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Attached is the daily news report for August 19 21.

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## BUREAU OF LAND MANAGEMENT

### DAILY NEWS REPORT - UTAH

#### UTAH – TOP STORIES – AUGUST 19-21, 2017

1. **From ski slopes to music in Moab, Utah's tourist attractions share \$3.4 million in state funds to help draw visitors**

*The Salt Lake Tribune, Aug. 18 | Mike Gorrell*

Ski Utah will get the most state assistance — \$233,000 — to help attract out-of-state visitors to the slopes of the state's 14 active mountain resorts next winter.

2. **Hospital shares concern with youth and OHV safety**

*The Herald Journal News, Aug. 19 | Amy Macavinta*

Despite efforts to educate the public about off-highway-vehicle safety, an average of 20-25 juveniles are treated for potentially life-threatening injuries at Logan Regional Hospital each year, said the hospital's trauma coordinator, Stephanie Tennant.

3. **Zinke will unveil recommendations for Bears Ears and Grand Staircase on Thursday**

*Utahpolicy.com, Aug. 21 | Bryan Schott*

Interior Secretary Ryan Zinke will make his recommendations about the future of the Bears Ears and Grand Staircase-Escalante National Monuments this week.

4. **Utah State University hosts wild horse summit, but excludes key advocates and the public**

*The Salt Lake Tribune, Aug. 21 | Brian Maffly*

Critics of a national conference on wild horses, opening this week in Salt Lake City, claim its state organizers have closed the event to the public and excluded key figures in the horse-advocacy community.



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#### 5. Firm wants to burn methane leaking from Utah coal mine — creating credits to sell to carbon-emitting companies

*The Salt Lake Tribune, Aug. 21 | Brian Maffly*

Coal and trona mines are a big source of methane emissions, a potent greenhouse gas. Long after land that has been mined is restored, heat-trapping methane can still leak into the atmosphere.

#### 6. The Visitor Effect: Rural Utah communities spruce up to attract tourists

*UtahBusiness.com, Aug. 21 | Lisa Christensen*

A few years ago, Uintah County found itself in a tight spot: its dominant industry was floundering, and there wasn't a strong enough secondary industry to take up the slack.

### E&E/NATIONAL NEWS – TOP STORIES

#### 1. Jury Resumes Deliberations in Bundy Standoff Trial in Vegas

*US News, Aug. 21 | Press Release*

LAS VEGAS (AP) — A federal jury in Las Vegas is deliberating again in the retrial of four men accused of wielding assault weapons against federal agents in a 2014 standoff near the Nevada ranch of anti-government figure Cliven Bundy.

#### 2. Reporters Committee suing Justice Dept., FBI for records of documentary filmmaker impersonations

*RCFP.com, Aug. 21 | Press Release*

On Monday, the Reporters Committee for Freedom of the Press filed a lawsuit against the Department of Justice and the Federal Bureau of Investigation after the agency failed to act on a Freedom of Information request for records about the FBI's impersonation of documentary filmmakers.



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#### 3. Op-ed: The Antiquities Act has become a tool for oppressing the West

*The Hill, Aug. 21 | Matthew Anderson, Amy Oliver Cooke*

Our founding fathers' fear of tyranny drove them to great lengths to ensure a separation of powers in our Constitution. They created a system of checks and balances that is as much a part of the political fabric of America as Independence Day.

#### 4. ENERGY TRANSITIONS: Will the U.S. ever build another big coal plant?

*E & E News, Aug. 21 | Benjamin Storrow*

About 16 percent of the U.S. coal fleet has retired in the past five years, but don't expect major new coal-fired plants to fill that void.

#### 5. PIPELINES: Court blocks Constitution gas line again

*E & E News, Aug. 21 | Saqib Rahim*

A federal court has upheld New York's decision to deny a water permit for a major natural gas pipeline.

#### 6. FOREST SERVICE: Southern Region leader promoted to chief

*E & E News, Aug. 21 | Marc Heller*

Career Forest Service employee Tony Tooke, who currently leads the Southern Region, will head the agency beginning next month, Agriculture Secretary Sonny Perdue announced today.

#### 7. PUBLIC HEALTH: Interior halts NAS study of mountaintop coal mining

*E & E News, Aug. 21 | Dylan Brown*

The Interior Department ordered the National Academies of Sciences, Engineering and Medicine to halt their study of the links between mountaintop-removal coal mining and health problems in Appalachia.



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8. **TRIBES: Some Native people to celebrate eclipse by not watching**

*E & E News, Aug. 21 | Polletta/Silversmith, Arizona Republic*

On Monday, as millions across the U.S. clamor for a view of the solar eclipse, Freddie Johnson and his family will stay at home and avert their eyes.

9. **SPECIES: Bird diversity faces dual threat of warming and farming**

*E & E News, Aug. 21 | Brittany Patterson*

Tropical birds that prefer the lush, verdant forests of northwestern Costa Rica are poised to suffer as the climate changes and forests are converted to farmland, according to a new study.

10. **BLM: Transfer of 3 state directors spurs more staff shuffling**

*E & E News, Aug. 21 | Scott Streater*

The Bureau of Land Management has temporarily reassigned three more top administrators as part of an ongoing reorganization effort that began in June with the removal of three BLM state directors, according to an internal email obtained by E&E News.

11. **CLIMATE: Trump admin lets NOAA advisory panel die quietly**

*E & E News, Aug. 21 | Arianna Skibell*

The Trump administration let a federal climate panel's charter expire yesterday, quietly ending the NOAA committee's two-year run.



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#### UTAH – FULL STORY

##### 1. From ski slopes to music in Moab, Utah's tourist attractions share \$3.4 million in state funds to help draw visitors

*The Salt Lake Tribune, Aug. 18 | Mike Gorrell*

Ski Utah will get the most state assistance — \$233,000 — to help attract out-of-state visitors to the slopes of the state's 14 active mountain resorts next winter.

Discovery Gateway in Salt Lake City will receive the smallest allocation — \$1,650 — to advertise itself on the Visit Salt Lake website, figuring that's the first place out-of-towners check when they're looking for things to do while they're here.

On average, the 66 projects recently awarded \$3.4 million in cooperative marketing funds by the Utah Board of Tourism Development will get nearly \$52,000 to boost regional or national awareness of their local attraction.

"The cooperative marketing program is a successful tool for growing Utah's tourism economy," said Vicki Varela, managing director of the Utah Office of Tourism and Film. "These are locally led initiatives matched by state dollars to fund diverse marketing initiatives."

This year's funding total was similar to last year's amount, said tourism office spokeswoman Emily Moench, noting that the state marketing fund now has distributed \$29.7 million to local tourism groups since 2005.

Throughout that period, the Tourism Board has looked favorably upon requests for cooperative marketing funds from Ski Utah, the marketing arm of the state's \$1.1 billion ski industry, since its sophisticated advertising campaigns help bring many tourists and their dollars to the state. But, as Varela noted, her office is eager to "distribute visitors off the beaten path. This builds the economy in areas that have capacity, creates a quality experience for visitors and protects quality of life for residents."

The average grant of \$52,000, for example, comes close to matching the money awarded to the Beaver County Travel Council and to the Emery County Travel Bureau for a branding and marketing campaign.

While Ski Utah received the largest individual sum, Moab collected almost as much — \$225,000 — in funding for three separate projects. The bulk went to the Moab Area Travel Council for



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advertising, but the Moab Folk Festival and the Moab Music Festival each got about \$7,500 to underwrite their performances.

The St. George Convention & Tourism Office succeeded in securing six matching grants from the state board. That money will go for projects promoting skywatching, winter visitation and the needs of German tourists.

Tooele County also fared well, taking in \$200,000 for a branding campaign, a country-music fan festival and the Ford Performance Racing School, which operates at the Utah Motorsports Campus in Grantsville.

Varela said applicants had sought \$4.4 million in cooperative marketing funds, with most getting 70 percent to 85 percent of their requests. Eligible nonprofit groups in 21 of Utah's 29 counties received funding.

Noting that 16 percent of Discovery Gateway's visitors come from outside Utah, Executive Director Laurie Hopkins said the "excellent reach" of Visit Salt Lake's website helps the children's museum attract people "who want to take a break from skiing or bring their families along for a convention."

Besides Discovery Gateway, some of the smaller distributions went to:

- Utah's Patchwork Parkway (\$1,892), the stretch of State Route 143 between Panguitch and Parowan;
- Wasatch Western Heritage (\$2,751), which promotes the cowboy way of life, largely in the Heber Valley;
- The Heber Valley Historic Railroad (\$3,300); and
- The Ogden Friends of Acoustic Music (\$3,500).

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#### 2. Hospital shares concern with youth and OHV safety

*The Herald Journal News, Aug. 19 | Amy Macavinta*

Despite efforts to educate the public about off-highway-vehicle safety, an average of 20-25 juveniles are treated for potentially life-threatening injuries at Logan Regional Hospital each year, said the hospital's trauma coordinator, Stephanie Tennant.

Those children are being treated for everything from traumatic brain injury to broken bones and serious internal injuries, she said.

"There is an increase in OHV accidents with significant injuries, and we're concerned about the adults too, of course, but there are just so many pediatric patients who haven't developed the skills and knowledge to keep themselves safe," Tennant said.

Several years ago, the hospitals noted a 166 percent increase in the number of ATVs registered in the state between 1998 and 2011, Tennant said.

According to the Utah State Tax Commission, there were 91,039 ATVs registered throughout the state in 2011. By 2016, that number increased to 95,691.

Tennant said with the rise in ATV use across the state, Intermountain Primary Children's Hospital launched the Safe Trails Serious Fun, an education campaign aimed at decreasing the number of traumatic injuries to children.

