency staff understand that the Trump administration will prioritize the agency’s full ‘multiple-use’ mission — including increased public access and recreation — and not concentrate solely on promoting fossil fuels or any other energy development.”

Under the “Serving the American Family,” BLM included in its goals expanding recreational, hunting and wildlife conservation opportunities, working with state and local law enforcement to improve public safety and streamlining grazing permits to help American ranchers and farmers.

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4. **A tussle in Oregon raises concerns about handing land to states**

The Economist, April 12 | Staff Writer

DEEP in Oregon’s Elliott State Forest, past groves of 200-foot Douglas firs and bigleaf maple trees dripping with emerald green Spanish moss, Joe Metzler pulls over his Toyota truck and peeks over a precipitous slope covered in tree stumps for signs of elk. Mr Metzler, a retired coastguard rescue swimmer who looks a good deal younger than his 49 years, frequently hunts in the area.

To make a clean kill with his bow and arrow, he sometimes camps out in the forest for a week. Then comes the really tough part: hauling 300lb of meat to his car, which is sometimes parked miles away. “It is not old man’s hunting,” he says gleefully.



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Soon Oregon may sell 82,500 acres, or most of what remains of the dense forest, to a timber company and a Native American tribe. The proposal would allow public access on half the land. But sportsmen, who can currently roam the forest mostly as they please, worry it will be hard to reach or unsuitable for hunting. Environmentalists fret protections for threatened species would be relaxed.

The Elliott State Forest is not directly owned by the state; it is state trust land, which is required by Oregon's constitution to produce profit for public schools. The Elliott does that through logging. State trust lands are common in the American West. They trace their roots to 1803, when Ohio joined the union and was given a grant of land to support public education. The practice was replicated throughout the process of state accession, and today there are approximately 46m acres of such lands, 85% of which lie west of the Rocky Mountains.

Recently the Elliott State Forest has struggled to meet its financial responsibilities. A series of environmental lawsuits to protect threatened species such as Coho salmon, a Pacific fish, and marbled murrelet, a small sea bird, led to injunctions that crushed logging. Between 2012 and 2013 net revenues from timber in the forest plunged from \$5.8m to -\$3.3m. Oregon has since dithered between selling the forest and finding another way to compensate the trust.

The potential sale comes at a moment of great angst about public lands and increased scrutiny of state stewardship. At the Republican National Convention last year, the party's platform included a provision for the transfer of federal lands to the states. In January, prodded by Rob Bishop, a Republican congressman from Utah, Congress changed a key budget rule that will make it easier for such a transfer to take place. But not everyone wants it. States have far leaner budgets for land management than the federal government does. The fear that they will emphasise profit over access and conservation—or, worse, need to sell the lands they gain—has created eclectic political alliances. Nowhere is this clearer than in Oregon, where the potential sale of the Elliott State Forest has led conservative hunters and anglers to join tree-hugging environmentalists and Kate Brown, the Democratic governor, to oppose the sale.

Several states have been successful at managing trust lands. Some of Arizona's are close to Maricopa County, home to more than 60% of the state's population; they make money by leasing and developing those lands. New Mexico's trust lands are flush with oil; by exploiting them, the state raked in almost \$500m in 2016. A report published in 2015 by the Property and Environment Research Centre, a think-tank, found that between 2009 and 2013 state trust lands in Montana, Arizona, Idaho and New Mexico returned \$14.51 on every dollar spent, compared



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with 73 cents on every dollar spent by the US Forest Service and the Bureau of Land Management, the main stewards of federal land, which are not required to make a profit. But if state trust lands start to struggle financially, “it’s perilous. Things can go from bad to sale really quickly,” says Dean Finnerty, who works as a hunting and fishing guide in the Elliott State Forest.

There is a precedent for such worries. According to the Wilderness Society, a conservation group, Idaho has shed 41% of its lands since statehood; 100,000 acres have been offloaded since 2000. Oregon has sold all but 780,000 acres of its original 3.4m. Selling 82,500 more would not only upset those who love the Elliott, but fuel a wider worry about what happens when public lands are handed to states.

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5. **Op-ed: Fracking Bans Hurt Distressed Communities, Inflate Power Costs**

Morning Consult, April 12 | Bernard Weinstein

This year, oil production in America is expected to reach an all-time high, close to 9.5 million barrels a day. Similarly, natural gas output is projected to reach a record 75 billion cubic feet per day by the end of 2017.

What a difference a decade makes. Ten years ago, when we thought we were running out of oil and gas, imports were nearly two-thirds of consumption. Today, imports are down to 45 percent of oil use with less than a third coming from OPEC countries. What’s more, the U.S. is now exporting more than one million barrels of oil per day and is on track to become a net exporter of natural gas this year. Indeed, America has now achieved de facto “energy independence,” a goal espoused by every president since Richard Nixon.

This reversal of fortune can be attributed to American entrepreneurial ingenuity, in particular the application of hydraulic fracturing and horizontal drilling to tease hydrocarbons out of shale and other hard rock minerals. In the process, thousands of new jobs have been created while state and local government tax coffers in producing regions have grown in tandem.

