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The Wilderness Society Contact Page

Arctic National Wildlife Refuge

Eleanor Huffines, elanor_huffines@tws.org, 907-272-9453

Maribeth Oakes, maribeth_oakes@tws.org, 202-429-2674

Budget and Appropriations

Alan Rowsome, alan_rowsome@tws.org, 202-429-2643

Bureau of Land Management

Dave Alberswerth, dave_alberswerth@tws.org, 202-429-2695

The Wilderness Society's BLM Action Center (Denver, CO):

Nada Culver, nada_culver@tws.org, 303-650-5818 x 117

Eastern Forests

Fran Hunt (National Forest Protection), fran_hunt@tws.org, 202-429-2657

Frank Peterman (Political Outreach), frank_peterman@tws.org, 404-872-9453

Ecology, Economics and Research

Christine Soliva, christine_soliva@tws.org, 202-429-3944

Energy Development on Public Lands

Dave Alberswerth, dave_alberswerth@tws.org, 202-429-2695

Chase Huntley, chase_huntley@tws.org, 202-429-7431

Pete Morton, pete_morton@tws.org, 303-650-5818 x105

Eleanor Huffines (Alaska), eleanor_huffines@tws.org, 907-272-9453

Global Warming

David Moulton, david_moulton@tws.org, 202-429-2681

J.P. Leous, jp_leous@tws.org, 202-429-2676

Leslie Jones, leslie_jones@tws.org, 202-429-2628

Land and Water Conservation Fund

Alan Rowsome, alan_rowsome@tws.org, 202-429-2643

National Forests

Michael Francis, michael_francis@tws.org, 202-429-2662

Bob Freimark, bob_freimark@tws.org, 206-624-6430 x228

Mike Anderson, mike_anderson@tws.org, 206-624-6430

Cecilia Clavet, cecilia_clavet@tws.org, 202-429-2663

Eleanor Huffines (Alaska), eleanor_huffines@tws.org, 907-272-9453

National Landscape Conservation System (BLM)

Kevin Mack, kevin_mack@tws.org, 202-454-2524

John Garder, john_garder@tws.org, 202-429-2641



National Parks

Kristen Brengel, kristen_brengel@tws.org, 202-429-2694
Leslie Jones, leslie_jones@tws.org, 202-429-2628

National Wildlife Refuges

Maribeth Oakes, maribeth_oakes@tws.org, 202-429-2674
Nicole Whittington Evans (Alaska), nicolewe@tws.org, 907-272-9453

Off-Road Vehicles

Kristen Brengel, kristen_brengel@tws.org, 202-429-2694
Josh Hicks, josh_hicks@tws.org, 303-650-5818 x107

Roadless Areas

Michael Francis, michael_francis@tws.org, 202-429-2662
Mike Anderson, mike_anderson@tws.org, 206-624-6430
Cecilia Clavet, cecilia_clavet@tws.org, 202-429-2663

RS 2477

Kristen Brengel, kristen_brengel@tws.org, 202-429-2694

Wilderness

Paul Spitler, paul_spitler@tws.org, 202-429-2672
Leslie Jones, leslie_jones@tws.org, 202-429-2628

Wildland Fires

Tom Fry, tom_fry@tws.org, 303-650-5818x110



A Public Lands Overview

At birth or upon taking the oath of citizenship, every American inherits 623 million acres. This natural legacy includes some of the most stunning places on Earth: the Grand Canyon, Yellowstone, and the Arctic National Wildlife Refuge. These one million square miles comprise 26 percent of the nation's land, located in all 50 states, but concentrated in the West. Alaska has 238 million acres (38 percent) of these public lands. Founded 74 years ago, The Wilderness Society remains the only national organization that focuses primarily on the conservation of all these natural treasures.

The acreage is located in four land systems: the National Park System (80 million acres), the National Forest System (192 million acres), the National Wildlife Refuge System (96 million acres), and the western tracts overseen by the U.S. Bureau of Land Management or BLM (258 million acres). About ten percent of the BLM's most sensitive lands are in its National Landscape Conservation System. Created in 2000, the Conservation System seeks to conserve the natural and cultural values of the BLM's most sensitive lands by protecting landscape-scale ecosystems and archaeological communities—not merely small, isolated tracts surrounded by development.