A large part of preventing those injuries comes with knowing and abiding by state laws — everyone under the age of 21 is required to wear a helmet, and youth under the age of 8 are not allowed to operate off-highway vehicles.

Two crucial tips include not permitting more people to ride the machine than it is designed for and not allowing juveniles to operate more machine than they can safely handle.

According to Utah State Parks and Recreation, "riders should be able to straddle the machine with a slight bend in the knee when both feet are on the footrests. They should also be able to adequately reach the controls while turning. Riding a machine that is too big is a common cause of injury."





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In addition, the state requires youths from 8-15 to participate in an online safety course provided by Utah State Parks and Recreation. It covers safe riding, proper machine size, weight distribution, responsible and ethical riding, and proper handling and shifting of the machine.

The \$29.95 course can be found at <https://www.atvcourse.com/usa/utah>. Additional courses are \$15 each.

To learn more about OHV safety, visit [www.ohv.utah.gov](http://www.ohv.utah.gov).

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### **3. Zinke will unveil recommendations for Bears Ears and Grand Staircase on Thursday**

*Utahpolicy.com, Aug. 21 | Bryan Schott*

Interior Secretary Ryan Zinke will make his recommendations about the future of the Bears Ears and Grand Staircase-Escalante National Monuments this week.

Zinke is reviewing the status of 27 national monuments and will make his recommendations known on Thursday. So far, Zinke has said he will leave six monuments intact, but that does not include Bears Ears. Zinke previously said he will recommend that Bears Ears be scaled down.

From Reuters:

Trump has argued that previous administrations "abused" their right to designate federally protected monuments under the 1906 Antiquities Act and put millions of acres of land - mainly in western states - off limits to drilling, mining, logging and other activity without adequate input from locals.

Under the Antiquities Act, a president can declare certain areas of historic or scientific interest a national monument.

Conservation groups, state attorneys general and Native American tribes, including the five tribes which lobbied to create one of the sites under review - Bears Ears National Monument in Utah - have already said they plan to challenge any changes in court.



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"We told Zinke that all the tribes are willing to go into battle in terms of litigation and we are here to fight for our monument," said Davis Filfred, a council delegate for the Navajo Nation council.

#### **4. Utah State University hosts wild horse summit, but excludes key advocates and the public**

*The Salt Lake Tribune, Aug. 21 | Brian Maffly*

Critics of a national conference on wild horses, opening this week in Salt Lake City, claim its state organizers have closed the event to the public and excluded key figures in the horse-advocacy community.

Utah State University is hosting the three-day event starting Tuesday in an effort to provide participants "with the best available science, to help them make informed decisions about the issues," concerning the management of wild horses on the West's public lands, according to organizer Terry Messmer, a USU professor of wildland resources.

But leading pro-horse advocates counter that Utah officials are using the summit to promote a policy shift toward lethal measures for managing the West's bands of federally-protected, free-roaming horses and burros.

"It's spearheading the fight to slaughter America's wild horse," fumed Suzanne Roy, executive director of the umbrella advocacy coalition American Wild Horse Preservation Campaign, who questioned the legality of using taxpayer funds on the conference, when the public is not invited.

"It's a secret meeting," said Roy, "and they are censoring any information that supports a humane alternative to slaughtering wild horses."

Organizers rejected that characterization of what its being called the National Wild Horse and Burro Summit, open only to those invited. Privacy is needed to protect participants, Messmer said, and to promote "open dialogue."

Horses and burros are not native to North America and many of those roaming the West are descendants of domestic ones turned loose by Spanish explorers and American pioneers in past centuries.



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Groups affiliated with American Wild Horse Preservation Campaign, including Return to Freedom and the Cloud Foundation, are passionate defenders of the animals, which they believe are an iconic and integral part of the nation's heritage.

With equal fervor on the other side are public-lands ranchers and rural county commissioners, who say horses relentlessly proliferate to the detriment of the West's arid rangelands and the ranching way of life.

Management of these horses and burros falls to the Bureau of Land Management, which has been locked in a costly cycle of round-ups in a seemingly endless effort to keep horse populations within what are deemed "appropriate management levels." Horse numbers are chronically two or three times those levels in many areas.

No advocacy for either side will be allowed at this week's summit, according to Messmer. "I am very adamant about that," said the professor, who directs USU's Berryman Institute, which is devoted to addressing human-wildlife conflicts.

"They will be talking about their research, their policy, their management and status of the program," he said.

Messmer denied state money is being used for the summit, whose costs are covered by registration fees. However, most of the presenters draw a government paycheck and the science teams hail from public universities.

Speakers include Utah Gov. Gary Herbert; Deputy Assistant Secretary of the Interior Aurelia Skipwith; Nevada State Veterinarian J. J. Goicoechea; members of Utah and Nevada's congressional delegations; Utah Rep. Chris Stewart's chief of staff Brian Steed; John Ruhs, BLM's Nevada state director; and Utah Department of Natural Resources Director Mike Styler.

About 250 are expected to attend and public agencies are likely covering many attendees' registration fees, which range from \$275 to \$400.

The conference starts Tuesday with a tour of the BLM's Delta corral. The media is invited to the Wednesday's session at the Marriott City Creek, to cover remarks by elected officials and science presentations, but not to Thursday's sessions, which include facilitated workshops that won't be recorded.



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While closed meetings are sometimes considered anathema to scientific debate, Messmer defended the secrecy as a necessary precaution in the face of threats against some of the participants, including filmmaker Ben Masters. Other speakers regarded as anti-horse partisans are Beaver County Commissioner Tammy Pearson and attorney Frank Falen, whose Cheyenne, Wyo. law firm has repeatedly sued the BLM over horse management and other issues on behalf of ranchers.

“We’ve got over 50 organizations represented, including three leading horse advocate groups that are part of the registration,” Messmer said. He named the American Mustang Association, the American Mustang Foundation and the Wild Mustang Foundation. None are listed among the American Wild Horse Preservation Campaign’s 59 member groups.

As of Monday, the summit’s web site was password protected for “security” — with organizers saying they fear activists might try to disrupt the proceedings.

Messmer said the site will be open to all after the conference and audio recordings of most of the discussions will be posted, but the secrecy has fostered distrust among horse advocates. Return to Freedom president Neda DeMayo denounced the summit as an anti-horse echo chamber, not a solution-oriented meeting.

“This is absolutely not a way to find common ground,” DeMayo said. “There are readily available tools that could allow the BLM to end this costly, cruel system of helicopter roundups and off-range holding and manage wild horses in a humane, sustainable way, instead.”

Horse advocates also pointed to the event’s logo, which features silhouettes of an emaciated horse and burro — perpetuating a false narrative, they said, that wild equines are starving. Utah county commissioners often make this claim to press that horses be removed from the range for their own good.

Roy recalled observing the BLM’s helicopter round-up of 125 horses from Beaver County’s Bible Springs area just last week.

“I saw magnificent, fit, healthy horses on a healthy range,” she said. “They were all in good conditions. There is no evidence horses are starving in Utah.”

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#### 5. Firm wants to burn methane leaking from Utah coal mine — creating credits to sell to carbon-emitting companies

*The Salt Lake Tribune, Aug. 21 | Brian Maffly*

Coal and trona mines are a big source of methane emissions, a potent greenhouse gas. Long after land that has been mined is restored, heat-trapping methane can still leak into the atmosphere.

Now a Colorado business is developing a plan to make money by burning methane that would otherwise seep out of Utah's recently retired West Ridge coal mine near East Carbon.

Flaring the gas creates an environmental benefit — one that the state of California recognizes and considers a financial credit, called an offset. Companies in that state whose carbon emissions are to supposed to be kept under certain thresholds can buy the offsets when they need to exceed their legal limits.

Global Carbon Strategies Corp. (GCS), based in Grand Junction, Colo., is aiming to tap the Utah mine's ventilation system to flare up to 400,000 million British thermal units of methane a year, under a five-year contract with Utah trust lands officials.

"Instead of just venting methane, we are spending money to generate offsets," said GCS vice president Collon Kennedy. "It's a pro-business thing. ... Instead of a regulatory requirement, we are giving you an economic incentive."

Under federal safety laws, the mine operator has a legal right to vent the methane without penalty. And that, said Kennedy, qualifies the proposal to flare the seeping gas as a carbon offset under the system California adopted to limit emissions, called cap-and-trade.

Carbon offsets are currently selling for \$5.80 per ton of carbon dioxide equivalent. Kennedy's firm is being underwritten by a major California business that he declined to identify.

"We raised money through them. In return we will provide a certain number of offsets," Kennedy said.

In the deal with the Utah School and Institutional Trust Lands Administration, Kennedy's company will pay a 12.5-cent royalty on every million British thermal units flared, plus \$5,000 in annual rent, resulting in as much as \$55,000 a year added to Utah's school endowment.

The West Ridge flaring could become the nation's only carbon-offset project in which a fossil fuel is burned without producing energy.



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While no one doubts the project would benefit the environment, the plan has run into regulatory hurdles, since agencies are unsure how to permit it and not everyone thinks it's a good idea to pay mine operators to torch a valuable resource.

In 2013, the California Air Resources Board, or CARB, included flaring of coal-mine methane in its carbon-offset program over the objections of climate activists.

The Natural Resources Defense Council argued the system "rewards" coal companies for doing nothing to stem the flood of methane from their mines, while paying them for what they should be required to do anyway.

"This is a total scam, and it's just another example of how California fundamentally does not understand coal mines and the nature of coal mine regulation," Jeremy Nichols, climate and energy program director for WildEarth Guardians, wrote in an email. "But the real issue is, why in the hell do state and federal regulators allow coal mines, both active and inactive, to just vent methane willy-nilly?"