How ironic, then, that Vermont, New York and Maryland have imposed statewide bans on hydraulic fracturing. (By contrast, the Florida Legislature just killed an anti-fracking bill.) Though Vermont has no hydrocarbon resources, substantial reserves have been identified in



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shale formations along the southern tier of New York and in western Maryland, both economically distressed regions that have been losing people and jobs for decades. The fracking bans serve only to limit opportunities for job growth and economic diversification while depriving local governments and public schools of much needed revenues.

Opponents of fracking continue to claim that the process can contaminate ground water, pollute the air, and precipitate earthquakes while depressing property values. None of these claims is true. Hydraulic fracturing has been used to complete more than 1.5 million oil and gas wells over the past 60 years. Comprehensive studies by the Environmental Protection Agency and Duke University researchers have concluded that fracking poses no credible threat to drinking water or air quality.

As for earthquakes, scientists at Stanford University and Southern Methodist University have demonstrated that seismic activity near drilling operations is not due to fracking but may be related to the disposal of waste water in deep rock formations close to natural faults. If so, the remedy is either to recycle the waste water or inject it into wells away from fault zones, not to ban fracking. And rather than depress property values, hydrocarbon production in shale plays has dramatically boosted valuations as reserves and equipment have been added to the tax base.

New York, in particular, could surely use the cheap natural gas waiting to be tapped along its southern tier. Not only would production extend an economic lifeline to many depressed communities, but this abundant and inexpensive gas supply could be used to replace the power generation that will be lost when the Indian Point nuclear plant is shuttered. What's more, using the state's own natural gas would be a much cheaper alternative for New Yorkers than importing hydropower from Quebec.

America is becoming a major player in global energy markets, thereby strengthening our nation's economic security. Fracking bans deny many depressed areas the opportunity to participate in this energy revolution, with all the attendant economic and fiscal benefits, while inflating electric power costs for residents statewide.

Bernard L. Weinstein is associate director of the Maguire Energy Institute and an adjunct professor of business economics in the Cox School of Business at Southern Methodist University in Dallas.

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6. **BORDER WALL: Lawsuit aims to force Trump admin to conduct NEPA study**

E & E News, April 12 | Amanda Reilly

An environmental group and a Democratic lawmaker sued the Trump administration today over its plans to build a wall along the U.S.-Mexico border.

The Center for Biological Diversity and Rep. Raúl Grijalva (D-Ariz.) allege in their lawsuit — which they called the first filed over President Trump's proposed wall — that border agencies have failed to analyze the environmental impacts of U.S.-Mexico enforcement activities.

While the suit in the U.S. District Court for the District of Arizona is unlikely to stop construction of a wall, it could require the government to undertake a review of the impacts of its activities along the U.S. southern border.

"American environmental laws are some of the oldest and strongest in the world, and they should apply to the borderlands just as they do everywhere else," Grijalva said in a statement.

The Clinton administration initially undertook a review of the environmental impacts of the government's strategy for enforcing border security within a 50-mile corridor along the border.

As part of that review, the former Immigration and Naturalization Service issued a 1994 programmatic environmental impact statement under the National Environmental Policy Act. The agency updated that review through a supplement in 2001.

After the terrorist attacks of Sept. 11, 2001, INS's duties were transferred to the U.S. Customs and Border Protection and other agencies in the Department of Homeland Security. The federal agencies have not updated the supplemental EIS over the past 16 years.

The 42-page [complaint](#) filed today alleges that CBP and Homeland Security were required to update the supplemental EIS to take into account the "substantial changes that have been made to the border enforcement program" since 2001.

"The southern border enforcement program has expanded and changed far more rapidly than at any other time in the nation's history," the complaint says. "These changes ... are resulting in environmental impacts that were not adequately considered or foreseen in the last supplemental environmental analysis."



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Trump's proposed border wall will add to the impacts by dividing the communities and landscapes along the border, Center for Biological Diversity Executive Director Kierán Suckling said in a statement.

"Endangered species like jaguars and ocelots don't observe international boundaries and should not be sacrificed for unnecessary border militarization," he said. "Their survival and recovery depends on being able to move long distances across the landscape and repopulate places on both sides of the border where they've lived for thousands of years."

The center and Grijalva asked the court to declare that the government has violated NEPA and issue an order requiring the department to comply with the law.

This is not the first time environmentalists have turned to NEPA to challenge the government's plans to beef up the U.S.-Mexico border.

In the mid-2000s, Defenders of Wildlife and the Sierra Club challenged DHS's decision to construct a segment of the border wall through the San Pedro Riparian National Conservation Area without doing an adequate environmental assessment.

After that lawsuit was filed, the DHS secretary issued a waiver for the project from NEPA and other laws through the 2005 Real ID Act, which allowed the government to waive laws that get in the way of border securement projects. Under the law, waivers are exempt from judicial scrutiny.

Environmentalists were unsuccessful in challenging the constitutionality of the waiver.

