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Attached is the daily news report for August 30.

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



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DAILY NEWS REPORT - UTAH

UTAH – TOP STORIES – AUGUST 30, 2017

1. Lightning caused fire burning in Spanish Fork canyon

Emery County Progress, Aug. 28 | Press Release

The Tank Hollow fire, burning in the Sheep Creek and Tie Fork drainage on the Spanish Fork Ranger District of the Uinta-Wasatch-Cache National Forest, is estimated at 4,600 acres and 20 percent contained.

2. Volunteers step up to help clean up their community park

The St George News, Aug. 30 | Tracie Sullivan

LAVERKIN – A little more than two dozen volunteers stepped up Tuesday night to help in a service cleanup project at Confluence Park.

3. Zinke recommends cuts to Bears Ears boundaries

Navajo Times, Aug. 30 | Krista Allen

The federal government will decrease the size of Bears Ears National Monument, but the details are still unknown.

4. Zinke Recommends Reducing Bears Ears

Indian Country Today, Aug. 29 | Kim Baca

The 1.35 million-acre Bears Ears National Monument could be reduced to about 160,000 acres, according to one report about Interior's final review of national monuments, commissioned by President Donald Trump. The tribes that lobbied for the designation, made by President Barack Obama before he left office last January, have vowed to sue.

5. Op-ed: The southern Utah economy should not be dependent on coastal elites

The Deseret News, Aug. 29 | Robert Darby

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E&E/NATIONAL NEWS – TOP STORIES

1. **New path sought for high-voltage transmission lines in Idaho**

The Salt Lake Tribune, Aug. 29 | Keith Ridler, AP

Boise, Idaho • Federal officials on Monday reopened public comments on proposed routes for two high-voltage transmission lines in southwestern Idaho intended to modernize the Pacific Northwest's energy grid.

2. **Senators' silence kills probe into Zinke's alleged Alaska threats**

The Hill, Aug. 30 | Devin Henry

The Interior Department's Office of Inspector General (OIG) is closing its investigation into Secretary Ryan Zinke's alleged threats against an Alaska senator during an ObamaCare fight last month after the lawmaker and her in-state colleague refused to participate in the probe.

3. **EXTREME WEATHER: The myth of the 100-year flood**

E & E News, Aug. 30 | Ariel Wittenberg

With southeast Texas facing years of recovery after Tropical Storm Harvey's catastrophic floods, many ask whether the devastation could have been prevented or mitigated.

4. **TROPICAL STORM HARVEY: Dozens of refinery leaks reported; more toxic spills likely**

E & E News, Aug. 30 | Mike Lee, Corbin Hiar and Hannah Northey

Tropical Storm Harvey has already caused dozens of spills at refineries and chemical plants along the Gulf Coast and could threaten the integrity of toxic waste sites.



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5. **OIL AND GAS: BLM may offer lease next to Theodore Roosevelt National Park**

E & E News, Aug. 30 | Scott Streater

The Bureau of Land Management is considering offering a large parcel that stretches along the boundary of the Theodore Roosevelt National Park in a planned oil and gas lease sale set for next year.

6. **WESTERN WATER: Probe finds Reclamation misspent funds meant for wildlife**

E & E News, Aug. 30 | Jeremy P. Jacobs

A \$32 million Bureau of Reclamation program for irrigators in southern Oregon and Northern California was likely illegal, according to federal investigators who released a letter to President Trump today that sharply criticizes the agency's response.

7. **NATIONAL PARKS: Emails show Interior halted climate scientist's Zuckerberg tour**

E & E News, Aug. 30 | Rob Hotakainen

Newly released emails provide details on how the Trump administration thwarted Facebook Inc. CEO Mark Zuckerberg's plan to tour Glacier National Park with two climate experts last month.



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UTAH – FULL STORY

1. **Lightning caused fire burning in Spanish Fork canyon**

Emery County Progress, Aug. 28 | Press Release

The Tank Hollow fire, burning in the Sheep Creek and Tie Fork drainage on the Spanish Fork Ranger District of the Uinta-Wasatch-Cache National Forest, is estimated at 4,600 acres and 20 percent contained.

The lightning-caused fire started on Aug. 11. Fire managers, along with 220 personnel from the U.S Forest Service, State of Utah Department of Natural Resources, Utah Division of Forestry, Fire, and State Lands, and the Bureau of Land Management, are assigned to the fire.

A Type II Incident Management Team has been ordered to assist in suppression efforts and will assume command of the fire Tuesday, August 29, 2017 at 6 am. An Incident Management Team provides more support in terms of overhead and resources both on the ground and in the air. This additional level of support will help fire managers to more efficiently and effectively achieve their objectives.

Road and campground closures are currently in effect. The area at the Junction of Sheep Creek road (Forest Service Road #051) and Indian Creek road (Forest Service road #042) know as Unicorn Ridge campground and dispersed camping area, including entire segments of Forest Service road #032, Forest Service road #761, Tie Fork road (Forest Service road #725) and Upper Tie Fork Single Track trail (Forest Service trail #023) located in Township 10 South, Range 6 East, Section 19, northeast quarter all within the Salt Lake Based Meridian.

Cooperators from other fire management agencies are assisting in the firefighting efforts. The Forest Service acknowledges federal and state agency partners, as well as local resources, including North Fork Fire Department, Utah County, Bluffdale Fire Department, and American Fork Fire Department, who provided valuable support during this incident. Our multi-agency partnerships enable us to all work together to achieve our goal of keeping firefighters, and the public safe.

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2. **Volunteers step up to help clean up their community park**

The St George News, Aug. 30 | Tracie Sullivan

LAVERKIN – A little more than two dozen volunteers stepped up Tuesday night to help in a service cleanup project at Confluence Park.