The main ingredient in natural gas, methane is the simplest, lightest and cleanest fossil fuel. It also packs 72 times the short-term potency of carbon dioxide for trapping heat in the atmosphere, according to Dave Clegern, who runs CARB's climate program. Accordingly, it is preferable to burn methane, which does release some carbon dioxide, rather than simply releasing it.

Coal mines represent 12 percent of all human-caused methane emissions, the nation's second largest source of greenhouse gas emissions after carbon dioxide, according to the Environmental Protection Agency.

Yet methane emissions from mines are exempted from regulation under the Clean Air Act because the gas has to be vented from underground coal deposits to prevent lethal explosions. And for safety reasons, mines do not flare the gas as oil wells typically do.

The West Ridge project targets five so-called gob wells that vent part of its 2,100-acre SITLA mineral lease. The larger federal portion of the mine's lease is not involved.

GCS proposes opening the mine's now-plugged bore holes, which are clustered in a 3-acre area, and piping seeping gas to an enclosed burner, which would consume 98 percent to 99 percent of the methane, according to Kennedy.

Equipment would quantify how many British thermal units enter the burner, which would be used to determine royalty payments. To calculate the carbon offsets the methane destruction is worth, GCS is relying on Salt Lake City-based consulting firm Bluesource, which advises firms on mitigating environmental impacts.



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Bluesource will register the offsets with the Climate Action Reserve, one of three registries recognized by the state of California, and companies can then purchase them.

Operated by Murray Energy Corp., West Ridge is among the West's "gassiest" mines, venting nearly 1 billion cubic feet in 2014, according to federal records. It ceased production in 2015 after yielding about 2.5 million tons a year. For geological reason, mines in Utah's Wasatch Plateau are not nearly as gassy as those in the Book Cliffs, where West Ridge is located.

Other retired Utah mines on EPA's list of leading methane emitters are Aberdeen, Soldier Canyon and Willow Creek.

The EPA estimated that venting from Western mines' produced 2.9 billion cubic feet of methane in 2014, but only 1.1 billion cubic feet was actually used for producing energy. The portion that was not used could have provided 531.5 gigawatt hours of power generation capacity, according to EPA estimates.

In 2007, Murray Energy began a methane capture program at Aberdeen in what was the first large-scale program of its kind west of the Mississippi, processing 3 million to 7 million cubic feet per day. The gas was compressed and injected into a natural gas pipeline, but technical problems limited its operation to 30 percent to 40 percent of capacity and the project was eventually abandoned.

According to Kennedy, it is not economically feasible to otherwise use the West Ridge methane because it would be difficult to process it for market and there are no pipelines nearby to transport it.

CARB has authorized seven mines to join the offset program, including Colorado's Elk Creek and Wyoming's active Green River Trona Mine. Soda ash, processed from trona, is a crucial ingredient in glass, detergents and other industrial products.

The agency said it has yet to receive an application for the West Ridge project.

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#### 6. **The Visitor Effect: Rural Utah communities spruce up to attract tourists**

*UtahBusiness.com, Aug. 21 | Lisa Christensen*

A few years ago, Uintah County found itself in a tight spot: its dominant industry was floundering, and there wasn't a strong enough secondary industry to take up the slack.



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“With the total crash of the oil and gas industry, it was time to diversify,” says Lesha Coltharp, director of tourism for Uintah County. While today that temporary tailspin is in the past, the lessons they learned from it aren’t. The county has been vigorously building up other sectors to promote a more balanced economy, and one of their brightest stars is promoting tourism to create a more comprehensive visitor economy.

“Tourism will never take the place of oil and gas—there’s just not that kind of money generated—but we have a lot of hotel rooms,” she says. “It’s all to help drive our economy in a downturn of oil and gas, but also make it so when oil and gas do come back, tourism has such a presence that they work hand-in-hand instead of [tourism] falling off.”

The visitor economy as a category of industry encompasses tourism like a rectangle as a category encompasses a square—just as all rectangles are squares, not all facets of the visitor economy are tourism. Tourism is a big part of the overall visitor economy, to be sure, but there’s more to it than that, says Scott Beck, CEO of Visit Salt Lake.

“On some level, tourism and visitor are synonymous, but I think just from a practical standpoint, when people hear the word ‘tourism,’ they think ‘vacation.’ They think leisure travel. The visitor economy is much broader. It includes all reasons for travel: business, visiting friends and family, coming to have medical procedures at the Huntsman Cancer Institute, whatever that may be,” he says. “When we talk about numbers and how large the tourism industry is, what we’re actually talking about is the visitor economy, the whole enchilada, everything that’s involved in it.”

In Uintah County, that means the oil and gas industry and the tourism industry are working together for the same goal. Uintah County is currently in the process of building more hotel rooms to accommodate the influx of tourists along with the steady stream of people in town for oil and gas work—Vernal hotels have had an occupancy rate of more than 90 percent 365 days a year. Coltharp says in 2014, the hotel room shortage was such that it damaged tourism, forcing the area to choose one industry or the other rather than helping both to grow.

Now, there are enough rooms and the oil and gas industry has shrunk enough that occupancy rates are about half, meaning hotels have to compete more with each other. The same room that might have gone for \$250 is now \$89. “We’re in a good spot,” Coltharp says. “We just didn’t have hotel rooms for so long it was hard to have a robust marketing campaign.” Tourism is up 26 percent since those new hotels started going up in 2014, and the county has been busily drawing people to Dinosaur National Monument, as well as its three state parks.

“Tourism will never take the place of oil and gas—there’s just not that kind of money generated ... It’s all to help drive our economy in a downturn of oil and gas, but also make it so when oil and gas do come back, tourism has such a presence that they work hand-in-hand instead of [tourism] falling off.” – Lesha Coltharp, director of tourism, Uintah County





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#### Serious money

The visitor economy is big business. Last year alone, visitors accounted for \$8.7 billion in spending, which translates to \$1.15 billion in state and local taxes, says Vicki Varela, managing director of the Utah Office of Tourism, translating to roughly \$1,300 per household. Visitors, whether from out of the state or country or just from another part of Utah, are particularly good for local economies because they bring in money but don't need to be educated or—usually—incarcerated, or any of the other services that governments provide for its citizens.

“The tourism economy is grown to be a huge part of the Utah economy, one of our top 10 industries just over the last several years. It's because we have an amazing product that people are hungry to experience our red rock country, our spectacular mountains in the north, the increasingly interesting urban settings, ski country ... we have so much to offer that way. It ends up translating to really serious money,” Varela says.

Conducting research to find out who comes from where for what is vital for communities looking to target their marketing campaigns to just the right people. Beck says his office knows better than to compete for the attention of those looking for sandy beaches or expansive golf-course vacations—while there's nothing wrong with Utah's golf courses or waterways, those people likely have someplace else in mind.

“We look at our assets in terms of what we have and what we know people want to see. An easy one to pick out is what we call cultural heritage tourism, so think Temple Square, think that cultural heritage that is represented by the pioneers and what that Western movement was and what was Utah's role in that and what the LDS history has in terms of that movement across the West. That's really significant, in terms of why people will travel,” he says.

“For meeting planners, it's really easy to identify the right meetings that would fit the size of our destination,” he adds. For example, when you consider Salt Lake's proximity to seven world-class ski resorts, it's pretty easy to see that's a market worth pursuing.

Utah is known far and wide for having, well, the greatest snow on Earth. But even the powerhouse of a ski industry would not be able to survive were it not for a steady influx of visitors taking part in it, says Varela.

“Without tourists, we wouldn't have a ski economy. Ski resorts couldn't afford to operate. If you love your ski days, thank a tourist,” she says. “We get really great reviews from skiers. We frequently hear that once people have had the Utah ski experience, it is their long-term, year-after-year ski destination.”



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But skiers differ even from ski resort to ski resort. Skiers hitting the slopes along the Wasatch Front are more likely to stay only for a weekend, but will probably come multiple times during a season, Beck says, whereas skiers going to Park City are more likely to come just once but settle in for a week to 10 days.

“Without tourists, we wouldn’t have a ski economy. Ski resorts couldn’t afford to operate. If you love your ski days, thank a tourist.” – Vicki Varela, managing director, Utah Office of Tourism

#### **Best foot forward**

To pique potential visitors’ interest is one thing, but creating a place where they’ll want to stay and return to can be a challenge, particularly for smaller communities. Striking a balance between keeping those small towns comfortable for locals and making them attractive to outsiders can be tough. In Uintah County, the county and Vernal City have worked with local businesses and community organizations to form partnerships and put on collaborative events to help make the whole region more vibrant, says Coltharp.

“None of our businesses are open late at night. Tourists go out in the day and explore, but there’s really no nightlife. Getting the community behind [understanding that] between 6 and 10 at night, that’s when we’re there to serve tourists,” she says. “Trying to get people to realize that has been tough.”

Varela points to Emery County and Kanab as places that have made positive changes with tourism in mind. “Years ago, it was hard to find a cup of coffee on a Sunday morning. That’s changing. ... It’s all in close proximity to fantastic outdoor recreation,” she says of Emery County. And in Kanab, the town’s Main Street is being revitalized as the town begins to craft an identity for itself as a year-round destination.