Bob Dreher, the senior vice president for conservation programs at Defenders of Wildlife who was involved in the past litigation, today called the new lawsuit a "clever" strategy that sidesteps the Real ID Act issues that were at play in the past.

"Here they're not actually challenging the construction of the wall itself," Dreher said. "What they're challenging is a much bigger program, which is the whole program of border security activities."

'Expanded scope of border security'



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Success may depend on convincing the courts that the collection of border activities taken over the last 16 years constitute a federal program that can be challenged in court.

Even if the court does rule for the environmentalists, it doesn't guarantee the wall won't be built, Dreher said. The DHS secretary can still invoke the waiver authority contained in the Real ID Act for the border wall.

"I'm not sure they would be able to stop construction of a border wall," Dreher said. "But what they can do is focus attention on the really expanded scope of border security activities, the harm that's doing to the physical environment."

While the battle plays out in the courts, the project's potentially high price tag remains contentious on Capitol Hill.

Last week, Grijalva told E&E News he was worried funding would end up in whatever infrastructure package the House comes up with.

"I think this is one of those rhetorical, nonsense commitments that Trump made that has no basis in security, no rationale for it," Grijalva said. "It's going to end up costing \$22 billion, if you play it all the way out, and it has huge environmental consequences."

The ranking member of the House Natural Resources Committee said construction of a border wall would also run into other problems, including eminent domain issues in Texas and Native American sovereignty issues in Arizona.

He praised Interior Secretary Ryan Zinke for pointing out last month the logistical challenges in building a physical wall in some areas along the border (Greenwire, March 29).

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7. **PUBLIC LANDS: Bills reintroduced to aid sportsmen and small-scale moviemakers**

E & E News, April 12| Corbin Hiar

An Ohio Republican yesterday reintroduced bipartisan bills that would benefit filmmakers and sportsmen.

Rep. Bob Latta's H.R. 1944 would direct the secretaries of the Interior and Agriculture to set up a permit and fee system for film crews of five or fewer people.

Under the current system, small crews that want to shoot footage on public lands face the same requirements as big-budget Hollywood productions. Latta and Sen. Lisa Murkowski (R-Alaska) have argued that the system prevents hunters from making and marketing videos of their adventures (E&E Daily, July 23, 2015).

Latta also revived the "Wildlife and Hunting Heritage Conservation Council Advisory Committee Act." H.R. 1945 would make permanent the council, which currently advises the secretaries of the Interior and Agriculture on wildlife and habitat conservation, recreational shooting, and hunting.

"As an avid sportsman and hunter, I'm proud to reintroduce these bills supporting the men and women who enjoy recreational activities on our federal lands," Latta said in a statement.

Democratic Reps. Tim Ryan of Ohio and Tim Walz of Minnesota are co-sponsoring both bills, along with a handful of Republican backers.

The bills were included in the broader "Sportsmen's Heritage and Recreational Enhancement Act." The "SHARE Act" passed the House last Congress but was never taken up in the Senate (Greenwire, Feb. 26, 2016).

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8. INTERIOR: Grijalva challenges BLM's claim of drilling 'backlog'

E & E News, April 12 | Scott Streater

The House Natural Resources Committee's top Democrat is taking aim at the Bureau of Land Management after a draft "priority work" list for the agency leaked to E&E News this week called for the agency to focus on permitting oil, gas and coal projects.

Specifically, Rep. Raúl Grijalva (D-Ariz.) takes issue with one section of the five-point priority list that calls for the agency to reduce the "backlog" of oil and gas applications for permits to drill, or APDs.

In a [letter](#) Grijalva sent today to BLM acting Director Mike Nedd, he asks Nedd to provide his office with the number of pending APDs, as well as "the number of approved APDs waiting to be drilled as of the end of Fiscal Year 2016."

Grijalva's letter is in response to a draft priority work list that lists areas the agency will focus on under the Trump administration (Greenwire, April 10).

His letter focuses on the section titled "Making America Safe Through Energy Independence," which calls for the agency to reduce the number of pending APDs. It also directs the agency to "streamline" the federal leasing and permitting process for coal, as well as for oil and gas, hardrock mining, and "rights-of-way processing for pipelines, transmission lines, and solar/wind projects."

Grijalva wrote that the "instruction" to address backlogged APDs was one "of the more surprising items in the document," and he questioned the need to do so.

"It is not clear that there is a significant backlog of unprocessed APDs; in fact, the BLM's own data indicate that there is a glut of drilling permits that the oil and gas industry cannot act on fast enough," he wrote.

He pointed to BLM's fiscal 2017 budget justification, which noted there were 3,785 pending APDs at the close of fiscal 2015 "but also 7,532 approved permits in industry's hands just waiting to be used."

He added: "Obviously the BLM isn't responsible for individual company decisions on when to drill, but it is bewildering that the agency would prioritize approving more permits — at the



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inevitable expense of your environmental responsibilities — when companies have plenty and appear to be simply stockpiling them."

Only oil and gas operators that have obtained an approved federal lease to drill on public lands, and had their project proposal analyzed through an environmental review, can apply for an APD.