In 1964, Congress passed the Wilderness Act, creating the National Wilderness Preservation System. The act established criteria and a process for permanently protecting undeveloped areas that are within our national parks, national forests, national wildlife refuges, and BLM holdings. Once Congress adds a place to the National Wilderness Preservation System, it is protected from activities such as road building, construction, and the use of motorized equipment, motor vehicles, and other forms of mechanical transport. As of December 2008, there are more than 107 million acres in the system, and we continue to work with grassroots partners across the country to expand the system. (*See section 3 for details*)

The Interior Department is the steward for three of the land systems (the National Park System, the National Wildlife Refuge System, and the Bureau of Land Management), while the Department of Agriculture is responsible for the National Forest System. The National Park Service and the agencies that oversee the other three systems do not own these places; they are managers and stewards, responsible to the American people, including those yet to be born. The Wilderness Society believes President Theodore Roosevelt summarized the duties of our nation's land managers in 1906 when he said: "The nation behaves well if it treats the natural resources as assets which it must turn over to the next generation increased, and not impaired, in value."

Appropriations for all four agencies are contained in the annual Interior and Related Agencies appropriations bill. That legislation also includes appropriations from the Land and Water Conservation Fund, created by Congress in 1964 to acquire, and thereby protect, certain lands within or near any of the four federal land systems and to assist states with local recreation and conservation projects. A newer vehicle for conserving important private forest land threatened by inappropriate development is the Forest Legacy Program, which provides matching grants to states for conservation easements or full-fee acquisition of these tracts. The need for these two initiatives was dramatized by the U.S. Forest Service's 2006 report "Cooperating Across Boundaries—Partnerships to Conserve Open Space in Rural America." It documented that development sprawl consumes 6,000 acres of open space every day in the United States, or more than four acres a minute. To help prioritize and focus the agency's efforts to combat the loss of open space, the Forest Service is developing an Open Space Conservation and Implementation Plan. (*See section 11 for details on both programs*)

As the U.S. population has grown, so has the pressure on our public lands. One prominent example is the fight over oil drilling proposed for the biological heart of the Arctic National Wildlife Refuge in Alaska.

(See section 10 for details) During the eights of the George W. Bush administration, there also has been an intense campaign to lease environmentally sensitive public lands in the Rockies and elsewhere to the oil and gas industry *(See section 4 for details)*. Another debate involves the 58.5 million acres of national forest land that are still in their natural condition but have not been protected via addition to the Wilderness System. The Roadless Area Conservation Rule of January 2001 barred most logging and road-building on those lands, but it has been under attack ever since. *(See section 5 for details)*. Other issues include mining, livestock grazing, wildfire, wildlife management, and the appropriate use of dirt bikes and other off-road vehicles, to name a few. *(To learn more about off-road vehicle issues, see section 14. In section 13 you will find an explanation of a road-related issue called RS 2477.)*

Weaving through most of these debates is this vital question: How can the American people have their say in the management of the places that they own? Under the National Environmental Policy Act (NEPA), the National Forest Management Act (NFMA), the Federal Land Policy and Management Act (FLPMA), and other laws, federal agencies are required to provide ample opportunity for public input. Conservationists have strongly opposed Bush administration efforts to reduce such input. *(See section 12 for details on NEPA)*

Another concern for conservationists is that current management largely reflects an outdated economic reality. Decades ago, logging, mining, and other commercial activities conducted on the public's lands made more economic sense. Increasingly, such exploitation contributes less to local economies than does the tourism and recreation drawn by these natural areas. There is also a growing understanding that undeveloped landscapes scrub our air, provide cleaner drinking water for downstream communities, conserve valuable biological diversity, and limit flood surges. The economic value of these important services is hard to measure, but it increases every day. The nation's chambers of commerce continue to find that many business owners desire to put down roots in places where natural amenities help attract and retain a desirable workforce. Put another way, a national forest tree is probably worth far more left in the ground than on the back of a logging truck.