Box Elder County is also in the midst of a push to further tourism, touting draws like Willard Bay—one of the most-visited places in the state—or City of Rocks National Reserve, Crystal Hot Springs, Golden Spike National Historic Site or the Sun Tunnels, as well as its thriving Bear River Migratory Bird Reserve. The county has also seen significant visitorship to events held at its various fairground facilities, including concerts, 3-D archery competitions, rodeos and indoor snowmobile shows, says Box Elder County Commissioner Stan Summers. Its biggest single event by far is its annual county fair, which last year had an estimated 250,000 people attend, Summers says, with an economic impact of between \$6 and \$7 million in that week. By contrast, the county’s population is roughly 53,000, according to a July 2016 Census estimate.

As rural as the area is, it does find itself curiously convenient for a lot of places. “Everybody loves it because we’re not in the middle of a big city. It’s easy on, easy off—we’ve got I-15, I-



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84,” he says. “It’s just a good place. You could come from the Canadian border in 12 hours if you wanted to, or California, or almost Mexico, or North Dakota.”

Its centralized location and the acres of wide-open space have made it a haven for manufacturing facilities. Big names like Procter & Gamble and Autoliv, along with a slew of smaller companies, give Box Elder County one of the highest rates, per capita, of manufacturing employment in the West. But Summers says the county is striving for more economic diversity both to bolster the local economy for outsiders and to make sure it remains a good place for residents and their children for generations to come.

“One of the biggest things we as commissioners are looking at is quality of life. We think between our trails and our open spaces and our plans is what’s going to bring companies and people,” Summers says. “We’d like to keep the jobs here so we can keep our kids close to us. We don’t want to export that. We’ll export corn and commodities and all that, but we’d like to not export our kids,” he adds.

That focus on improving overall quality of life is a sort of secret ingredient to growing every facet of the economy, both in terms of attracting more visitors and bringing in and retaining businesses.

“If you improve your downtown, your wayfinding, your restaurants, your retail, that also improves the quality of life for the people who live there, makes it more attractive for businesses looking to move into the area,” Varela says. “We basically call tourism a welcome mat to the community. Sort of like when we clean up our houses for our visitors, and then we like living there better.”

Companies consider how difficult it would be to bring in talent to their new prospective headquarters; traveling salesmen or truck drivers might push through to the next town or call it an early night. The importance of quality of life and the effect it has in drawing people for many reasons is apparent at trade shows, Beck says, when Utah more than holds its own against larger areas.

“We do kind of have a secret sauce in Utah, and I think it’s not just in our neck of the woods, it’s statewide. When we go to trade shows in Berlin, we’re in the Utah booth with 13 other destinations. On one level, we’re our competitors, but on another, we’re not—we all want someone to choose Utah before Colorado, so we’re all together, and I think that sort of sense defines our culture, and I think it goes way back,” he says. “We have assets for a community our size that no other community in the nation has, and I think that shows a commitment to quality of life, which is one of the main drivers for any kind of travel.”

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#### E&E/NATIONAL NEWS – TOP STORIES

##### 1. Jury Resumes Deliberations in Bundy Standoff Trial in Vegas

*US News, Aug. 21 | The Associated Press*

LAS VEGAS (AP) — A federal jury in Las Vegas is deliberating again in the retrial of four men accused of wielding assault weapons against federal agents in a 2014 standoff near the Nevada ranch of anti-government figure Cliven Bundy.

Jurors returned to work Monday after spending a little more than two days last week going over five weeks of evidence in the case against Idaho defendants Scott Drexler, Eric Parker and Steven Stewart, and Ricky Lovelien of Montana and Oklahoma.

The jury is considering 10 charges including conspiracy, weapon possession and assault on a federal officer.

The trial is a prelude to another expected later this year for Bundy, his sons Ammon and Ryan Bundy, and two other defendants.

Six other defendants, including two other Bundy sons, are slated for trial next year.

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##### 2. Reporters Committee suing Justice Dept., FBI for records of documentary filmmaker impersonations

*RCFP.com, Aug. 21 | Press Release*

On Monday, the Reporters Committee for Freedom of the Press filed a lawsuit against the Department of Justice and the Federal Bureau of Investigation after the agency failed to act on a Freedom of Information request for records about the FBI's impersonation of documentary filmmakers.

The complaint stems from a request under the Freedom of Information Act filed in April for records of the FBI's policies and practices concerning the impersonation of documentary filmmakers and/or documentary film crews, including records of any changes to those policies and practices, and of particular instances of FBI impersonation of documentary filmmakers.



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RCFP's request was made after it was revealed in court that, over the course of its investigation into an armed standoff between the Bureau of Land Management and supporters of cattle rancher Cliven Bundy, FBI agents posed as filmmakers in order to interview suspects and used "professional credentials, websites and business cards" to lend their fake documentary film company—Longbow Productions—the appearance of authenticity.

"The FBI's impersonation of journalists and documentary filmmakers undermines the credibility and independence of those who are trying to report on matters of importance to the public," said Katie Townsend, litigation director for the Reporters Committee for Freedom of the Press. "The public deserves to know more about the FBI's use of this tactic, and has a right to this information under the law, but the FBI seems determined to evade disclosure. We're asking the court to step in and compel the agency to release these records."

In 2014, it came to light that FBI agents had posed as an Associated Press journalist in connection with a 2007 investigation of a juvenile suspect in Washington. The Reporters Committee and AP sued the Department of Justice and the FBI for records related to that incident and its practice of impersonating members of the news media. That case is currently on appeal.

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### 3. **Op-ed: The Antiquities Act has become a tool for oppressing the West**

*The Hill, Aug. 21 | Matthew Anderson, Amy Oliver Cooke*

Our founding fathers' fear of tyranny drove them to great lengths to ensure a separation of powers in our Constitution. They created a system of checks and balances that is as much a part of the political fabric of America as Independence Day.

This system has produced sensible and collaborative policy for more than two centuries and is the gold standard of good and just government. Yet checks and balances are lacking in federal lands policy, and that absence has opened up the West to a host of devastating consequences.

In response to widespread looting and desecration of Native American historical sites near the turn of the 20th century, Congress passed the Antiquities Act in 1906. The law gave presidents the ability to unilaterally set aside federal lands as national monuments with the stroke of a pen. While



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the intentions of the law were pure, such unchecked, concentrated power has exposed the Act to widespread abuses from presidents of both political parties.

If we compare the first eight administrations that utilized the Antiquities Act to create or expand national monuments with the last eight, average acquisitions have been 89 times larger since President Eisenhower took office. Such expansive designations fly in the face of the original intent of the Antiquities Act and its explicit language that national monuments must be confined to “the smallest area compatible with the proper care and management of the objects to be protected.”

The driving force of this trend can largely be attributed to ulterior motives. Instead of focusing on the protection of specific historic, cultural and scientific objects, the modern designation process is now driven by political gamesmanship, climate change, presidential legacies, corporate interests, and outdoor recreation.

No one wins when these motivations force expansive designations – especially those whose daily lives depend on access to federal lands.

Prominent in this list of presidential abuses is President Obama’s designation of the 1.35 million-acre Bears Ears National Monument. This remote corner of southeastern Utah is a land of red-rock canyons, towering mesas and ancient cliff dwellings. More impressive than the landscape, however, are the native people who call this place home. Here local Navajos rely on access to these federal lands so they can collect firewood to heat their homes, hunt to feed their families, and graze their livestock to eke out a living.

But access to these lands feeds more than just their temporal needs. It also sustains them spiritually as a place to gather traditional herbs and medicines, conduct religious ceremonies, and connect with their ancestral heritage. Bears Ears mountain and its surroundings have been a constant for nearby Navajos in an ever-changing and evolving world.

Obama’s national monument designation threatens this history, culture and the future of local Navajos. Instead of listening to their concerns of how a monument will restrict access and bring flocks of tourists into their sacred places, Obama chose to appease corporate and environmental interests. Such is the result when one person – far removed from federal lands and the people who depend on them – has unchecked authority. Unfortunately, this type of scenario has played out time and again across the West.



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No one individual should have the unilateral power to declare an area twice the size of Rhode Island as a “national monument” and drastically alter the lives of those near it without some type of checks and balances on the process.

It’s important to protect our national treasures, but there is a better way than vesting so much power in one individual. It is time to reform the Antiquities Act into a law by, of and for the people where constitutional safeguards protect antiquities and secure the future of rural Americans.

The designation process should include meaningful input and approval from state representatives and Congress. Most importantly, the process cries out for the voices of local residents — like Utah’s Navajo — who know and love our federal lands the most. They must be heard and represented through their state and congressional officials.

The democratic process and protection of our historic and cultural resources are not mutually exclusive. We need to create a transparent process that prevents presidential abuses and respects the original intentions of the Antiquities Act. That’s how we protect our national treasures as well as our uniquely American political heritage.

*Matthew Anderson is director of the Coalition for Self-Government in the West, a project of the nonprofit Sutherland Institute (@SutherlandInst) in Utah. Amy Oliver Cooke (@AmyOliverShow) is the executive vice president and director of the Energy and Environmental Policy Center for the Independence Institute (@i2idotorg), a free market think tank in Colorado.*

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#### 4. **ENERGY TRANSITIONS: Will the U.S. ever build another big coal plant?**

*E & E News, Aug. 21 | Benjamin Storrow*

About 16 percent of the U.S. coal fleet has retired in the past five years, but don't expect major new coal-fired plants to fill that void.

The federal government counts four new coal projects on a list of planned power plants nationwide. Three of those face long odds, and none will be able to replace the millions of tons in lost coal demand resulting from recent retirements, even as the Trump administration has vowed to revive the ailing industry.



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The developer of a proposed 320-megawatt unit in Wyoming is facing jail time after pleading guilty to stealing government cash. A Kentucky coke plant that would have generated electricity as a byproduct has been scrapped. And a planned \$2.1 billion plant in Georgia has idled.