The activity was part of the Washington County Commission’s “Give Your Land a Hand” campaign launched in 2016 to raise awareness and participation in keeping the public lands free from garbage.

The campaign, spearheaded by Commissioner Victor Iverson, has been active for about a year, Sarah Thomas, administrative assistant with the Red Cliffs Desert Reserve, said. Tuesday’s activity was the second of its kind this year with the first one in May just West of Bloomington Hills.

“Our goal for these projects are to get different user groups throughout the community to come together for a cleanup project,” Thomas said. “We’re really hoping to get a lot of different user groups together – like jeepers, four-wheelers, sportsman, hopefully equestrian people – all different kinds of people who use the land and to bring them all together to hopefully work to take care of our public lands.”

The “Give Your Land a Hand” committee meets monthly to determine a quarterly cleanup project for Washington County. Confluence Park in LaVerkin was chosen this time by the committee when they became aware of several other service activities at the site.

“Part of our (Red Cliffs Desert Reserve) is Confluence Park and over the last few months we’ve just seen some little projects here and there, some cleanup events, just some work that needed to be done and none of it was really complicated,” Mike Schijf, biologist with the Red Cliffs Desert Reserve, said. “So, we saw a great opportunity for a service project to get folks involved to come in and clean up the Park a little bit. This is already such a beautiful place it just made sense for us to do our service project here.”

The activity brought out several youth groups from the LaVerkin Stake of The Church of Jesus Christ of Latter-day Saints comprising residents living in Springdale, Rockville, Virgin and LaVerkin.



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The young volunteers along with their leaders were busy for more than two hours picking up everything from old water lines, fencing materials, broken tree branches and other trash items left behind in the 344-acre nature park.

“We thought it would be a good opportunity for the young men and women from the different areas to get together so they could meet each other and do a service project,” Glenn Leavitt, LDS young men’s president, said. “It’s hard work but I think they’re having fun.”

Besides the youth groups there were also many other residents from the surrounding areas who came out to help, Schijf said.

Both Schijf and Thomas said they had not expected so many people to come out but were “pleasantly surprised” with the turnout.

“We’re just really really grateful for the turnout today,” Schijf said.

About Confluence Park

The Park, touted for its natural beauty and historical significance, opened in 2013. Since then, it has been a popular spot for hikers, walkers, bicyclists and photographers. Recreational activities inside the park also include equestrian use. However, there are no motorized vehicles allowed beyond the LaVerkin Creek Trailhead.

The park marks the point where the Ash and LaVerkin creeks meet the Virgin River and provides access into parts of the Red Cliffs Desert Reserve.

The area was a natural location for early human inhabitants. The Anasazi are said to have once lived there, followed by the Southern Paiutes.

The Dominguez and Escalante Expedition crossed through the corridor in 1776. Escalante wrote in his journal about the terrain of the area where he said they found small fields of corn alongside the streams.

Pioneers used the area for farming and raising livestock.

Through the next 100 years, the confluence canyons hosted a rudimentary power plant, a pecan orchard, a dairy farm and a wood structure that held turkey feed.



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Geologically, the Park is impressive with its lava formations and diverse plants and wildlife. Deer, foxes, raptors, porcupines, beavers, falcons, rattlesnakes, raccoons and endangered fish all live between the canyon walls and swim in the waters.

The land was purchased in the mid-1990s by private individuals, agencies and other organizations for preservation. It now rests with Washington County and is under conservation easements held by the Division of Wildlife Resources. The endangered fish and the riparian corridor are heavily monitored.

The Bureau of Land Management and Republic Services both partnered with Washington County to help in coordinating Tuesday's activity. Republic Services donated a 30-yard roll-off container for the garbage, trash removal and the disposal fee at the landfill.

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3. **Zinke recommends cuts to Bears Ears boundaries**

The San Juan Record, Aug. 29 | Staff Writer

The federal government will decrease the size of Bears Ears National Monument, but the details are still unknown.

On August 24, U.S. Interior Secretary Ryan Zinke sent a draft report to President Donald Trump which includes Zinke's findings and recommendations on national monuments.

The boundaries of Bears Ears, a 1.35 million acre monument created in December, 2016 by President Barack Obama, are slated to be "right-sized."

The New York Times reports that Bears Ears may be cut to 160,000 acres, which would be less than 12 percent of the size of the original monument.

It is likely that federal lands which are already under enhanced protection – such as primitive areas, wilderness or wilderness study areas – will not be included in the boundaries of the adjusted Bears Ears National Monument.

Zinke said that the review was initiated by President Trump "in order to restore trust in the multiple-use mission of the Department and to give rural communities a voice in federal land management decisions."



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The government opened a comment period for the review, the first time that a formal comment period was open for national monuments designated under the Antiquities Act. More than 2.4 million comments were submitted.

Zinke said, "The recommendations I sent to the president on national monuments will maintain federal ownership of all federal land and protect the land under federal environmental regulations, and also provide a much needed change for the local communities who border and rely on these lands for hunting and fishing, economic development, traditional uses, and recreation."

Over the 120-day review, Zinke visited eight national monuments, including Bears Ears and Grand Staircase Escalante.

Zinke said that Canyons of the Ancients National Monument, in southwest Colorado adjacent to San Juan County, will not be changed.

Tribes and conservation organizations expressed outrage at the announcement, while elected officials expressed support.

In a statement, San Juan County Commissioners said, "We are grateful for Secretary Zinke and the Trump administration for their thoughtful review of Bears Ears. We look forward to seeing the decision of this administration.

"Throughout this process, it has become clear that the Antiquities Act has been inappropriately used and needs to be changed to provide safeguards to communities like ours.