America's public lands are a remarkable national asset. Unfortunately, they are too often threatened by shortsighted development policies. Since it is ultimately up to Congress to ensure that these lands are passed on to future generations of Americans, we wanted to acquaint you with some of the major issues that may come before the 111th Congress.

Basics of the National Wilderness Preservation System

The National Wilderness Preservation System was created on September 3, 1964, when President Lyndon B. Johnson signed the Wilderness Act. The United States was the first country in the world to define and designate wilderness areas through law. Subsequently, countries around the world have protected areas modeled after the Wilderness Act. Wilderness is managed by four federal agencies: the National Park Service, the United States Forest Service, the United States Fish and Wildlife Service, and the Bureau of Land Management.

Wilderness by the Numbers

- As of December 2008, the National Wilderness Preservation System contains more than 700 wilderness areas totaling more than 107 million acres.
- Only 4.75% of the land area in the entire United States, including Alaska, is designated wilderness. Over half of all designated wilderness is in Alaska. Less than three percent of land in the contiguous United States is designated wilderness.
- Only four percent of the nation's designated wilderness Areas are east of the Mississippi, yet 60 percent of the country's population lives there.
- There is designated wilderness in all but six states: Connecticut, Delaware, Iowa, Kansas, Maryland, and Rhode Island.
- There are approximately 43.5 million acres of wilderness within the national parks, 35.1 million acres in national forests, 20.6 million acres in national wildlife refuges, and 7.4 million acres administered by the Bureau of Land Management.

Protection Provided by the Wilderness System

Wilderness areas are protected from development such as roads, dams, or other permanent structures; from timber cutting and the operation of motorized vehicles; and from new mining claims and mineral leasing. Mining operations and livestock grazing are permitted to continue in wilderness areas if these practices existed prior to an area's designation. Hunting, fishing, horseback riding, hiking, camping, canoeing and other non-mechanized outdoor recreation is permitted in wilderness areas.

How Wilderness Areas Are Designated

The Wilderness Act specifies that only Congress can designate new wilderness areas. Each federal land management agency—the United States Forest Service, Bureau of Land Management, National Park Service, and United States Fish and Wildlife Service—has surveyed its lands and recommended to Congress certain areas for wilderness designation. Many of these recommendations have not been acted on by the Congress and some recommendations have been before Congress for decades. Citizens can and do develop wilderness proposals, which is usually done area-by-area at the local level which assures that substantial local input goes into each proposal. Congress has acted on many citizen proposals. Still, the United States contains tens of millions of acres of land that qualify for wilderness designation, but has not been protected by Congress.

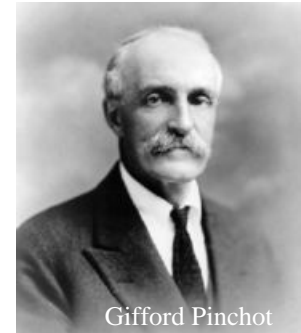


Black Ridge Canyons Wilderness, CO/UT
Photo by BLM

Basics of the National Forest System

Established in 1905, the U.S. Forest Service is an agency of the U.S. Department of Agriculture. The Forest Service manages 193 million acres of national forests and grasslands, an area equivalent to the size of Texas.

Gifford Pinchot, the first Chief of the Forest Service, summed up the agency's mission: "to provide the greatest amount of good for the greatest amount of people in the long run."



The Forest Service has a national headquarters and nine regions to manage the 155 national forests and 20 national grasslands, located in 44 states, and Puerto Rico. The lands comprise 8.5 percent of the total land area in the United States. The natural resources on these lands are some of the nation's greatest assets and have major economic, environmental, and social significance for all Americans.

The Forest Service has a workforce of approximately 30,000 employees and is organized into four levels:

Ranger District

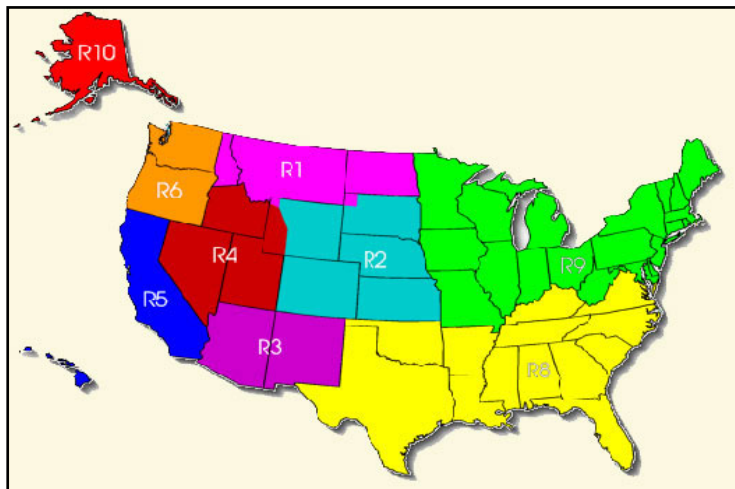
There are more than 600 ranger districts. Each district has a staff of 10 to 100 people and vary in size. Many on-the-ground activities occur in the ranger districts, including trail construction and maintenance, operation of campgrounds, and management of vegetation and wildlife habitat.

National Forest

Each National Forest is composed of several ranger districts. The person in charge of a national forest is the forest supervisor. The district rangers from the districts within a forest work for the forest supervisor. The headquarters of a national forest is the supervisor's office.

Regions

There are nine regions that cover broad geographic areas, usually including several States. The person in charge is the regional forester. Forest supervisors of the national forests within a region report to the regional forester. The regional office staff coordinates activities between national forests, monitors activities on national forests to ensure quality operations, provides guidance for forest plans, and allocates budgets to the forests.



U.S. Forest Service regions.
Data Source: <http://www.fs.fed.us/contactus/regions.shtml>

National Level

The person who oversees the entire Forest Service is called the Chief and he/she is based in Washington DC. The Chief is a federal employee who reports to the Under Secretary for Natural Resources and Environment in the U.S. Department of Agriculture.



Basics of the Bureau of Land Management (BLM)

BLM lands are located almost entirely in 12 western states: Alaska, Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming. In this sweeping expanse, broad basins and high deserts are uplifted and incised forming a labyrinth of rivers, canyons, mesas, deserts, wetlands, and mountains, shaping landscapes of improbable beauty.

The BLM is charged with sustaining the health, diversity, and productivity of the public lands for the use and

The BLM manages more than 258 “surface” acres and nearly 700 million acre of sub-surface mineral estate.

enjoyment of present and future generations. BLM lands range from the Lewis and Clark country of the Upper Missouri River Breaks National Monument, the red rock canyonlands of Southern Utah, the stunning and remote stretches of the northern California coastline and vast reaches of America’s Arctic. Though some of these lands contain designated wilderness areas, national monuments, or national conservation areas, millions of acres deserving similar protection are at risk of irresponsible energy, mining, off-road vehicles or other developments.

Wildlands and Special Places

The wildlands managed by the BLM—more than 258 million acres—are home to some of America's most diverse, spectacular, but often unprotected places. They include the National Landscape Conservation System—a 26-million-acre network of the BLM's crown jewels—Wilderness Areas, National Monuments, Wild and Scenic Rivers, and National Conservation Areas. The BLM manages more acreage than any other federal agency, yet BLM lands contain the smallest amount of designated wilderness of any agency with less than seven million acres.

Besides managing 258 million surface acres, the BLM administers the federal mineral estate beneath that acreage and the mineral estate on an additional 442 million acres of lands managed by other agencies and private lands. In all, the BLM manages nearly 700 million acres of federal sub-surface mineral estate across the nation.

The BLM administers these public lands within a framework of numerous laws, including the Federal Land Policy and Management Act of 1976 (FLPMA), the Mineral Leasing Act (MLA), the Endangered Species Act (ESA), the General Mining Law, the National Environmental Policy Act (NEPA), and the Wilderness Act. All Bureau policies, procedures and management actions must be consistent with its “organic” statute (FLPMA) and the other laws that govern the use of public lands.



Basics of The National Landscape Conservation System

The National Landscape Conservation System is America’s newest public lands system. Created administratively in 2000, the Conservation System brings together the best of the lands and waters managed by the BLM; the Conservation System currently encompasses 26 million acres in the west, or 10 percent of BLM land.