The Energy Policy Act of 2005 requires BLM to approve the APDs within 30 days, though this has been a source of controversy. The oil and gas industry says it takes on average more than 200 days — and sometimes years — to get approval.

Grijalva wrote that "it appears that the BLM may be resisting providing updated data on the number of approved but unused drilling permits."

Though his office has submitted "multiple requests," all it has received to date is a list of approved APDs that have not been drilled as of fiscal 2015.

"Considering that this data is typically provided in the annual budget justification, which is regularly issued in February or March, it seems unlikely that the FY 2016 data is not available."

BLM did not address how it will handle Grijalva's letter but issued an emailed statement saying it is committed to the agency's multiple use mandate, which includes energy development among other uses.

"The Bureau of Land Management is proud to manage more than 700 million acres of sub-surface mineral estate and over 245 million surface acres of America's public lands for uses as diverse as the lands themselves," Megan Crandall, a BLM spokeswoman, said in the emailed statement. "With our multiple-use and sustained yield mission, the BLM is committed to ensuring that wide-ranging opportunities for conservation, recreation and commercial activities are available on our nation's public lands."

But Grijalva takes issue with the overall focus of the priority work list.

"Particularly with respect to energy, the 'priority work' listed for the BLM indicates a return to the philosophy of the George W. Bush administration, which prioritized leasing and permitting for oil, gas, and coal above all other uses, and led to a situation where the BLM was unable to adequately meet its responsibility to be a good steward of our public lands," he wrote.



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"Specifically, the directives to 'make additional lands available' for energy development and 'streamline' fossil fuel leasing and permitting indicate that the agency intends to focus on energy development at the expense of conservation, wildlife protection, recreation, air and water quality, and all other values."

BLM officials have denied that's the case, telling E&E News this week that the priority work list is meant to help agency staff understand that the Trump administration will prioritize the agency's full "multiple-use" mission — including increased public access and recreation — and not concentrate solely on promoting fossil fuels or any other energy development (Greenwire, April 11).

For example, the draft document lists expanding "wildlife conservation opportunities" and increasing "maintenance and capital improvement projects" on federal lands as top priorities.

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9. **ENERGY POLICY: Finance experts question Trump admin's embrace of coal**

E & E News, April 12 | Hannah Hess

The Trump administration has been urging its allies to support "clean coal" technology, most recently at meetings of the Group of Seven industrialized nations.

But experts on international climate finance say they doubt such funding will materialize.

"I can assure you that if, in the highly unlikely event the global community would consider continuing to work with fossil fuels, it would be natural gas," said James Bond, an energy infrastructure specialist who formerly served as senior adviser to the executive director of the United Nations' Green Climate Fund.

Speaking to E&E News yesterday after a Capitol Hill briefing on the benefits of deploying foreign aid to regions vulnerable to global warming, Bond said financing for coal- or natural gas-fired power projects is probably unlikely.

White House officials are reviewing U.S. commitments to the Paris Agreement, which includes financial pledges to help developing nations with climate change adaptation and mitigation.



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Developed countries are falling short on their pledges, with an estimated gap of at least \$40 billion, the Financial Times reported.

Anton Hufnagl, an environmental and urban affairs officer for the German Embassy, said his country is on track to double its public climate aid from \$2.3 billion in 2014 to nearly \$5 billion in 2020.

Germany's road map to reducing carbon emissions includes boosting the use of renewables and cutting energy consumption. Hufnagl told E&E News that if a country wants to take an alternative route, continuing to use fossil fuels, "we're perfectly fine with that."

The merits of clean coal have been disputed by some technical experts and environmental groups. Both Hufnagl and Bond, who used to work in the fossil fuel industry, stressed that it would take a lot of research money to make the technology competitive.

"That commitment, of course, needs to be based on an acknowledgment of climate change in the first place — that, of course, will be an interesting question," Hufnagl said.

Energy ministers from G-7 countries — Canada, France, Germany, Italy, Japan, the United States and the United Kingdom — failed to agree on a joint statement earlier this week after a tense meeting that underscored the gap between the Trump administration and the rest of the world on climate (Climatewire, April 11).

Private-sector groups, including some major coal companies, and others in the energy sector have told the administration that sticking with the Paris Agreement could have economic benefits.

Bond made the case to congressional staffers that investing in the Green Climate Fund is "good business" for the United States.

The 2015 deal, which entered into force late last year, has created a "huge surge" in the development of climate-friendly infrastructure in emerging economies, Bond said.

"If the U.S. wants to be part of this ... it gives you a seat at the table. If the U.S. doesn't want to do it, India, China [and others] will step up," Bond said.

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10. **EPA: Public is asked to help pick rules for chopping block**

E & E News, April 12 | Arianna Skibell

U.S. EPA's regulatory task force is looking for suggestions on what rules should be repealed, replaced or modified.

A Federal Register [notice](#) posted yesterday asks the agency's program offices to collect public comments on — among other things — rules that eliminate jobs, are outdated or ineffective, impose costs that outweigh benefits, or implement now-repealed executive orders.