The sole U.S. coal facility under construction: a tiny plant being built by the University of Alaska, Fairbanks.

The dynamic amounts to an existential crisis for the U.S. coal industry. While coal still accounts for roughly a third of U.S. power generation, the industry is slowly contracting as plants retire and utilities replace them with natural gas and renewables. American Electric Power Co. Inc., one of the country's largest coal-burning utilities, recently announced plans to build a \$4.5 billion wind farm in Oklahoma (Energywire, July 27). PacifiCorp, another coal-centric power company, has similar plans to upgrade its wind fleet while slowly transitioning away from power plants fueled by the black mineral (Climatewire, April 6).

Utilities entered 2017 with plans to retire 4.5 gigawatts of coal — or 2 percent of 2016 U.S. coal capacity — and add 11 GW of natural gas and 8.5 GW of wind, according to figures from the U.S. Energy Information Administration.

The trend has prompted a series of rescue efforts. West Virginia Gov. Jim Justice (R) has proposed a \$15-per-ton subsidy for utilities burning Appalachian coal (Greenwire, Aug 8). In Congress, there is an effort afoot to expand tax credits for power plants that use carbon capture and sequestration (CCS) (E&E Daily, July 13). Both efforts hint at coal's long-term challenges and the reason for the dearth of planned coal plants.

"There are two big risks for coal generation right now. One is gas prices stuck at low levels for a long time. Second, developers take on a lot of environmental risk in the future," said Travis Miller, who directs utilities research at Morningstar Inc. "So environmental risk might not be a risk for four years, obviously referring to the presidential administration, or eight years.

"But when you're building 30- to 50-year-type assets," he added, "they're certainly a high risk for carbon."





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Congress' plans to increase tax credits for plants that sequester carbon could go a long way toward addressing the environmental challenges. A bill sponsored by Sen. Heidi Heitkamp (D-N.D.), would expand the tax credit for power plants that sequester carbon in geologic formations from \$20 per ton to \$50 per ton. Power plants that use carbon emissions for enhanced oil recovery, where carbon is injected into oil reservoirs to stimulate production, would see the credit increase from \$10 per ton to \$35 per ton. The credits would be available for new and existing facilities alike but would be capped once 75 million tons of carbon has been captured.

The proposal has generated an unusual amount of bipartisan support, attracting liberals like Sen. Sheldon Whitehouse, a Rhode Island Democrat interested in cutting carbon emissions, as well as coal-state Republican Sens. Shelley Moore Capito of West Virginia and John Barrasso of Wyoming.

"Sheldon obviously cares about climate. He knows, looking at international reports, that you can't achieve CO<sub>2</sub> goals unless you look at CO<sub>2</sub> sequestration and utilization," Heitkamp said in a recent interview. "And the coal industry understands that if we're ever to see new development or maintain the existing development, that regulatory environment needs to be stabilized, and we need to do it through technology."

#### **Carbon capture**

Industry observers called the tax credits substantial. But although utilities have had some success applying carbon capture to existing power plants — like NRG Energy Inc.'s Petra Nova facility in Texas — it remains unclear if the subsidies would be enough to tempt power companies to consider building a new facility.

The experience of the Kemper County Energy Facility in Mississippi, a \$7.5 billion plant designed to gasify coal and capture the emissions, remains fresh in many utility executives' minds, observers said. Southern Power Co. recently decided to abandon CCS and convert that plant to natural gas after repeated construction delays and cost overruns.

Even successful projects carry large price tags and operational questions. Duke Energy Corp.'s Edwardsport plant, a next-generation coal plant in Indiana that gasifies coal but does not sequester emissions, was finished at a cost of \$3.5 billion in 2013 and has suffered a series of operational struggles in the years since (Energywire, July 20).



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"Without federal research and development on coal CCS and natural gas CCS, we might not have the technology to take advantage of the very sensible incentives," said Jay Apt, co-director of Carnegie Mellon University's Electricity Industry Center.

Many utilities are hesitant to be among the first to invest in the project, wanting to see the kinks worked out before committing to such a large undertaking, said Jason Begger, executive director of the Wyoming Infrastructure Authority, a state agency that is promoting carbon utilization research at coal plants. The federal tax credits on their own are unlikely to spur a wave of new plants, he said.

"To me, the biggest impediment for a company going out today and building a coal-fired power plant is regulatory uncertainty," Begger said. "Until you can find some sort of carbon agreement, if that's legislation or regulatory, technology, whatever, until there is some way to take that off the table, you're not going to have a lot of interest from utilities."

At a broader level, it's hard to imagine a plant being built today without some sort of carbon mitigation, he said.

"Regardless of whether or not federal law mandates it, we've gotten to the point where there is a societal demand," said Begger, a former employee of Cloud Peak Energy Inc., a Wyoming-based coal company. "There are enough state and regional entities enforcing CO2 emissions on their own."

Not everyone in the coal industry agrees. Robert Murray, the outspoken CEO of coal-miner Murray Energy Corp., has loudly denounced carbon capture and sequestration technologies, saying they are an expensive solution to a problem that doesn't exist (Climatewire, Dec. 15, 2016). His solution: Focus on building new supercritical coal plants.

But few U.S. utilities appear to share that sentiment. Power companies have brought a little more than 5.1 GW of new coal-fired capacity online since 2012, according to EIA data. At the same time, they have retired 51 GW of coal capacity, or about 16 percent of total U.S. coal capacity, since 2012.

#### **Planned projects hit snags**



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Meanwhile, most of the few proposed coal plants in the pipeline are facing problems.

In Kentucky, SunCoke Energy Inc. recently decided not to proceed with a coke plant that would have generated a small amount of electricity as a byproduct, according to a company spokesman.

The two largest coal projects remaining on EIA's list of planned power plants reflect the wider changes in the electricity market.

The Two Elk Energy Park in Wright, Wyo., and Plant Washington in Sandersville, Ga., were proposed in 1996 and 2008, respectively. At the time, power companies were projecting growing electricity demand and a need for new plants. That demand never appeared, ultimately wiped away by a combination of the Great Recession and improving energy efficiency.

Both now face long odds. Wyoming regulators yanked Two Elk's permit in 2015, and the project's developer, Mark Ruffatto, pleaded guilty to defrauding the federal government last year after he admitted to spending stimulus funds at Neiman Marcus, on carpeting and payments for a Mercedes-Benz (Climatewire, Oct. 25).

Power4Georgians, an independent power producer, says it is still proceeding with plans for the 850-MW Plant Washington. Work has been held up by uncertainty over federal greenhouse gas regulations for new coal-fired facilities, said Dean Alford, a company spokesman.

He said the company is still waiting for a resolution but hailed the Trump administration's promise to revive the coal industry. "We're much more encouraged with what we're seeing out of the administration than what we've seen in the past," he said.

But many of the local utility cooperatives that initially backed the project have long since fled, and state regulators have made no moves to approve the company's second request for a permit extension.

Karen Hays, who leads the Georgia Environmental Protection Division's air protection branch, said state regulators have not heard from the company since it requested an extension on its construction permit early last year. "We have taken no action," Hays said. The state has "not heard from the company for a while, so I can't say what their interest is in pursuing," she said.



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The small project at the University of Alaska, Fairbanks, that appears to be on track is a combined heat and power plant with an expected capacity of 17 MW. It is roughly 50 percent complete, according to the university.

Perhaps the most likely prospect for a major new coal plant in the United States is a project that's not on EIA's list. In March, Sunflower Electric Power Corp. Inc. beat back a lawsuit from the Sierra Club, paving the way for the power cooperative to pursue an 895-MW coal expansion at its Holcomb Station in southwestern Kansas (Energywire, March 20).

But even that is uncertain. Sunflower and its partner, Tri-State Generation and Transmission Association Inc. have yet to commit to the project, which was proposed roughly a decade ago and has an estimated price tag of \$2.2 billion.

The cooperative is "examining its options," said Sunflower Electric spokeswoman Cindy Hertel. "We're going to take a look at industry conditions, and Tri-State will also, before determining if we will move forward," she said.

Hertel said there was no timeline for a final decision.

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#### 5. **PIPELINES: Court blocks Constitution gas line again**

*E & E News, Aug. 21 | Saqib Rahim*

A federal court has upheld New York's decision to deny a water permit for a major natural gas pipeline.

Last year, the New York State Department of Environmental Conservation (DEC) rejected Constitution Pipeline Co.'s application for a water permit under the Clean Water Act. Constitution sued, saying DEC had unfairly quashed the application after extensive review and that federal authorities should award the permit anyway.



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Last week, three judges with the 2nd U.S. Circuit Court of Appeals sided with DEC, accepting the state's argument that Constitution had not supplied enough information for the state to decide if the pipeline posed a water risk.

"We conclude that respondents' actions were within their statutory authority and that the decision was not arbitrary or capricious," the judges wrote.

DEC Commissioner Basil Seggos said the ruling supported New York's right to impose strict water quality standards.

"We hope this sends a loud message that New York will not rubber stamp any project that fails to protect public health and our environment," Seggos said in a statement.

But Constitution pointed out that the ruling left them another avenue: the U.S. Court of Appeals for the District of Columbia Circuit.

As the 2nd Circuit judges pointed out, the company can ask the D.C. Circuit to weigh a separate question: Did DEC's review take so long that the office waived its authority to conduct it? If so, federal authorities could grant the water permit and Constitution could begin construction.

"The D.C. Circuit has recently acknowledged [the Federal Energy Regulatory Commission's] authority to make the ultimate decision under the Natural Gas Act," Constitution said in a statement. "While we would have preferred an immediate path to construction, we are pleased with the court's resolution of this jurisdictional issue."