The Conservation System is a spectacular counterpart to America’s National Parks and National Wildlife Refuge Systems. BLM’s National Landscape Conservation System offers prime wildlife habitat, breathtaking vistas, and magnificent and fragile cultural and historical resources. The Conservation System also provides a uniquely rugged and primitive visitor experience, with lots of solitude, minimal infrastructure, and ample opportunity to explore, learn, camp, hunt, and get away from the crowds.

The Conservation System includes lands and waters designated for conservation by Congress or the President, including National Monuments, Wilderness Areas, Wild and Scenic Rivers, and more (see table). Protecting the outstanding ecological, scientific, cultural, and educational values of the System for future generations is a priority for The Wilderness Society (see section 7 for an overview of our National Landscape Conservation System Campaign).

Components of the National Landscape Conservation System	Number	Total Acreage or Distance
National Monuments	15	4,807,034 acres
National Conservation Areas	13	14,101,234 acres
Steens Mountain Cooperative Management & Protection Area (OR)	1	428,156 acres
Piedras Blancas Historic Light Station Outstanding Natural Area (CA)	1	19 acres
Jupiter Inlet Lighthouse Outstanding Natural Area (FL)	1	120 acres
Yaquina Head Outstanding Natural Area (OR)	1	100 acres
Headwaters Forest Reserve (CA)	1	7,472 acres
Wilderness Areas	183	7,434,767 acres
Wilderness Study Areas	604	14,089,145 acres
National Scenic and Historic Trails	13	5,487 miles
Wild and Scenic Rivers	38	2,052 miles

Basics of the National Wildlife Refuge System

The National Wildlife Refuge System, a department of the U.S. Fish and Wildlife Service (FWS), maintains a “wildlife first” philosophy and helps preserve our nation’s wildlife legacy. The Refuge System’s mission is “to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.”

Wildlife

The Refuge System is the only federal land system established to safeguard wildlife and their habitat. To provide for diverse wildlife populations, the FWS protects the ecosystems, habitats, and natural landscapes in which these animals live. America’s refuges are home to more than 700 bird species, 220 mammals, 250 reptiles, more than 1,000 fish and a wild variety of invertebrate and plant species. Nationwide refuges offer protection for 260 endangered species.

Recreation on Wildlife Refuges

The Refuge System offers a wide variety of recreational opportunities, including wildlife photography and observation, hunting and fishing, environmental education and interpretation. Environmental education programs are offered in 360 refuges, serving close to one million students and teachers. Annually, the National Wildlife Refuge System has 40 million visitors and generates annual revenues of \$1.4 billion.

Geography of Wildlife Refuges

There are 548 national wildlife refuges. There is at least one refuge in every state and territory, and at least one refuge within an hour’s drive of every major metropolitan area. In its entirety, the Refuge System encompasses 96 million acres and contains more than 20 million acres of designated Wilderness Areas on 63 refuges, and another 21 refuges that contain proposed wilderness that totals roughly 2 million acres.

The Regions of the National Wildlife Refuge System

Region 1: HI, ID, OR, WA, Pacific Islands

Region 2: AZ, NM, OK, TX

Region 3: IL, IN, IA, MI, MN, MO, OH, WI

Region 4: AL, AR, FL, GA, KY, LA, MS, NC, SC, TN, PR, U.S. Virgin Islands

Region 5: CT, DE, ME, MD, MA, NH, NJ, NY, PA, RI, VT, VA, and WV

Region 6: CO, KS, MT, ND, NE, SD, UT, WY

Region 7: AK

Region 8: CA, NV

Region 9: Headquarters, Washington, DC



Desert Big Horn Sheep
Photo by USFWS

National Wildlife Refuge System Improvement Act

In 1997, Congress passed landmark legislation: the National Wildlife Refuge System Improvement Act. The Improvement Act mandates that wildlife conservation be the singular mission of the Refuge System. In addition, the Improvement Act mandates that the FWS prepare a 15-year comprehensive conservation plan that allows for public participation in the planning process.