"We are supporting the restoration of America's economy through extensive reviews of the misaligned regulatory actions from the past administration," Administrator Scott Pruitt said in a statement.

"The previous administration abused the regulatory process to advance an ideological agenda that expanded the reach of the federal government, often dismissing the technological and economic concerns raised by the regulated community and duplicating long-standing regulations by states and localities."

The comment period ends May 15.

The notice marks the task force's first public effort to begin paring EPA rules. President Trump directed the establishment of the panel through a February [executive order](#) that tells agencies to set up deregulatory bodies and designate a rule-reform officer (Greenwire, Feb. 24).

The EPA task force is led by attorney and Clean Power Plan foe Samantha Dravis. Among other panel members are EPA Chief of Staff Ryan Jackson, Deputy Chief of Staff for Policy Byron Brown and the deputy associate administrator for the policy office, Brittany Bolen (Greenwire, April 4).

The agency also launched a [website](#) dedicated to deregulatory efforts that lists Trump's relevant executive orders and related information.

The website lists four public meetings hosted by EPA offices to obtain additional feedback. The offices of Land and Emergency Management, Small and Disadvantaged Business Utilization, Water, and International and Tribal Affairs will all hold stakeholder meetings in the coming months.



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11. **NATIONAL PARKS: Yellowstone crew sexually harassed female workers -- IG**

E & E News, April 12 | Corbin Hiar

A Yellowstone National Park repair crew engaged in sexual harassment, drunkenness and crude comments on the job, an internal government watchdog said today.

Interior Department Office of Inspector General investigators "found credible evidence that male supervisors and staff in the Maintenance Division unit created a work environment that included unwelcome and inappropriate comments and actions toward women," the IG said in a report.

The hostile work environment has persisted for a decade or more "because of the actions, or inaction, of supervisors," according to the [report](#), which was based on interviews with over 100 current or former Yellowstone employees and hundreds of documents. "Specifically, the Maintenance Division supervisor should have known about and addressed some of the alleged misconduct."

The supervisor, who like all Yellowstone officials other than Superintendent Dan Wenk was unnamed in the report, previously led the unit until he was promoted in the mid-2000s. Since that time, it has been without a permanent boss.

One of 25 maintenance division units, the crew was generally viewed as playing "a vital role in the park's operations," the IG said. Along with lax oversight from the maintenance supervisor, "the mentality of having prestige at the park ... created an environment ripe for abusive behavior" and other misdeeds.

That included verbally abusing the few female members of the crew, drinking on the job and improper use of government purchase cards.

While the National Park Service has been publicly struggling with sexual harassment allegations at parks across the country for more than a year, the IG and members of Congress were first alerted to the problems at Yellowstone by an investigation published in The Montana Pioneer.

The regional magazine's [story](#), "Scandal in Yellowstone," was based on an interview with Robert Hester, a former member of the crew. In it, Hester claimed, for instance, that one female



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employee was essentially "kept inebriated and available for favors from her superior" and that another woman was hired so she could be exploited for sex.

The IG, however, found that many of Hester's allegations were inaccurate or exaggerated.

In the case of the inebriated female employee, she admitted to having a relationship with her boss and a drinking problem, which ultimately got her fired. But she "said that she was never kept 'drunk on the job' in order to have sex," the report said.

The woman Hester alleged was hired for sex told investigators that her bosses never "made any sexual advances toward her while she worked for them," the report said. She claimed that one supervisor who declined to be interviewed "made sexual advances toward her by phone and text" after he retired.

The woman spent two seasons at Yellowstone as a temporary employee before getting fired because she "became intoxicated at work and could not perform her duties," the report said.

At the same time, the IG uncovered several instances of harassment that Hester, the supervisor and park leaders hadn't been aware of.

One woman who was a seasonal employee told investigators that "men in the unit would make sexual and racist comments in her presence while she was working," an allegation that one of the accused employees didn't totally deny. That same woman, who no longer works in the park, "also said someone once stole six pairs of her underwear from her dresser drawer."

The maintenance supervisor gave conflicting responses to the IG about his management of some problem employees. But he also acknowledged being aware that "employees drank openly in spite of" his policy against that.

Superintendent Wenk, who initially hired a contract investigator to look into Hester's published claims, told the IG that he was unaware of the problems highlighted in the story and partially confirmed by the investigation. Wenk ended his investigation after the IG took over.

Other Yellowstone leaders and top regional officials also claimed to be caught off guard by the news.



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The report was provided to acting NPS Director Michael Reynolds "for any action he deemed appropriate," the IG said.

The Park Service didn't immediately respond to a request for comment on how the findings have affected the maintenance supervisor, Yellowstone leaders or the management of other parks.

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12. **AIR POLLUTION: Federal appeals court freezes ozone litigation**

E & E News, April 12 | Sean Reilly

A federal appeals court threw a massive tangle of litigation over U.S. EPA's 2015 ozone standard into limbo yesterday, agreeing to the agency's request to indefinitely delay oral arguments as Trump administration officials review their position on the 70-parts-per-billion air quality benchmark.