Christine Tezak of ClearView Energy Partners LLC wrote in a report, "We expect pipeline opponents to be buoyed by this ruling and to continue pressuring state policymakers to exercise such 'vetoes' over federally approved natural gas projects."

ClearView saw three options for Constitution: asking FERC to grant its water permit on the grounds that New York has waived its authority, appealing to the Supreme Court or submitting a new pipeline application to New York.

The ruling is the latest twist in an ongoing tussle between state and federal authority over pipelines — a tussle that may intensify as President Trump has brought FERC to a quorum.



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Under federal law, proposed gas pipelines have to secure both federal and state approvals. The pipeline must first pass environmental review at FERC. It must also secure water permits, under Section 401 of the Clean Water Act, from each state the pipeline will cross.

In the case of Constitution, New York and the pipeline company were at odds over the construction method.

Over its nearly 100-mile span in New York, the pipeline would cross 251 bodies of water. DEC wanted Constitution to place the pipeline by drilling beneath these bodies of water, a method DEC said was less risky to the environment.

Constitution said this wasn't feasible or necessary for all 251 crossings and that a "trench" method — diverting the stream during construction and restoring it after construction — would do.

Constitution claimed it had provided more than enough information for DEC to make a determination. But the 2nd Circuit judges disagreed, saying Constitution dodged DEC's repeated requests for specific detail on how the pipeline would be built at those 251 junctures.

"We conclude that the denial of the § 401 certification after Constitution refused to provide relevant information, despite repeated NYSDEC requests, was not arbitrary or capricious," the court wrote.

Environmental groups cheered the decision, saying it reaffirmed states' rights to apply their own environmental standards to interstate gas pipelines.

"We're thrilled by the decision from the 2nd Circuit. This really sends a clear message that states have the power to block natural gas pipelines in their borders when they violate state water quality standards," said Kim Ong, an attorney with the Natural Resources Defense Council's New York program. "It reaffirms the power of states to block pipelines even if all the other federal permits find that they can go forward."

The Interstate Natural Gas Association of America said the decision will hurt New Yorkers struggling with utility bills and make it harder for Gov. Andrew Cuomo (D) to achieve his ambitious goals on renewable energy.



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"The Cuomo administration has said that in order to transition to more costly, intermittent resources like offshore wind, New Yorkers must be able to access clean natural gas," the group said in a statement. "INGAA is disappointed in this decision because it is critical to both the environment and America's energy independence that new natural gas infrastructure projects move forward in New York to provide these benefits."

If past is prologue, this will not be the last pipeline skirmish in New York.

In April the DEC denied the federal water permit for another major pipeline: the Northern Access project, sponsored by National Fuel Gas Co. That case is also in appeals court.

DEC could decide whether to permit a third project, the Valley Lateral, this month. But the company behind that project, Millennium Pipeline Co., has asked FERC to grant the permit now, saying DEC has taken longer than allowed and thus waived its right to do the review.

Millennium's request came after a D.C. Circuit ruling in June decided pipeline companies can ask FERC if a state has waived its right to do this review (Energywire, July 31).

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#### **6. FOREST SERVICE: Southern Region leader promoted to chief**

*E & E News, Aug. 21 | Marc Heller*

Career Forest Service employee Tony Tooke, who currently leads the Southern Region, will head the agency beginning next month, Agriculture Secretary Sonny Perdue announced today.

Tooke, who will take the helm when Chief Tom Tidwell retires in September, has handled a wide range of responsibilities since he joined the agency as teenager. He oversees a staff of 3,100 employees, a budget of \$400 million and 14 national forests in the South. In past positions, he worked on environmental policy, forest planning and farm bill implementation.

Perdue in a statement praised Tooke for "unmatched" knowledge of forestry and added, "Tony has been preparing for this role for his whole professional life, and at a time when we face active and growing fires, his transition into leadership will be seamless."



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Tidwell's retirement takes effect Sept. 1. He has worked at the Forest Service for more than 40 years (E&E News PM, Aug. 18).

As chief, Tooke will face the competing interests of timber companies that want to reverse a long decline in harvests from national forests and environmental groups that aim to slow such efforts. He'll manage an agency that has shifted its focus in recent years to fire management, which now accounts for more than half its annual budget.

At the same time, he'll face some members of Congress increasingly frustrated by the Forest Service's limited ability to clear dead or dying trees that can become fuel for catastrophic fires and its slow process for approving forest-thinning projects that yield timber. And while he will be the point person for those issues with lawmakers, his ability to change such policies substantially will be greatly limited, former Agriculture Department officials close to the issue said.

"It's going to be tough for any chief to have an impact without a budget that's supportive," former Agriculture Secretary Tom Vilsack told E&E News.

In a hint of the approach Tooke may take, Perdue returned to themes he has often used in talking about forest policy, emphasizing the productivity of working forests.

"He will oversee efforts to get our forests working again, to make them more productive, and to create more jobs," Perdue said.

The National Association of State Foresters cheered the announcement, citing Tooke's experience working with state forestry departments.

"He has a demonstrated track record of doing that in the Southeast," said NASF Policy Director Gary Schiff.

In previous responsibilities in the agency's headquarters, Tooke was associate deputy chief for the National Forest System, overseeing lands and realty, minerals and geology, ecosystem management coordination, wilderness and wild and scenic rivers, the National Partnership Office, and business administration and support services.





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In that position, he also oversaw environmental justice programs and implementation of a new planning rule for the National Forest System and of the farm bill — the five-year legislation outlining USDA programs that is up for renewal next year.

Prior to 2006, Tooke was deputy forest supervisor in Florida, and he was a district ranger in national forests in Alabama, Georgia and Mississippi.

In 2015, he helped implement Operation Something Bruin, an interagency effort against poaching and other wildlife-related crimes in Georgia and North Carolina. An investigation of violations such as resource damage, sanitation violations and illegal vehicle use led to discoveries of crimes including illegal baiting, possession and transportation of black bears, he told a congressional subcommittee in June of that year.

The chief of the Forest Service is typically caught between Western timber and grazing interests and groups emphasizing recreation, said Dale Bosworth, Forest Service chief from 2001 to 2007. "Somewhere in the middle is where the Forest Service is," he said.

Schiff said the new leader's ability to coordinate with state foresters will be a main measure of his performance around the country. "We're looking for a chief that can look at his role as chief for the entire nation's forest," he said.

Although the top official's abilities are limited by the federal budget, environmental laws and whatever priorities are set by the Agriculture secretary, the service can make some moves administratively, former Forest Service employees said. Those include streamlining reviews under the Endangered Species Act and expanding use of categorical exclusions from more extensive environmental reviews when forest-thinning projects are proposed.

Bosworth said that he believes the environmental laws are sufficient as written but that the next chief should consider ways to revise them in light of new realities. Regulations that limit foresters' ability to remove dead and dying trees were written before the risk of catastrophic fires had grown, for instance, he said.

The chief can use the power of persuasion, as well, said Schiff, who credited Tidwell for promoting active management of national forests. "He taught America that active forest management can be good for the forest," Schiff said.



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Policies that encourage boosting timber production will likely face a backlash among environmental groups. The Natural Resources Defense Council has singled out the production of wood fuel pellets from Southern forests, for instance, as damaging habitat in the region.

In addition, the Sierra Club and other groups have opposed a Forest Service draft environmental impact statement regarding a proposed pipeline through the George Washington and Jefferson National Forests in Virginia, in the region Tooke oversees. In comments submitted to the Forest Service on Aug. 7, the groups said the draft EIS overlooks "severe, wide-ranging, and lost-lasting impacts on the environment and on recreational and aesthetic enjoyment of the Jefferson National Forest, Appalachian National Scenic Trail, and surrounding areas."

A representative for the timber industry applauded Tooke's promotion.

"Tony Tooke is a consummate resource professional. He understands the problems facing the agency and knows how to make positive changes," said Bill Imbergamo, executive director of the Federal Forest Resource Coalition. "We look forward to working with him."

The incoming chief's greatest asset will be honesty, Bosworth said.

"If the members of Congress believe you're never going to tell a lie," Bosworth said, "they'll work with you."

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#### 7. **PUBLIC HEALTH: Interior halts NAS study of mountaintop coal mining**

*E & E News, Aug. 21 | Dylan Brown*

The Interior Department ordered the National Academies of Sciences, Engineering and Medicine to halt their study of the links between mountaintop-removal coal mining and health problems in Appalachia.

In a letter Friday to the National Academies, the Office of Surface Mining Reclamation and Enforcement said all work should cease because Interior has launched an agencywide review of grants and cooperative agreements exceeding \$100,000.



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OSMRE commissioned the \$1 million study more than a year ago during the Obama administration. The nonprofit National Academies has convened a panel of experts in public health, mine engineering and other subjects to review mounting evidence of elevated rates of cancer, birth defects and premature deaths downstream from strip mining.

The study was requested by the state of West Virginia, a hotbed of mountaintop removal — a technique in which earth and rock is pushed off coal seams and into the valley, and often streams, below (Greenwire, May 22).

Local activists and environmentalists hailed the review as long overdue, but the coal industry questioned the need to survey research it already disputes.

In the letter, Interior told the National Academies that budget issues prompted its review of grants and agreements, but critics quickly lashed out at an administration that has already rolled back coal pollution regulations like the Stream Protection Rule.

"It appears that the only people Trump cares about in Appalachia are coal executives, not the people who've lived and worked here for generations," Sierra Club Beyond Coal campaign organizer Bill Price said in a statement. "People here trusted him, but he is proving he didn't deserve that trust."

Despite the letter, the National Academies review committee will still hold public meetings and events in Hazard, Ky., today and Lexington, Ky., tomorrow.