Refuge System History

The first refuges focused on protecting breeding grounds for bird species, which were hunted to near extinction for their feathers and other parts. With the passage of the Migratory Bird Act in 1913, the Refuge System escalated the acquisition of habitats to conserve a rapidly dwindling migratory bird population. In addition to the more than 3,000 Waterfowl Production Areas in the Refuge System, about 75% of designated refuges were established to conserve migratory birds, most with an emphasis on waterfowl.

At the same time, there has also been a consistent concern for and commitment to the conservation of America’s mammals. Beginning in 1908 with the National Bison Range in Montana, the Refuge System steadily acquired vital habitats for elk, bighorn sheep, deer, antelope, caribou, sea otters, walrus, sea lions, musk oxen, brown bears, moose, and other mammal species. Since 1973, the Refuge System has also used the authority of the Endangered Species Act to acquire nearly 60 refuges for the protection of 260 endangered or threatened species.



Basics of the National Park System

"The parks do not belong to one state or to one section.... The Yosemite, the Yellowstone, the Grand Canyon are national properties in which every citizen has a vested interest; they belong as much to the man of Massachusetts, of Michigan, of Florida, as they do to the people of California, of Wyoming, and of Arizona."

-- **Stephen T. Mather, first NPS Director, 1917-1929**

The National Park Service (NPS) was established in 1916. By the time the agency was established, Yellowstone National Park had been designated for 44 years and other National Parks and National Monuments were designated by Congress or by Presidents under the Antiquities Act respectively. Today, the Park Service manages 391 units totaling roughly 84 million acres.

The National Park System encompasses iconic wild landscapes, battlefields, historic homes, and important cultural sites. Congress has been designating park units for more than 90 years and continues to designate more park units and expand their boundary lines.

Wilderness

More than half of the National Park System is managed as Wilderness—44 million acres in total. Gates of the Arctic, Wrangell-St. Elias, and Denali National Parks in Alaska hold some of the largest park designated Wilderness areas. Presently, millions of acres are proposed for wilderness designation awaiting congressional approval. Many wild lands in National Parks are not designated wilderness, but have special regulations that protect their backcountry character.

Wildlife

Grizzly bears, the Florida panther, and 367 other well-known endangered and threatened species find refuge in the National Park System. Wildlife viewing is among the major reasons Americans and international visitors take their families to these extraordinary locations.

Management Structure

The National Park Service is an agency within the Department of the Interior. The agency is led by a director based in Washington D.C. and managed by seven regional offices. Superintendents (or park managers) supervise day-to-day management of each park unit.

Wilderness – the highest form of land protection

The Wilderness Act provides the means to preserve some of the country’s last remaining wild places for the benefit of future generations. Lands that are designated as wilderness areas are preserved in a natural state in perpetuity. They provide outstanding opportunities for hiking, camping, hunting, fishing, and other outdoor recreation. Nearly every Congress since 1964 has added lands to the National Wilderness Preservation System by designating new wilderness areas. The 111th Congress provides outstanding opportunities to add new wilderness areas with dozens of wilderness bills currently pending before Congress. We hope that Congress will take immediate action to approve pending wilderness legislation.



The Owyhee Canyon Wilderness Study Area in Nevada is home to mule deer, bobcat and mountain lion.

What is Wilderness?

Wilderness is defined in the Wilderness Act of 1964 (P.L. 88-577; 16 USC § 1131 et seq.) as those public lands already owned by the American people “where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain.” Wilderness areas are generally free from developments and human disturbance, and are managed for the use and enjoyment of the American people and to preserve their wilderness character. Within designated wilderness areas, roads, permanent structures, motorized or mechanized vehicles, commercial logging, new mining claims, and mineral leases are prohibited. Livestock grazing is permitted to continue in wilderness areas where such operations existed prior to an area's designation. Hunting and fishing are also allowed in wilderness areas (except in most national parks), as are a wide range of other non-mechanized recreational, scientific, and outdoor activities.