In an unsigned [order](#) issued late in the day, a three-judge panel for the U.S. Court of Appeals for the District of Columbia Circuit called off the arguments previously scheduled for April 19 and held the case in abeyance, with EPA required to report back on the status of its review every 90 days.

The panel, which includes two members appointed by President Obama and one by President George W. Bush, gave no reason for the ruling.

The judges may, however, have been reluctant to proceed without the assurance that EPA will continue to defend the standard, several observers said.

Agency attorneys sought the delay Friday, saying the administration is looking closely at whether EPA should "reconsider the rule or some part of it" (Greenwire, April 10).

In a statement today, EPA spokeswoman Liz Bowman voiced gratitude to the court for granting the delay. "In light of President Trump's pro-growth agenda, EPA continues to carefully review the broad implications of the 2015 ozone standard and ensure that we are supporting American jobs and protecting human health and the environment," Bowman said.

She did not reply to a follow-up question on whether EPA has a timetable for completion of the review or intends to continue implementation of the 2015 standard.



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States submitted their nonattainment recommendations last fall. Under the Obama administration, EPA officials had tentatively planned to make the final determinations by this October.

Also up in the air is the final version of a proposed framework for guiding long-term implementation of the 70 ppb standard.

'Bad first step'

For environmental and public health groups that had argued against any delay, yesterday's ruling — and the possibility that EPA could ultimately seek to weaken or scrap the 70 ppb standard — was a major disappointment.

"This is a really bad first step for the administration, and we're going to fight like hell to keep them from doing damage to people's health," Seth Johnson, a staff attorney for Earthjustice, said in an interview this morning.

The organization is representing public health and environmental groups that are both defending the 70 ppb standard and arguing that it should be made stronger still.

Craig Oren, a Rutgers Law School professor, said he could think of no exact precedent for the appellate court's action. "I think it's a disaster," he said.

Earlier this month, the Supreme Court rejected a separate administration request to pause litigation over EPA's Clean Water Act jurisdiction rule (Greenwire, April 3). In yesterday's ruling, the appellate court judges hinted that they weren't happy with EPA's request, saying the court "disfavors" motions to postpone oral arguments.

Ozone, a lung irritant that is the prime ingredient in smog, is created by the reaction of nitrogen oxides and volatile organic compounds in sunlight. It can help trigger asthma attacks and worsen breathing problems for people with emphysema.

Then-EPA Administrator Gina McCarthy set the 70 ppb in October 2015 on the grounds that a tighter limit was needed to meet the Clean Air Act's requirement to protect public health "with an adequate margin of safety." The previous standard, put in place in 2008 under the George W. Bush administration, had been 75 ppb.



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Murray 'pleased'

As is true for almost any major EPA rulemaking, McCarthy's decision was quickly challenged in court. First to sue was Murray Energy Corp., the Ohio-based coal mining giant, which launched its lawsuit the same day the new standard was published in the Federal Register.

The company is "pleased with the court order," a spokesman said today.

The American Petroleum Institute, the National Association of Manufacturers and other industry trade groups also filed suit, along with Texas and nine other states. Among them is Oklahoma, where current EPA Administrator Scott Pruitt, a Republican, previously served as attorney general.

On the other side are organizations like the American Lung Association, Natural Resources Defense Council and the states of New York and California. "Because the court order leaves safer health standards for smog pollution in effect, EPA must continue to enforce those protections," John Walke, the council's clean air director, said in a news release. "Any honest review by EPA will make clear that there is no legal or scientific basis to worsen clean air safeguards for Americans."

Industry and state opponents to the tighter standard argue that naturally occurring background ozone will make compliance impossible in some areas. They also contend that EPA ought to hold off on implementation of the tighter limit until states fully comply with the 2008 standard.

H.R. 806, a bill introduced in February by Rep. Pete Olson (R-Texas), would push back nonattainment designations for the 2015 standard until the middle of the next decade.

The Obama administration had threatened to veto a similar bill sponsored by Olson in the 114th Congress that passed the House but then died in the Senate.

At a hearing last month on the legislation, Rep. John Shimkus (R-Ill.), chairman of the House Energy and Commerce Subcommittee on Environment, said he expected EPA to submit written comments on the bill (E&E Daily, March 23). A committee spokesman did not immediately reply to an email this morning asking whether the agency has already done so.

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13. **FEDERAL WORKFORCE: White House to lift hiring freeze, with eye toward budget plan**

E & E News, April 12 | Emily Holden

The White House today will lift a hiring freeze for agencies but issue guidance encouraging them to follow the Trump administration's vision for slashing staff and restructuring the federal government.

Agencies haven't been able to bring on new employees since President Trump's inauguration in January.

The move follows an executive order last month that called on agency heads to come up with recommendations to cut and shift programs to make them more efficient (E&E Daily, March 14).

"What kicks in tomorrow is what we'll call the 'smart hiring plan,'" Office of Management and Budget Director Mick Mulvaney told reporters.

"Right now, if you are at the Department of Energy, you haven't been able to hire anybody because of the freeze that we put in place on day one. ... What the guidance really does is tell them look to the budget blueprint and fashion your hiring ... to be consistent with the budget," he said.