"While there are sometimes appropriate situations for monument designation, often monument designation becomes a political play. The consequences cripple local economies and communities."

Utah Diné Bikéyah Board Chairman Willie Grayeyes, of Navajo Mountain, said, "Written and unwritten history tells us that Native Americans were the first occupants on the Bears Ears landscape.

"What we are asking for is just a small acreage compared to what was taken away from us. We ask for this simple honor to be given by the President and Secretary: do not alter or change our Proclamation."



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Mark Maryboy, Utah Diné Bikéyah Board Member and former San Juan County Commissioner, said, “The Antiquities Act was put in place for this exact purpose of protecting our Native American heritage. We followed the law in creating the Monument. If Trump attempts to reduce Bears Ears, we will challenge that action in court.”

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4. Zinke Recommends Reducing Bears Ears

Indian Country Today, Aug. 29 | Kim Baca

The 1.35 million-acre Bears Ears National Monument could be reduced to about 160,000 acres, according to one report about Interior’s final review of national monuments, commissioned by President Donald Trump. The tribes that lobbied for the designation, made by President Barack Obama before he left office last January, have vowed to sue.

Bears Ears is among three monuments that U.S. Secretary of the Interior Ryan Zinke recommended for altering. His report recommends reducing the size of the Grand Staircase–Escalante and Bears Ears in Utah and the Cascade-Siskiyou, a 113,000-acre grasslands and forest in Oregon and California containing a diverse ecosystem, according to The Washington Post. Though the Interior Department issued a news release stating that Zinke had sent his draft findings and recommendations to the President on August 24, the report has not been made public, and no specifics were outlined in his summary.

“In recent days, Mr. Zinke had been considering a dramatic reduction to Bears Ears, to approximately 160,000 acres from 1.35 million, according to multiple people familiar with the process,” reported The New York Times on August 24.

In anticipation of Zinke’s final contentious recommendation and the interim report on Bears Ears he issued in June, the tribal coalition that initially brought the proposal to Obama to designate a monument says it plans to file a lawsuit as soon as Zinke’s report is made public.

“Bears Ears was established in perfect accordance within the mandate of the Antiques Act,” said Natalie Landreth, an attorney representing the Hopi, Zuni and Ute Mountain Ute tribes, who are part of the Bears Ears Inter-Tribal Coalition made up of tribal leaders representing five nations. “Every eighth of a mile has [cultural] objects. There aren’t any unused or extra spaces—any reduction of it is illegal.”



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Landreth also stated that under the act neither the President nor an agency has the power to reduce or change national monuments.

“There was nothing wrong with the way it was established; only Congress has the power to change or reduce a monument,” she said, adding that the President has executed this mandate “for purely political reasons.”

The Navajo Nation also says it plans to file a lawsuit or take legal action, depending on what the recommendation is, said attorney Katherine Belzowski, adding that not releasing the report publicly was disappointing because of the uncertainty created by the lack of transparency.

Through an executive order in April, Trump asked the Interior Secretary to review national monuments of more than 100,000 acres, or designations that had been made without what he considered adequate public outreach, created since January 1, 1996 under the Antiquities Act. Twenty-seven monuments, including marine areas in the Atlantic and Pacific oceans, established by Presidents Clinton, Obama and George W. Bush, were under a 120-day review, with an interim report on Bears Ears due 45 days from the order.

In his preliminary report on Bears Ears issued June 12, Zinke stated that a monument that “encompasses almost 1.5 million acres where multiple-use management is hindered or prohibited is not the best use of the land and is not in accordance with the intention of the Antiquities Act.” He recommended that Bears Ears “needs to be right-sized and that it is absolutely critical that an appropriate part be co-managed by the tribal nations.” He also recommended that Congress take action to protect some areas.

Since his appointment as secretary, the tribal coalition said it has tried to meet with Zinke several times but only received 60 minutes with him in Salt Lake City during Zinke’s four-day listening tour of the Bears Ears region and San Juan County in May. Even those who did attend, they said, were those who could attend on short notice.

“Secretary Zinke’s recommendation is an insult to tribes,” said Carleton Bowekaty, Zuni Pueblo councilman and coalition co-chair, in a statement. “He has shown complete disregard for sovereign tribes with ancestral connections to the region, as well as to the hundreds of thousands of people who have expressed support for Bears Ears National Monument.”



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Gavin Noyes, executive director of Utah Diné Bikéyah, a grassroots nonprofit representing local Native Americans looking to protect Bears Ears, said he was also disappointed in Zinke's non-response to invitations by Utah Navajo Chapter Houses to tour the area.

"There are 1.3 million acres of reservation land in San Juan County and he made no attempt to meet with the local users of the national monument that worked so hard to get it protected. The majority of San Juan County is Native American and no other appointments were given to meet with local residents," Noyes said of Zinke's May visit.

Bears Ears, named after two 9,000-foot buttes, is revered as sacred to area tribes and contains more than 100,000 cultural and archeological sites. Though designated as a national monument under Obama before he left office, the vast region has little law enforcement protection under management by the Bureau of Land Management.

Officials in San Juan County, one of the poorest counties in the state, would like expand the extraction industry as part of job creation as the area is rife with oil, gas, copper and other minerals. Not all area Native Americans, however, are monument proponents, citing wariness of federal policies that have betrayed them in the past.

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5. **Op-ed: The southern Utah economy should not be dependent on coastal elites**

The Deseret News, Aug. 29 | Robert Darby

There is an advertisement currently running on the local television stations promoting that public lands be kept in their pristine state for the benefit of generations to come.