Benefits of Wilderness

Wilderness provides so much more than a place to camp, fish or hunt. Wilderness cleans our air; filters our water; provides essential habitat for wildlife, including imperiled species; and affords a natural retreat from the stress of our everyday lives. Wilderness offers people opportunities for solitude, inspiration, and a place to get away. Wilderness protects values vital to all of us by:

- Protecting watersheds that provide drinking water to many cities and rural communities.
- Providing important habitat for wildlife threatened by extinction.
- Helping to filter and improve the quality of our air.
- Maintaining the "web of life" and providing natural laboratories for research.
- Providing outstanding opportunities for outdoor recreation: hiking, hunting, fishing, bird watching, canoeing, camping, and many other activities.
- Offering a haven from the pressures of our fast-paced, industrialized society, and providing places where we can seek relief from the noise, haste, and crowds that too often confine us.

Economic Benefits of Wilderness

Wilderness provides important economic benefits to local economies. By providing new opportunities for outdoor recreation, protecting healthy landscapes where people can live and work, and increasing tourism,

wilderness designation provides a strong economic base in rural regions. Nationwide, outdoor recreation contributes \$730 billion to the American economy, while supporting 6.5 million jobs.¹

How Wilderness Proposals are Crafted

Wilderness designation is a locally-driven, community process that usually begins with a group of citizens who are interested in securing protection for a nearby area on federal lands. These citizens work with community leaders, stakeholders, interest groups, and the general public to develop a wilderness proposal that is responsive to community needs, addresses concerns about designation, and provides adequate protection to imperiled landscapes.

Wilderness Stewardship

Without adequate funding for stewardship and management, many wilderness areas (or wilderness quality areas) are at risk of losing the very values that they were established to preserve. We look forward to working closely with the 111th Congress to ensure that our land management agencies have the resources needed to properly manage and protect all designated wilderness and wilderness quality lands.

Priorities in the 111th Congress

Dozens of wilderness bills were introduced in the 110th Congress by both Democratic and Republican sponsors, demonstrating the broad, bipartisan support for, and interest in, wilderness designation. While many bills were reported out of committee in the House and Senate, only one, designating 110,000 acres in the State of Washington, was signed into law. Many of the rest were reported unanimously out of the Senate Energy and Natural Resources Committee but were not taken to the Senate floor.



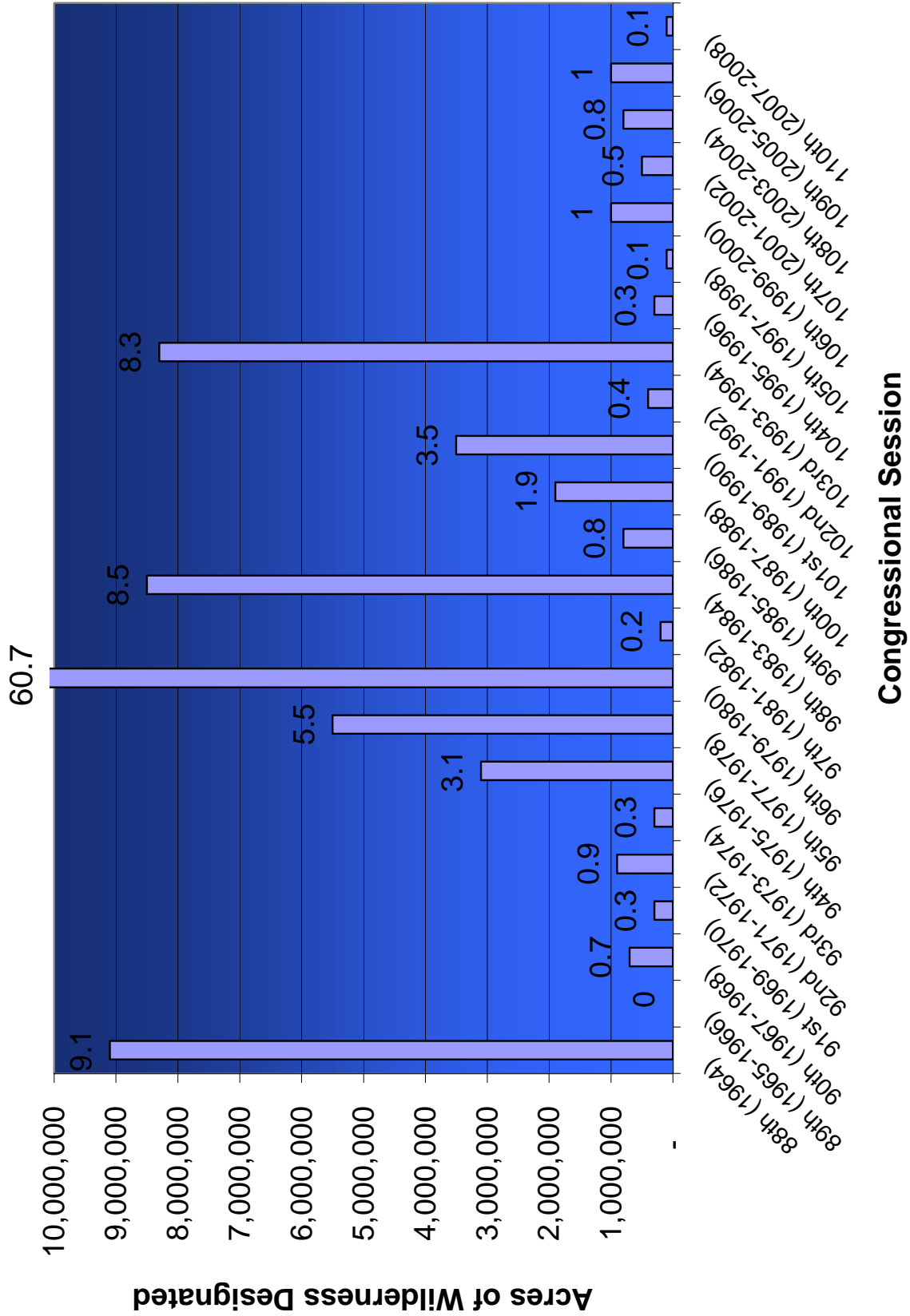
The stunning King Range Wilderness Area along California's northern coast was added to the National Wilderness Preservation System by the 109th Congress.