The idea is likely to run up against criticism from Congress, which has not yet reviewed the president's budget and will likely restore funding to some of the programs he would like to cut. Mulvaney said the White House will seek input from lawmakers and would need legislation for any big changes to what different agencies handle.

"Congress' priorities may be a little different," Mulvaney acknowledged.

He also noted that some agencies may not be able to reduce their staff levels immediately and others might not be able to hire quickly to assign workers to new projects.

At U.S. EPA, for example, Mulvaney said, it would be up to Administrator Scott Pruitt to implement the guidance in a way that works for his agency. That might mean eliminating regional offices or creating more, smaller outposts, he said. EPA yesterday announced its own process to collect public thoughts on "regulatory reform" and "recommendations for specific rules that should be considered for repeal, replacement or modification."



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'A blank sheet of paper'

Under Trump's order, Mulvaney said, the federal government is collecting public input about how to be more efficient. That might include consolidating agencies or moving nuclear defense programs out of the Department of Energy and into the Department of Defense, for example.

"It's sort of a knee-jerk conservative Republican answer to say there will be fewer agencies, but you could probably make the argument that there might be efficiencies in having more but smaller," Mulvaney said.

He said the White House has no "ideological preconception" about how this should look.

"This is really a blank sheet of paper. We are not just asking conservative, right-wing think tanks to give us ideas about how to fix this. We're asking the general public, intellectuals, academia and the private sector to give us ideas, and it may well be that they come in and make a very good case for the exact opposite of what might be the preconceived notion of a former right-wing member of Congress," said Mulvaney, formerly a South Carolina Republican lawmaker who was a member of the House Freedom Caucus.

The White House also met yesterday with CEOs who provided their thoughts.

Mulvaney said the administration told them: "We're trying to do something that's never been done. We're trying to rebuild the executive branch of government. Give us some ideas."

Executives suggested organizing the government based on program function, rather than "some organically created guidelines over the course of the last two centuries or instead of following the 12 appropriations committees on the Hill," he said.

Mulvaney said the guidance follows the centerpiece of Trump's campaign to "drain the swamp," which includes relying less on lobbyists and restructuring Washington.

When Mulvaney unveiled the budget blueprint last month, he said the White House wasn't concerned about propping up condo values in the Washington area.

Yesterday, he added that the guidance is not aimed at "taking care of any particular special-interest group."



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"To a certain extent, folks who live here and are worried about the value of their condominiums or their homes need to recognize that there's bigger issues at play. Fixing the government is more important than any particular subgroup's interests," he said. "That's not to be heartless about those folks. These are people's jobs, and we get that. We recognize the fact there will be people looking at this, going, 'Well, my goodness, I work at an agency that may be downsized.' That is real."

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14. **ENERGY TRANSITIONS: Coal's up, climate's down in Trump era — UT poll**

E & E News, April 12 | Nathaniel Gronewold

The election victory of President Trump and the ascendancy of fossil fuel interests in the nation's capital could be boosting support for coal and weakening concern for climate change.

That's one read of results from a new public opinion survey of energy and related topics, conducted by the University of Texas at Austin.

The poll's data show stronger support for the coal industry than seen in past rounds. Some 43 percent of Americans surveyed said they wanted to see the Trump administration revive the coal industry, primarily as a means of protecting employment. A quarter of respondents say they want the federal government to protect coal because it "is a necessary fuel source."

As the survey's authors note, the public sentiment flies in the face of market forces.

Coal is losing favor in part because of increasingly cheaper utility-scale renewable energy but mainly due to cheap and abundant domestic natural gas reserves. Utility companies are also planning for a future when the coal industry's friends are no longer in charge of the federal government, causing power providers to eschew coal in favor of generation technologies that help them hedge against future action on climate change.

The UT Energy Poll shows concern over climate change dwindling since Trump's election.

Thirty percent of respondents said industrial carbon dioxide emissions, the principal force behind climate change, do not bother them. Six months ago, 19 percent of those surveyed gave that



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answer. Those who answered that nature is mostly to blame for climate change shot up from 5 to 20 percent over the course of a year.

Three-quarters of Americans agree that climate change is occurring. And despite rising climate skepticism, 64 percent of those polled still told pollsters that "the U.S. should prioritize reducing carbon emissions."

While support for maintaining coal jobs may be rising, trust of the oil and gas industry may be gradually improving, as well.

Forty-one percent ranked the oil and gas industry dead last on a trust scale that included "the media" and the federal government. Oil and gas's trust quotient has risen markedly, however, since 59 percent said that the industry was the least trustworthy of establishments when asked in a March 2012 poll.

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15. ENERGY TRANSITIONS: Coal lobby says it is exploring building new U.S. plant

E & E News, April 12 | Emily Holden

The coal lobby is in the market to build a new plant, a prospect that would have been unthinkable just months ago.

Emboldened by President Trump's efforts to roll back climate regulations on fossil fuels, the American Coalition for Clean Coal Electricity (ACCCE) says it is in talks with an unnamed state's governor and lawmakers about providing incentives for a power company to plan a new coal-fired facility.