I don't think it is a coincidence that this ad is running at the same time that Secretary of the Interior Ryan Zinke has made recommendations concerning the Bears Ears and Grand Staircase monuments for the way they were formed and the size and scope of the monuments. The purpose is to put pressure on public officials to retain the monuments in their current status and size. The ad is narrated by Yvon Chouinard, the founder of Patagonia Inc., based in Ventura, California.

According to Wikipedia, "Yvon Chouinard (born Nov. 9, 1938) is an American rock climber, environmentalist and outdoor industry billionaire businessman. His company, Patagonia, is



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known for its environmental focus. Chouinard is also a surfer, kayaker, falconer and fly fisherman, particularly fond of tenkara fly-fishing.”

In the ad, Chouinard promotes the benefits of the great outdoors and how he even learned some of his business savvy there. All of this while he is decked out in his fly fishing outfit with some beautiful scenery as a backdrop. The ad concludes with him sitting, pleading for individuals to preserve the public lands that we have. What Chouinard doesn’t say (he may not even think it) is that he has his wealth and doesn’t care about the rest of us. Chouinard recognized economic opportunity when it presented itself to him and he was prepared to exploit that opportunity.

Not everyone has the opportunity of making clothing and paraphernalia for the outdoors and turning it into a large corporation. Some people are not as well-educated or don’t recognize the same type of opportunities and just want to run the family ranch when their parents have passed on. In desert country, ranches often count on BLM land to augment their private land to create a large enough operation to raise a family on.

Other individuals may just want to work in the extraction industry where the work is hard, the risks are somewhat elevated, but the pay is good. Others may just want jobs in the industries that support the agricultural and extraction industries. These include construction, banking, education, services, etc., everything needed to have a town.

The argument is put forth that tourism is the perfect industry. It’s clean and the tourists bring in lots of money. They stay in hotels. They eat at restaurants. They buy souvenirs. They rent cars. They take tours and hire guides and outfitters. Who could want for anything more? I don’t know, but it doesn’t seem to me to be too clever of a plan to have a community's economic development depend on the vacation plans of the East and West Coast elites. An economic downturn causes them to cancel their vacation. Those canceled vacations are devastating to the communities that depend on them.

Patagonia was one of the retailers leading the way in trying to strong-arm the state of Utah in supporting the two monuments as formed. It had a very powerful voice in moving the Outdoor Retailers Convention out of Salt Lake after the state wouldn’t play ball. If you’re wondering if Chouinard and his friends would be loyal to the people of southern Utah, who just want a little bit of economic opportunity, should it prove inconvenient for the elites to go there, I think you have the answer and know where their loyalties lie.



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Robert Darby is a lifetime inhabitant of Utah. He graduated from the University of Utah with a degree in engineering. He worked for the U.S. Air Force for 28 years at Hill Air Force Base.

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E&E/NATIONAL NEWS – TOP STORIES

1. **New path sought for high-voltage transmission lines in Idaho**

The Salt Lake Tribune, Aug. 29 | Keith Ridler, AP

Boise, Idaho • Federal officials on Monday reopened public comments on proposed routes for two high-voltage transmission lines in southwestern Idaho intended to modernize the Pacific Northwest's energy grid.

The U.S. Bureau of Land Management announced it will take comments through Sept. 27 for two segments of the Gateway West project proposed by Idaho Power and Rocky Mountain Power.

The BLM in January approved routes for the two 500-kilovolt transmission lines on public land in Idaho's Gooding, Elmore, Owyhee, Cassia and Twin Falls counties.

But legislation by Idaho Republican Rep. Mike Simpson signed into law in May by President Donald Trump mandates segments not connected to those routes.

The legislation removes 2,800 acres (1,133 hectares) from the Morley Nelson Snake River Birds of Prey National Conservation Area so 74 miles (119 kilometers) of transmission lines can go through.

The BLM is now trying to connect the remaining 250 miles (400 kilometers) of transmission lines with those segments. As part of that process, it's taking public comments for an environmental assessment.

"We need to make sure the alternative we now select connects with those two statutory rights of way," said BLM spokeswoman Heather Feeney.

The 1,000-mile (1600-kilometer) Gateway West project is one side of a giant triangle of transmission lines that Rocky Mountain Power says are necessary to meet future demands in the



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region and improve reliability. One part is finished, and the other segment is at an earlier stage in the environmental review process.

The segment going through Idaho would deliver power from southern Wyoming to points west, potentially tapping into Wyoming's wind energy. Federal officials have already approved the rest of the Gateway West project, but no work has started.

Feeney said a draft of the environmental assessment on the remaining segments should be ready by the end of this year, with a final decision expected in the spring.

"The route through the Birds of Prey was a fair and balanced outcome to this transmission siting effort," said Idaho Power spokeswoman Stephanie McCurdy. "The State of Idaho, local units of government, ranchers, environmental interests and project proponents worked hard together to find this locally driven, common sense solution."

The BLM has been working on the project since 2008, trying to thread the powerlines through a mixture of private, state and public lands that also includes key habitat for imperiled sage grouse and the national conservation area that is prime habitat for raptors.

It's been a difficult process, and the final decision in January was appealed by environmental groups, causing it to head to the Interior Board of Land Appeals.

Idaho Gov. C.L. "Butch" Otter also asked Interior Secretary Ryan Zinke to direct the BLM to reconsider its January decision and review other routes using more federal public land. The BLM then asked the Interior Board of Land Appeals to remand the matter.

The legislation signed into law by President Trump in May ended all that, altering the boundary of the conservation area while setting in place routes for the powerlines. Feeney said most of the segments needed to connect the segments approved by Congress cross BLM land. The legislation approved by Congress, besides removing some land from the conservation area, added 4,000 acres elsewhere.

Several environmental groups involved in the process didn't respond to phone messages left by The Associated Press on Monday.