"The National Academies believes this is an important study and we stand ready to resume it as soon as the Department of the Interior review is completed," the organization said in a statement. "We are grateful to our committee members for their dedication to carrying forward with this study."

Many of the more than two dozen studies under review were conducted by Indiana University professor Michael Hendryx during his time at West Virginia University.

Hendryx has had his methods and results questioned by some congressional lawmakers and industry, but he himself questioned the need for the broader review, saying there's already enough evidence (Greenwire, July 13).



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"There's always going to be some doubt," Hendryx told the National Academies committee in July, according to the Charleston Gazette-Mail. "We know there is a problem in health. We know there is a problem in the environment. For us to just call for more research is unethical."

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#### 8. **TRIBES: Some Native people to celebrate eclipse by not watching**

*E & E News, Aug. 21 | Polletta/Silversmith, Arizona Republic*

On Monday, as millions across the U.S. clamor for a view of the solar eclipse, Freddie Johnson and his family will stay at home and avert their eyes.

They will sit quietly in their Mesa home during the four hours it takes the eclipse to complete its journey. They will abstain from food and water. They will not bathe, comb their hair or sleep.

"Everyone is talking about how it's a 'once in a lifetime' occurrence (to see the eclipse)," said Johnson, who is Navajo and works as a culture and language consultant. "For us, it's a no-no, even if it's a once-in-a-lifetime thing."

Johnson's six children — including his son, who was set to start college Monday — will miss class to mark the "sacred communication" occurring between the sun and moon.

On the Navajo reservation, at least four districts have canceled school to respect cultural traditions.

"Some people will be praying. Some will be meditating. Some will be telling the story of the creation of the sun and the moon," said Elvin Keeswood, cultural specialist with the Central Consolidated School District. "It is a great teaching moment for all of us."

#### **A sacred renewal**

The sun and moon are powerful deities in Navajo culture. The sun controls and regulates the universe, while the moon controls and regulates the earth.



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Such responsibility is draining. Navajos believe the sun dies during an eclipse — the term for the phenomenon, Jóhonaa'éeí daaztsá, means "the sun is dead" — and then is reborn through an "intimate" process between the sun and moon.

"Just like you don't watch other humans or animals being intimate with each other, you don't watch the sun and moon during the renewal," Keeswood said. "You stay inside, you sit still, you don't run around."

Because the timing of the eclipse will coincide with many schools' lunch and recess periods, Navajo students would've had a difficult time complying with cultural practices had reservation districts not canceled class.

According to traditional teachings, looking at the eclipse can cause eye problems, digestive issues, sunburns or rashes, migraine headaches or birth defects. A ceremony is needed to put a mother and child "back in harmony" if a pregnant woman watches the eclipse.

Medicine men and elders historically sing "sacred sun songs to help re-strengthen the Sun and bring everything back to harmony and balance," according to a cultural guide issued by Piñon Unified School District. Once the eclipse ends, Navajos may go outside, pray and have a "first meal" of corn pollen to recognize the rebirth that has occurred.

"We also retie our hair," Keeswood said. "Our teaching is that when man was first made, the rays of the sun became the hair. So for respect, it will be brushed out before and undone during the eclipse."

#### **'Something much bigger than me'**

Some Navajo parents and school officials said they view Monday's eclipse as a valuable opportunity for Navajos of all ages to reconnect with their culture.

"As the younger generations raise their children and become more Westernized, some of the old teachings are lost," Keeswood said. "For me, personally, this is really awesome, because a lot of our real young children will be able to understand the basic lessons, and it could activate an interest in learning more."



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When Scottsdale resident Debbie Nez-Manuel heard the eclipse was coming, she thought back to the teachings she'd learned from her Navajo grandmother in order to share them with her children.

Nez-Manuel said she looks forward to sitting with her daughters to talk about what the eclipse means, praying together and reflecting on their lives Monday.

"I respect these teachings that require me to be reverent, to acknowledge something much bigger than me," she said, adding that she hopes sharing Navajo eclipse customs will increase others' sensitivity to Native traditions.

Central Consolidated Superintendent Colleen Bowman said the district recognizes the eclipse carries meaning for students and families of diverse backgrounds, not just Navajos, and encouraged the sharing of different beliefs in class last week.

"Ninety-one percent of my students are Native American," Bowman said. "But whether families want to go watch it at the planetarium for the scientific perspective, or they want to sit in a hogan and teach their children that respect and reverence, it's really about allowing parents to make those choices."

#### **'It applies to us wherever we go'**

Johnson said he will choose to tell stories, pray and talk about the future with his wife and children during the eclipse.

"The whole process of this is that it's rejuvenation, renewal of energy, renewal of hope that you're going to be able to carry on from this season to the next and be able to move on in a good way," he said.

After the sun and moon finish their journey, the family will go outside to pray and place corn pollen on their tongues while facing east. Then, they will head inside to drink water and continue their regular activities.

Johnson hopes the experience helps his children understand they must abide by the traditional teachings passed on for generations.



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"Although we are away from the reservation and in an urban setting, that doesn't mean that we leave these teachings or push them aside because we're outside the sacred homeland," he added. "It applies to us wherever we go."

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#### 9. **SPECIES: Bird diversity faces dual threat of warming and farming**

*E & E News, Aug. 21 | Brittany Patterson*

Tropical birds that prefer the lush, verdant forests of northwestern Costa Rica are poised to suffer as the climate changes and forests are converted to farmland, according to a new study.

Published last week in the journal *Global Change Biology*, the [analysis](#) found that both of those threats are likely to team up against bird species that thrive in wetter forests. Birds that are currently found in warmer, drier regions will be less affected, thus reducing the overall biodiversity of bird species found in parts of this Latin American country.

"Biologists and conservationists have recognized for a really long time that the fate of these species will ultimately depend on how these multiple stressors, these multiple changes are interacting," said Daniel Karp, an assistant professor at the University of California, Davis, and the lead author of the study.

Since those threats are so well-known, the researchers wanted to go one step further.

"What's really interesting and novel about this work is we've thought about differentiating between species and finding out that there are some species that do well when we convert to agriculture, and those same species seem to do well if climate change is happening," he said. "And on the other hand, if we have a species that seem to do poorly when we convert to agriculture, that persist outside of forests, and climate change also affects the species, then we're compounding those individuals."

For example, the red-winged blackbird, which is abundant across farmlands, responded positively to drier conditions. Other species, like the barred antshrike, a songbird with distinctive black-and-white stripes, are sensitive to drier conditions and land-use change. So they're likely to be found less in a drier, more farm-filled future.



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Climate models predict this region of Central America may see a 25 percent reduction in summer rainfall by 2100. While Costa Rica is generally seeing forest cover increase, human population growth and other pressures are expected to contribute to the loss of some primary forests to farms for cattle and other crops.

To study the combined impacts of climate and land-use change, the researchers selected 20 farms adjacent to forests in the Guanacaste Province of northwest Costa Rica. The scientists visited each farm and marked down all of the bird species they saw or heard between May and July 2016. In addition, the researchers used satellite imagery to map tree cover in and around the farms.

As expected, the species in the densest, wettest forests were different from those found in drier forests and on shrubby farmland. The data also showed that species found in wet forests were not prevalent on farms.

"In forested areas, when you go to different types of forests, you see different species, but in agriculture, when [we] go to areas that are wetter or drier, we don't see different species — they're more homogenized," Karp said.

Viviana Ruiz-Gutierrez, a quantitative ecologist at the Cornell Lab of Ornithology who has spent her career studying birds across Latin America, said the findings represent a "cool baseline" for scientists to dig further into the drivers of the shift of species in these ecosystems. That's especially evident in years of drought like 2015 and 2016, when the data was collected.

"This agrees with a lot of the work that has come out and highlights that importance of forests within working landscapes," said Ruiz-Gutierrez, who was not involved in the study. "There is an important role for preserving chunks of forests in the agricultural matrix if we want to preserve biodiversity."

Many of the species that are found solely in rain-soaked forests are also sought after by bird-watchers, a major driver of tourism in the country, said Karp.

From a conservation perspective, he said the findings can inform land managers which habitats should be prioritized. To protect bird species found only in wet forests, policies will be needed to preserve those ecosystems, he said.





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"We know a lot of the birds located in forests tend to be rarer," Karp said. "If we care about species conservation and not having extinction, then that's a concern."

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#### 10. **BLM: Transfer of 3 state directors spurs more staff shuffling**

*E & E News, Aug. 21 | Scott Streater*

The Bureau of Land Management has temporarily reassigned three more top administrators as part of an ongoing reorganization effort that began in June with the removal of three BLM state directors, according to an internal email obtained by E&E News.

The reassignments are fallout from the Interior Department's decision two months ago to permanently move Alaska Director Bud Cribley, Colorado Director Ruth Welch and New Mexico Director Amy Lueders out of BLM to positions at the Fish and Wildlife Service and Bureau of Reclamation (Greenwire, June 27).

BLM acting Director Mike Nedd, in an email sent last week to the members of the agency's executive leadership team, announced that BLM Eastern States Director Karen Mouritsen will temporarily fill in for Cribley as acting state director in Alaska.

Mouritsen is a former petroleum engineer and attorney in the Interior Department's Solicitor's Office who has held numerous administrative positions at BLM, including deputy assistant director for energy, minerals and realty management. As acting state director in Alaska, she will oversee 72 million acres of public lands, including the 22.8-million-acre National Petroleum Reserve — the largest contiguous block of federally managed lands in the United States.

Mitch Leverette, the chief of BLM's Division of Solid Minerals, will temporarily fill in for Mouritsen as acting Eastern States director for up to 120 days, Nedd wrote.