"I don't think any of this is going to happen overnight," said Paul Bailey, ACCCE's president and CEO. "There are a lot of discussions and steps to go through to build a new coal plant."

Bailey said his group is "optimistic" about preserving the existing coal fleet but is also encouraging several states to consider new coal plants. ACCCE is also hammering out federal policy proposals that could support coal.



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ACCCE's push comes as existing coal plants are struggling to compete against abundant natural gas and increasingly cheap renewable power. Plants started shutting down before the Obama administration proposed greenhouse gas cuts. Even though Trump will not implement regulations like the Clean Power Plan, a new coal plant is meant to last for about 40 years and could run up against climate rules from a future administration.

That's why building a new plant would be a steep uphill battle, according to analysts who study power markets.

"It's a pretty tough sell," said Philip Smyth, senior director in Fitch Ratings' utilities group. "Utilities are looking for ways to save plants they already have in the ground, never mind building new ones."

Still, under Trump, ACCCE sees a window to tout the benefits of coal in helping to maintain fuel diversity and grid reliability as other power sources gain market share.

Trump's actions may have minor impacts on the direction of the power sector, keeping some coal plants from closing as quickly. But they are likely to exacerbate a long-standing political and technical debate over how much coal-fired power the grid needs to function smoothly.

As Bailey sees it, renewable use is encouraged by state standards and federal tax policies. Nuclear generators are asking for and receiving incentives in states where they face closure.

Why shouldn't a high-efficiency coal plant that could some day employ carbon capture get a boost from state policy? he asks.

"I would see it as leveling the playing field," he said.

Environmental groups are ready to wage war. The Sierra Club's Beyond Coal campaign would fight "tooth and nail" against any new facility, said Bruce Nilles, senior campaign director.

"Bring it on," Nilles said. "We're trying to solve the problem of climate change, and it would be a red-hot poker in the eye. Not only is it trying to slow down progress, it would actually reverse our progress."

So which state?



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A new coal plant might appeal to a state with remaining coal resources. But most coal states are sparsely populated and don't need much power.

Wyoming, for example, exports most of its electricity to more progressive states that don't want to run on coal. Rocky Mountain Power in Wyoming last week announced it will invest in 1,100 megawatts of new wind power.

One of the country's newest coal plants, which came online in Texas a few years ago, had lost half its value by 2016, according to tax disputes.

Another, planned by a cooperative in Kansas, has been stuck in court for years and now may not be economical to build.

In Arizona, policymakers have asked Trump for help keeping the Navajo Generating Station running. The plant's operator has said it would lose \$100 million to \$150 million annually to keep the plant open beyond 2019 (Climatewire, April 10). That's just to keep a plant running. Getting a new plant online against market odds could cost more, Nilles said.

"Any subsidized coal plant would displace other generation," Nilles said. "If they try to do this in any states like Ohio, they're up against all the other competitors in the marketplace."

States like Kentucky and West Virginia rely mainly on coal, but they're already seeing plant closures. That's true around the country, including with a recent announcement in Boulder, Colo.

A regional grid with no coal?

Bailey maintains that coal offers services to the grid that other fuels can't provide. As a traditional baseload fuel, coal can run all day, every day, although it can't start and stop quickly to meet varying demand. Coal plants can keep a few weeks' worth of fuel on hand, while natural gas must arrive via pipeline.

Solar and wind, which are carbon-free but work only when the sun is shining or the wind is blowing, go well with gas. While advances in battery storage for renewable power aren't fully developed yet, new techniques and technologies are making it possible for them to run at higher levels.



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Overall, "gas can plug that need to manage the grid as well as coal," and can do it more cheaply, Smyth said.

Grid organizations like the PJM Interconnection in the Mid-Atlantic and Midwest take all of these things into consideration when they study impacts on electricity delivery.

To explore these issues, PJM recently released its first fuel mix [report](#), which showed that the regional grid could operate reliably without coal, using up to 86 percent natural gas or up to 20 percent solar power, under different scenarios.

Right now, PJM uses about one-third natural gas, one-third coal and 18 percent nuclear power. The rest of its electricity comes from hydropower and renewables.

ACCCE thinks some may be misinterpreting the PJM report to support a huge expansion of natural gas use. The group yesterday sent comments and questions to PJM, which will hold an [event](#) to review the report on April 19.

PJM still plans to look at grid resilience, which could consider some of coal's other values.

For example, a compressor station failure on a gas pipeline could cause power shortages if the grid is too reliant on natural gas. The Fukushima nuclear disaster in Japan changed how multiple countries use nuclear power.

There are also cost considerations, which PJM is not studying. Natural gas is widely expected to remain cheap but could become expensive under some unforeseen circumstances.

Subsidies in general are also gaining attention, especially as states look to keep their large nuclear plants online.

An [event](#) by the conservative Federalist Society next week will explore how nuclear, coal and combined-cycle gas "have become unprofitable in the face of tax-favored renewable energy and low cost natural gas."

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