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2. **Senators' silence kills probe into Zinke's alleged Alaska threats**

The Hill, Aug. 30 | Devin Henry

The Interior Department's Office of Inspector General (OIG) is closing its investigation into Secretary Ryan Zinke's alleged threats against an Alaska senator during an ObamaCare fight last month after the lawmaker and her in-state colleague refused to participate in the probe.

In a letter to a pair of House Democrats who requested the investigation, Interior's Deputy Inspector General Mary Kendall said her office "does not believe it could meaningfully investigate the matter further" because Alaska Sens. Lisa Murkowski and Dan Sullivan, both Republicans, declined to be interviewed as part of the inquiry.

"The OIG has conducted a preliminary review of this matter, including investigative and jurisdictional considerations, and concludes that further investigation would prove unproductive," Kendall wrote to Reps. Frank Pallone Jr. (D-N.J.) and Raúl Grijalva (D-Ariz.).

Sullivan told The Alaska Dispatch News last month that Zinke threatened to withhold Interior support for Alaska if Murkowski did not support an ObamaCare repeal bill favored by President Trump. At the time, Sullivan called the threat "troubling."

Murkowski was one of three Republicans to vote against the legislation, sinking the effort.

Trump singled out Murkowski after the vote.

"Senator @lisamurkowski of the Great State of Alaska really let the Republicans, and our country, down yesterday," the president tweeted. "Too bad!"

Democrats and good-government watchdogs urged an investigation into Zinke's conduct, saying it showed an inappropriate heavy-handedness from the Trump administration.

Murkowski downplayed the incident, and Zinke said it was "laughable" that he would threaten Alaska over the healthcare vote.

Earlier this month, Zinke tweeted a picture of himself and Murkowski sharing beers, calling the senator a "friend."

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3. **EXTREME WEATHER: The myth of the 100-year flood**

E & E News, Aug. 30 | Ariel Wittenberg

With southeast Texas facing years of recovery after Tropical Storm Harvey's catastrophic floods, many ask whether the devastation could have been prevented or mitigated.

Experts say yes. They blame how the government assesses and communicates flood risk.

Federal policies are built around the so-called 100-year floodplain, which is commonly and incorrectly understood as an area that would flood once every century. But it really means there's a 1 percent chance of flooding in any given year or that there's a 26 percent chance of being flooded at least once during a 30-year mortgage period, according to the Federal Emergency Management Agency.

Moreover, flood maps don't take into account pavement and development that takes place in wetlands or floodplains. Putting impervious pavement on top of natural sponges will only make flooding worse.

President Trump flubbed the numbers with a tweet describing Harvey as a "once in 500 year flood." But homes in a 500-year floodplain really have a 6 percent chance of flooding over a 30-year mortgage.

For what it's worth, Harvey is Houston's third "500-year flood" since 2015.

"You have a 1 in 6 chance of rolling a dice and landing on four, but you can still land on four twice in a row," said Stephen Strader, a professor of geography and the environment at Villanova University. "The same goes for a 100-year flood or a 500-year flood."

To stem the confusion, FEMA has started referring to floodplains by their annual probability of flooding. So, the 100-year floodplain becomes the 1 percent floodplain and the 500-year floodplain becomes the 0.2 percent floodplain.

But experts say changing the lingo without changing policies isn't enough.



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"The biggest problem with flood maps in the U.S. is that they are drawn as 'lines in the sand' — at risk of flooding on one side, and A-OK on the other side," said Nicholas Pinter, director of the University of California, Davis' Center for Watershed Sciences.

"This a false and dangerous message to send," he said.

Homes in the 100-year floodplain are required to get federal flood insurance through the National Flood Insurance Program. Those located outside the 100-year area — no matter how close they are to it — aren't required to get flood coverage, although it is offered for homes located in the 500-year floodplain.

In Harris County, Texas, where Houston is located, that means just 12 percent of the 1.6 million properties are required to have flood insurance.

Property owners in the 100-year floodplain are also eligible for funding to help them mitigate flood risk by putting their homes on pilings or fill. Local governments generally concentrate their building and planning standards around the 100-year floodplain, creating extra requirements for elevating homes in those areas.

While mandatory insurance purchasing requirements haven't stopped development within the 100-year floodplain, studies have shown that they have significantly increased development in areas immediately outside those areas, where buildings can still have shoreline views without adhering to strict building codes.

But those edge locations can be just as vulnerable as properties built within the 100-year floodplain.

A study of flood insurance claims in Houston between 1999 and 2009 found 55 percent were from beyond the 100-year floodplain boundary, with an average distance of just under 1,400 feet.

Damage beyond the 100-year floodplain can still be significant. Another study of Houston in the 1999-2009 time frame found every meter away from the floodplain translated into just a \$18 decrease in flood damage. During Tropical Storm Allison in 2001, that meant living 0.2 mile outside the 100-year floodplain only reduced the average repair bill by \$7,365 but still caused \$24,331 worth of damage, the study found.



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Sandra Knight, former deputy associate administrator for mitigation at FEMA, points out that there really isn't a good risk-based reason to put so much policy weight on the 100-year floodplain.

The 100-year flood standard was set in 1973 as a compromise between the Army Corps of Engineers, which was building levees and dams to the 200-year flood level, and communities that generally relied on far lower five- to 20-year flood standards.

"We have basically taken a condition for insurance, which is based on probability, and set it up as a de facto standard for floodplain management, all because of the flood insurance program," said Knight, who is now a senior research engineer at the University of Maryland. "But it doesn't reflect the risk, it reflects the probability."

Inaccurate maps

Another issue: FEMA flood maps intended to show where 100- and 500-year floodplains are located rely on data from historic floods to predict what area would be affected by a new 100-year event.