Leverette, a 30-year BLM career employee, will oversee agency-managed lands in the 31 states east of and bordering the Mississippi River. The Eastern States office also manages about 30 million acres of subsurface federal mineral estate that generates more than \$100 million a year in new rentals, royalties, fees and bonuses, according to the agency.



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Additionally, Aden Seidlitz, currently the associate director of BLM's New Mexico state office, will temporarily fill in for Lueders as acting state director, Nedd wrote. Seidlitz, who has worked at BLM since 1983, will be in charge of a state office that oversees 13.5 million acres of public lands in New Mexico and parts of Oklahoma, Texas and Kansas.

All the temporary reassignments begin Sept. 3, Nedd wrote.

"As we say 'so long' to both Amy and Bud and wish them the best in their new position, please also join me in thanking Aden Seidlitz, Karen Mouritsen and Mitch Leverette for agreeing to step in as Acting State Director for up to the next 120 days," Nedd wrote.

Matthew Allen, a BLM spokesman, said the moves are all part of the transition process. "The BLM continues to place some of our best team members in key positions as we carry out our multiple use mission on behalf of all Americans," he said in an email to E&E News.

Seidlitz, Mouritsen and Leverette are considered "terrific career employees, well liked and respected" at the agency, according to a BLM source who asked not to be identified.

#### **'Dedicated leadership'**

Meanwhile, Nedd's email provides for the first time details about where Lueders and Cribley are headed after both were notified in June that they were being reassigned to the Fish and Wildlife Service.

Nedd's email did not mention Welch; Reclamation formally announced her new position in a press release last month.

Welch was moved to Reclamation in Denver, and she began her new assignment there last month as director of policy and administration. Greg Shoop, a longtime BLM career official, was named acting director of the Colorado office shortly after Welch's transfer.

Beyond that, BLM and Interior Department officials have declined to provide many details about the June transfers or the ongoing agencywide reorganization effort, to members of Congress and the public.



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But Nedd's email states that Lueders will become director of the FWS Southwest Region based in Albuquerque, N.M. The Region 2 office oversees 47 national wildlife refuges in Arizona, New Mexico, Oklahoma and Texas.

Benjamin Tuggle, whom Lueders is replacing as Region 2 director, was one of the 50 or so SES officials at Interior given transfer notices in June. Tuggle was reassigned to FWS headquarters as assistant director for science applications (E&E News PM, June 16).

Cribley will become FWS senior adviser for energy in Washington, D.C., Nedd wrote.

Both transfers are effective Sept. 3, according to Nedd's email.

Lueders and Cribley, like Welch, accepted their transfers in June. But Lueders was allowed to take extended vacation time before moving to the new position next month at FWS. Cribley was given extra time to make arrangements to move his family more than 4,000 miles from Anchorage, Alaska, to Washington, according to sources.

"I have personally come to know and appreciate their passion, commitment and dedicated leadership to carrying out the Bureau's mission," Nedd wrote of Lueders and Cribley in his email. "Please join me in thanking both Amy and Bud for their very long and distinguished careers with the BLM."

#### **Ongoing reorganization**

Their transfers are part of an agencywide reorganization effort that is designed to shift federal employees from Washington out into the field, where Interior Secretary Ryan Zinke says they are needed.

Interior is expected to make another round of transfers involving SES employees in the coming weeks.

Senior executives are required when they enter the SES to sign a form acknowledging they are subject to involuntary reassignments.

By statute, reassignments must comply with proper notification requirements of at least 15 days for a transfer to another SES job within the same agency and the same commuting area, and 60 days for a transfer outside the geographic commuting area.



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Zinke reportedly told senior executives with the U.S. Geological Survey at a luncheon last month that the agency plans to eventually move the headquarters for BLM, FWS and Reclamation to Denver (Greenwire, Aug. 15).

Zinke provided an overview of his reorganization plans during a July 21 luncheon, USGS spokesman Dave Ozman confirmed. Zinke also expounded upon his desire to shift more Interior resources and personnel from Washington to field offices across the country and empower front-line employees with more decisionmaking authority, sources said.

But some critics have privately suggested the transfers are politically motivated, and they point to past decisions by Lueders and Welch as conflicting with the Trump administration's goal of increasing fossil fuels development on federal lands.

For example, Welch, appointed Colorado state director in June 2014, helped broker agreements throwing out already-issued oil and gas leases in the Thompson Divide portion of the White River National Forest and atop the sensitive Roan Plateau.

Some oil and gas industry groups were critical of those agreements.

Lueders, appointed New Mexico state director in 2015, was viewed as instrumental in helping the Obama-era BLM develop sweeping federal greater sage grouse conservation plans across 10 Western states. She served on detail in the agency's Washington headquarters overseeing sage grouse conservation as acting assistant director for renewable resources and planning.

A federal review team established by Zinke recommended this month making major changes to those plans, in some cases to ease land-use restrictions that could hamper oil and gas development.

Meanwhile, Zinke has told lawmakers that he wants to reduce the Interior workforce by 4,000 full-time jobs through a mix of attrition, separation incentives and reassignments to meet the recommendations of the Trump administration's fiscal 2018 budget request.

Nedd told members of BLM's executive leadership team during a June teleconference that they should expect "one or two more rounds" of transfers.

Nedd also sent an agencywide email to all BLM staff on June 16 that said the administration's proposed fiscal 2018 budget for BLM — which calls for a nearly 13 percent cut in funding from



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current operating levels — "could mean 1,000 fewer full-time equivalent employees across the Nation," according to a copy of the email obtained by Public Employees for Environmental Responsibility.

Nedd's June email said the agency can probably handle most of the reduction through attrition and retirements but added that BLM "may also seek authority from the Office of Personnel Management to offer early retirement and voluntary separation incentives later this year."

In his latest email to the leadership team last week, Nedd wrote that he was providing them with the "updates" in an effort to "strengthen communications, especially during this period of transition."

"Thank you all for the work you do, day in and day out, managing America's public lands on behalf of all Americans," he wrote. "We are 'BLM Strong' and working together we are making a difference!"

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#### 11. **CLIMATE: Trump admin lets NOAA advisory panel die quietly**

*E & E News, Aug. 21 | Arianna Skibell*

The Trump administration let a federal climate panel's charter expire yesterday, quietly ending the NOAA committee's two-year run.

Disbanded is the Sustained National Climate Assessment Advisory Committee, a 15-member panel of academics, industry representatives, government officials and nonprofit representatives tasked with deciding how to use the National Climate Assessment for long-term resilience planning.

The National Climate Assessment is mandated for release every four years by the 1990 Global Change Research Act, but there have been just three editions since the law's passage. A draft of the fourth report — due out next year — has become a contentious issue for the Trump administration (Climatewire, Aug. 8).



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Julie Roberts, who joined NOAA as communications director last week, said disbanding the panel won't affect the completion of the fourth climate assessment, "which remains a key priority for the Department [of Commerce] and NOAA," she wrote in an email.

The panel's chairman, Richard Moss, also an adjunct professor in the University of Maryland's Department of Geographical Sciences, said that while the demise of the panel may not affect the report's release, it could hinder the ability of state and local governments to gain crucial information for mitigating and adapting to climate hazards, like floods and strong storms.

"We really were more about how do you take information that comes from the report and make it more useful?" he told E&E News. "People who are planning flood control infrastructure aren't going to be turning to a report for that information."

Before its termination, the committee had been producing recommendations on ways to make the climate analysis, which is consistently hundreds of pages long, more accessible to local officials and businesses.

"By terminating the committee, the process of preparing the recommendation is also terminated," Moss said.

Panel members, who received no federal compensation, have committed to continue their work in a different capacity, the form of which is not yet clear, Moss said, but it will likely be more difficult to collect information from the public without federal support.

"And the recommendations themselves will carry less weight," he said. "But we will find ways to engage with state and local authorities."

The acting NOAA administrator, Ben Friedman, told Moss in an email Friday that the panel's charter wouldn't be renewed. Friedman offered no explanation, Moss said.

"The reality is there are a lot of political appointments that haven't been made and a lot of career officials in acting positions, and it's difficult for them — given the mixed signals being sent by this administration about climate change — to reappoint the committee," he said. "In my opinion, it's terribly shortsighted."



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Jerry Melillo, a distinguished scientist with the Marine Biological Laboratory at Woods Hole, Mass., who led the last three climate assessments, said disbanding the panel will have real consequences.

"We were trying to encourage greater dialogue between the scientific community and stakeholder so they could better understand and interpret the science. ... Anything that diminishes our ability to convey that information to the public makes the American people the losers in this kind of situation," he said in a recent interview.

"This may be part of a bigger picture and larger strategy with which this particular administration de-emphasizes the importance of science in making decisions, especially with climate change."

While state and local governments have requested federal guidance on climate mitigation and adaptation, the Trump administration seems to be headed in the opposite direction.

Last week, the president signed an executive order saying infrastructure built in flood-prone areas would no longer have to accommodate sea-level rise as a condition for getting federal funding (Greenwire, Aug. 15).

The advisory committee's demise comes after an Obama-era climate panel bit the dust. The Advisory Committee on Climate Change and Natural Resource Science, a 2013 Interior Department initiative, disintegrated in June when its charter expired. Interior officials said if the panel is revived, it could have fewer members and a different objective (Climatewire, Aug. 17).

Melillo said if the Trump administration chooses to revive the climate assessment panel, it, too, could be given a new mission, but that's unlikely.

"In some ways, in maybe a cynical sense," he said, "the greatest action being taken by this particular administration on climate change is inaction."

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