Critics of the National Flood Insurance Program have long complained that the maps are not updated often enough. And when the maps are revised, they say, statistical models used to create the maps don't consider changes in land use, which can significantly affect flood risks as pavement replaces grass and trees.

"Imagine pouring water on a sponge versus pouring it on a table top," Strader said.

Similarly, flood maps also don't consider the efficiency of a community's stormwater drainage system, or other factors that could worsen inland flooding.

That's particularly problematic in storms like Harvey whose main hazard is rain, not wind. Such storms are more likely to cause damage outside the 100-year floodplain when paved areas drain poorly.

Such storms are only likely to become more common because of climate change, scientists say, as warmer oceans increase precipitation in storm systems.



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Because FEMA uses historic data to calculate flood maps, they don't take into account the probability that future storms could bring more rain.

"We have a changing climate, and we're using a statistical model for our maps that doesn't provide any more statistical weight to near-term changes in the environment," Knight said.

Pinter is quick to caution that the U.S. is much better prepared thanks to the 100-year flood standard and the maps that come with it than it would be without any standard at all.

But, he said, Harvey shows how policy flaws can exacerbate problems caused by severe storms.

"Every flood disaster is like a prizefight — it takes two participants in the ring," he said. "A big flood starts with a momentous meteorological event, but only happens if that event collides into infrastructure built without enough protection or caution."

Strader agreed. While he acknowledged "no city could withstand 30-plus inches of rain in 72 hours ... urban sprawl and increased development has only exacerbated the situation."

Increased investment in FEMA's flood mapping program and changes to statistical models used in mapping would be a good first step to improving the nation's flood preparedness, experts agree.

"Unfortunately, these processes ... take money and federal support," Strader said.

Politics

Both Pinter and Strader expressed concern that the Trump administration would consider planning for climate change in flood mitigation given that Trump revoked an Obama-era executive order this month that would have required federal-funded infrastructure being built in floodplains to account for higher sea-level rise and more intense storms (Climatewire, Aug. 16).

Others have suggested setting a flood standard for larger storms — a 1,000-year flood, for example, or basing flood policy on a gradient rather than a specific flood probability. Such changes would require major policy overhauls by Congress and the administration. Neither has shown any appetite for changing flood standards.



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Bottom line, Knight said, is that improved communication with consumers is critical.

"People always think that it will never happen to them, but if you really explain that your home is in an area where it has a 1 in 4 chance of flooding over a mortgage, hopefully that would hit home," Knight said.

"That's pretty high odds considering that a mortgage is one of the biggest investments families make," she said.

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4. TROPICAL STORM HARVEY: Dozens of refinery leaks reported; more toxic spills likely

E & E News, Aug. 30 | Mike Lee, Corbin Hiar and Hannah Northey

Tropical Storm Harvey has already caused dozens of spills at refineries and chemical plants along the Gulf Coast and could threaten the integrity of toxic waste sites.

While it could be months before the full environmental impact of the storm — including sewage overflows, leaking underground tanks, and seepage from thousands of submerged homes and cars — becomes clear, preliminary reports show refineries and chemical plants have released millions of pounds of toxic chemicals into the air and water.

"We've seen this as an ongoing issue every time there's a major storm," said Gretchen Goldman, research director at the Union of Concerned Scientists' Center for Science and Democracy.

The Gulf Coast in Texas and Louisiana is home to about 45 percent of the nation's refining capacity, along with hundreds of petrochemical plants and storage facilities. It's also dotted with toxic waste sites left by decades of heavy industry.

Refineries and chemical plants have reported more than 30 leaks, spills and other emissions to the Texas Commission on Environmental Quality since the storm made landfall Friday. Dozens of other spills have been reported to the Coast Guard's National Response Center.



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Some of the emissions happened as plants began to shut down ahead of the storm — Flint Hill Resources began flaring benzene from its refinery outside Corpus Christi, Texas, on Friday.

Chevron Phillips' Cedar Bayou chemical plant in Baytown began flaring chemicals as it shut down Monday. It was expected to release 766,000 pounds of chemicals, according to an estimate by the Sierra Club.

Other incidents were triggered by the storm itself. Lightning struck a unit at Dow Chemical Co.'s sprawling chemical plant in Freeport, Texas, on Sunday morning, according to a filing, and the plant released 34,000 pounds of benzene, toluene, carbon monoxide and other pollutants.

The heavy rain sank the floating lids on storage tanks at Exxon Mobil Corp.'s Baytown refinery, Valero Energy Corp.'s Houston refinery and Royal Dutch Shell PLC's Deer Park refinery, filings show.

By yesterday, an estimated 2 million pounds of chemicals had been released into the air, according to Environment Texas, which calculated the total based on state regulatory filings.

"People are already being exposed to cancer-causing chemicals," said Luke Metzger, the group's director. "We also know ... that people could get sick from being exposed to the bacteria or toxic chemicals that have spilled or leaked from these facilities or toxic waste dumps."

And more damage is likely. The storm was dumping torrential rains on southeast Texas and southwest Louisiana this morning. Motiva Enterprises LLC shut down its Port Arthur, Texas, refinery, the nation's biggest, at 5 a.m.

The U.S. Chemical Safety and Hazard Investigation Board (CSB) is warning oil and chemical processing facilities to take extra precautions when they restart after the floodwaters recede.

"Restarting a refinery poses a significant safety risk," CSB Chairwoman Vanessa Allen Sutherland said in a statement earlier this week.



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A safety alert issued by the agency urges facility workers to carefully follow established safety processes and provides a checklist of potential mechanical systems that may have been compromised by the storm and its aftermath.

"In the wake of the hurricane, adhering to appropriate safety management systems can mean the difference between a safe and uneventful startup and a serious incident," the alert said.

Refineries and chemical facilities in Corpus Christi are beginning to restart, according to IHS Markit, a market intelligence company.

But IHS said today that "a key limitation at the moment for producers, refiners and exporters along the Texas Gulf Coast is the shutdown of many key crude oil pipelines."

Plants in Houston will be slower to come back online. IHS noted that parts of the city may see an additional 8 to 12 inches of rain in the coming days, which will prevent the restart of some facilities and may force others to shut down.

The situation there "is still evolving and a full reckoning of the storm's impact is simply not possible at this point," IHS said.

The Union of Concerned Scientists reported in 2015 that refineries on the Gulf Coast faced a unique threat from severe weather driven by climate change. Many are built in low-lying areas, which exposes them to a variety of risks: Floodwaters can float storage tanks off their moorings, and water can seep into pipes and other components (Energywire, Nov. 13, 2015).

Superfund sites

Texas is home to 66 of U.S. EPA's Superfund sites, many of them in Houston and other coastal communities.

Floodwaters can spread their risk, said Mathy Stanislaus, who led EPA's Office of Land and Emergency Management during the Obama administration. The biggest danger likely comes from active cleanup sites where contamination happens at the surface and can leach into floodwaters, as well as underground tanks and storage vessels containing oil and chemicals that dot the Gulf Coast, Stanislaus said.



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There are also submerged hazards, such as the 58-acre Brio Refining Inc. site, a former 1950s chemical reprocessing and refining facility in southern Harris County that involved the contamination of groundwater, surface soils and subsurface soils with hazardous chemicals.

Children have been swimming near the Brio site after the storm passed, said Wesley Highfield, a marine sciences professor at Texas A&M University's Galveston campus.

"They're kids. They don't get it," he said, before adding, "My kids aren't in it."

Highfield has collected samples of the runoff water to see whether the floods have increased the contamination from the site.

"It might not be as bad as we think," he said. "Or it could be a whole lot worse."

Stanislaus said there's a need to inform the public to steer clear of petroleum, chemical and toxic waste sites and for an intense post-investigation to determine how far pollutants may have spread, both on land and in homes.

"Given the huge chemical petroleum complex that's there," he added, "it's hard to know whether there's been a breaching."

Andrew Keese, a spokesman for the Texas Commission on Environmental Quality, said the agency is in "full emergency response" mode and evaluating Superfund sites as they become accessible. As floodwaters recede, Keese said, the TCEQ will continue working with EPA to determine whether sites have been breached and evacuations are necessary.

"Being able to respond has been difficult. In Houston, we're talking about areas that are currently underwater," he said. "What we're dealing with is a storm of magnitude that's never been seen before."

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5. OIL AND GAS: BLM may offer lease next to Theodore Roosevelt National Park

E & E News, Aug. 30 | Scott Streater

The Bureau of Land Management is considering offering a large parcel that stretches along the boundary of the Theodore Roosevelt National Park in a planned oil and gas lease sale set for next year.

The move has drawn the ire of some conservation groups that have long been concerned about encroaching drilling activity near the North Dakota park.

The inclusion of the 120-acre parcel in the March 13, 2018, lease sale could mark the first time, critics say, that a drilling operation has been allowed to lease a federal parcel directly on the boundary of the park named after the man often referred to as the "conservationist president."

A BLM [map](#) shows the parcel at issue, which is overseen by the agency's North Dakota field office, stretching about a half-mile along the boundaries of the national park's north unit.

BLM could not confirm whether the parcel, if included in the lease sale, would be the first to be offered on the park's boundary.

The National Park Service could not comment on the proposed lease parcel in time for publication.

But officials with the Theodore Roosevelt National Park in western North Dakota, which is experiencing a shale oil boom that has energized the state's economy, have expressed concerns about encroaching oil and gas development. Flaring from nearby drilling rigs is visible at various points within the park.

The park has devoted an entire section to "The Bakken Oil Boom" on its website.

"Surprised by all the traffic and construction?" the site says.

"Although oil development is not allowed in the park itself, the National Park Service has no regulatory authority over what happens outside of our boundaries," it adds. "Visitors may encounter signs of oil development near the areas surrounding the park. Booming jobs means



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booming prices of goods and services, as well as increased pollution from traffic, noise, dust and light."

A BLM spokeswoman says the agency is in the beginning stages of its review of the parcel. BLM would need to conduct an environmental assessment (EA) of that industry-nominated parcel and more than a dozen others in neighboring Montana before any are offered for lease.

After the EA is released, and following a 30-day public comment period, BLM would still need to file a formal "notice of competitive lease sale" at least 90 days before the actual lease sale date. That notice would then kick off a 30-day public protest period.

Critics aren't waiting for the BLM analysis to be completed.

Chris Saeger, executive director of the Western Values Project in Whitefish, Mont., says this is a real test for Interior Secretary Ryan Zinke, a self-avowed Teddy Roosevelt conservationist.

The group last year released a report that found drilling activity near national parks is driving away visitors to some of the nation's most iconic sites, including this one (Greenwire, Aug. 26, 2016).

The report said a 7 percent drop in visitation there since 2010 is tied to an 841 percent increase in oil production and 900 percent increase in natural gas production during that time in McKenzie County.

"If Secretary Zinke wants to finally be taken seriously as a Teddy Roosevelt conservationist, then he'll draw the line at drilling right next to Teddy Roosevelt National Park," Saeger said.

He pointed to Zinke's announcement yesterday that he supports a proposed 20-year mineral withdrawal on more than 30,000 acres of the Custer Gallatin National Forest in his home state of Montana, just north of Yellowstone National Park (Greenwire, Aug. 29).

The Western Values Project in a statement mocked what it called Zinke's attempt to use the announcement "as evidence of his supposed commitment to protecting" public lands, just a week after he submitted a report that likely recommends at least reducing the size of an unnamed number of national monuments.



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"True leadership on public lands isn't about lunging for a headline when you're under fire for threatening access to public lands," Saeger said. "It's about consistently protecting the West's outdoor legacy and economy from threats wherever they occur."

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6. WESTERN WATER: Probe finds Reclamation misspent funds meant for wildlife

E & E News, Aug. 30 | Jeremy P. Jacobs

A \$32 million Bureau of Reclamation program for irrigators in southern Oregon and Northern California was likely illegal, according to federal investigators who released a letter to President Trump today that sharply criticizes the agency's response.

The U.S. Office of Special Counsel's probe stems from the accounts of two whistleblowers who raised questions about a program designed to aid irrigators in the bureau's Klamath Project, which provides water to about 200,000 acres of cropland.

After a severe drought in 2001, the agency launched a water bank program, then entered a management agreement with the then-newly-formed Klamath Water and Power Agency, or KWAPA, in 2008.

The bureau justified the multimillion-dollar agreement by saying it would be used for environmental mitigation. But two whistleblowers documented the money instead went toward increased water supplies for farmland, compensating farmers for receiving less water and other priorities that seemed aimed at aiding farmers — not the bureau's environmental responsibilities such as protections for endangered salmon in the Klamath River.

The special counsel's letter concluded that the bureau still has not explained how the agreement "would actually benefit fish and wildlife."

Further, the whistleblowers make "a compelling case that the true purpose of the agreement was to benefit private irrigators, not fish and wildlife," acting Special Counsel Adam Miles wrote in the Aug. 8 letter. "[T]he agency's assertion that payments to irrigators constituted additional benefits to fish and wildlife lacks a sufficient foundation."



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The letter largely confirms an October report by Interior's inspector general that concluded that the \$32.2 million was a "waste of funds" by the Obama-era bureau and that the money "flowed primarily" to irrigators "rather than fish and wildlife" (Greenwire, Oct. 13, 2016).

A bureau spokesman said the agency stands by its response to the IG report.

Then, the bureau contended that the program helped the agency meet its Endangered Species Act requirements and that the payments helped increase water flowing to refuges and other environmental priorities.

It also said that since 2008, it has implemented a series of internal controls to ensure its financial assistance agreements are properly executed.

The special counsel, however, concluded that neither the inspector general report nor Interior's response has provided justification for why the bureau terminated its agreement with KWAPA in March 2016.

The special counsel "has determined that the agency's findings do not appear reasonable" and "strongly urges the agency to reconsider its response to these allegations."

Paula Dinerstein, senior counsel for Public Employees for Environmental Responsibility, which represented the whistleblowers, said the special counsel letter shows the bureau's response to the inspector general report was inadequate.

"At the Bureau of Reclamation, misappropriating millions of taxpayer dollars is a no-harm-no-foul offense," Dinerstein said in an email. "So far as we know, no official will be even be reprimanded, let alone prosecuted."

[Click here](#) for the Office of Special Counsel letter.

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7. NATIONAL PARKS: Emails show Interior halted climate scientist's Zuckerberg tour

E & E News, Aug. 30 | Rob Hotakainen

Newly released emails provide details on how the Trump administration thwarted Facebook Inc. CEO Mark Zuckerberg's plan to tour Glacier National Park with two climate experts last month.

Zuckerberg, who had earlier criticized the president's decision to withdraw from the Paris climate agreement, had planned a tour with park Superintendent Jeff Mow and U.S. Geological Survey ecologist Daniel Fagre.

But both were pulled from the assignment after objections from the Interior Department, which oversees the national parks.

While it's unclear who made the final decision, the emails show that many top officials discussed the matter or were informed of it, including Interior Principal Deputy Assistant Secretary Virginia Johnson and Bob Vogel, acting deputy director of operations at the National Park Service.

"This seems like a lot of government resources to dedicate to a celebrity's personal PR tour," Interior Department spokeswoman Heather Swift said to Jeremy Barnum, an NPS spokesman, in an email July 12, three days before the visit.

Zuckerberg took the tour with rangers instead.

In a July 15 Facebook posting, Zuckerberg said the impact of climate change "is very clear at Glacier," with the temperature rising at three times the global average in the high elevations of Montana.

"We need to make sure that parks like Glacier — and the planet overall — are around for future generations to enjoy," Zuckerberg said in his posting.

The Washington Post reported July 20 that park officials spent many days discussing how to handle Zuckerberg's visit. Swift told the paper that allocating too many resources to the visit "would have been a waste of money and a disservice to average parkgoers."



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The publication Motherboard then filed a request under the Freedom of Information Act to gain access to more than 300 pages of emails that offered a glimpse into the internal discussions of park officials and Zuckerberg's representatives. NPS posted the [emails](#) on its website.

Lauren Alley, a management assistant at Glacier, wrote a July 12 email to Facebook Communications Director Derick Mains saying that Mow and Fagre "can no longer participate" in Zuckerberg's tour. But she said the park's deputy superintendent and "other folks" would be able to "speak to some of the natural resource challenges the park faces."

Mains replied that Zuckerberg wanted to do the tour with the superintendent.

"This is really disappointing," he wrote.

Park public affairs employees were told not to post anything about Zuckerberg's visit on social media.

After the decision was made, NPS acting Director Michael Reynolds wrote an email saying that Glacier officials had been notified of the change and that the next step would be to "manage the talking point."

In his Facebook posting, Zuckerberg said the number of glaciers at Glacier National Park has decreased from 150 to 25 since the 1850s.

"In a couple of decades, there may not be any glaciers left in the park at all," he said.

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