Fifteen wilderness provisions affecting eight states were included in an omnibus public lands bill that included nearly 150 pieces of mostly non-controversial legislation affecting American public lands. These provisions would protect such American icons as the breathtaking Sierra Nevada Mountains of California, scenic Mt. Hood of Oregon, and popular Rocky Mountain National Park in Colorado. The provisions would also designate new wilderness in Virginia and West Virginia, thus providing much-needed outdoor recreation opportunities in the eastern United States. Passing this omnibus lands act remains a top priority in the 111th Congress.

Additionally, new wilderness proposals are being developed in nearly every western state, and several eastern states. Together, these proposals afford the 111th Congress a prime opportunity to leave a legacy of wilderness by preserving America's natural heritage for future generations. The Wilderness Society stands ready to help.

For more information, please contact: Paul Spitler at (202)429-2672 or paul_spitler@tw.s.org

¹ Outdoor Industry Foundation. 2006. *The Active Outdoor Recreation Economy: A \$730 Billion Contribution to the U.S. Economy*. Available at <http://www.outdoorindustry.org/>.



Energy Development on Public Lands

America's public lands harbor a wealth of beauty, wildness, and open space while they also protect our clean air and water, provide wildlife habitat, and offer us places to escape the pressure, noise, and congestion of everyday life. Federal law requires that these public lands, including those managed by the Bureau of Land Management (BLM) and U.S. Forest Service, be managed for environmental protection, as well as for other values including development of both fossil and renewable energy resources.



Little Missouri National Grassland, North Dakota
(photo courtesy Jan Swenson)

However, during its tenure in office, the Bush administration adopted policies that effectively made oil and natural gas development the dominant use of western public lands at the expense of efforts to sustainably harvest renewable energy resources. This policy priorities led to leasing and development decisions that have put our air, water, wildlife, and wild lands at risk. Some of our most fragile, remarkable, and unprotected places have now been dedicated to oil and gas development—places that are truly “too wild to drill.”

Restoring Balance on Our Public Lands

Although energy development—if carefully done and properly managed—is a legitimate use of our public lands, the aggressive efforts to open more sensitive public lands to oil and gas drilling during the past eight years are short-sighted and an unnecessary sacrifice. The vast majority of publicly-owned oil and gas resources in the Rocky Mountain region are already available for leasing and development. In fact, a 2003 BLM report indicates that 85 percent of the oil and 88 percent of natural gas on federal lands in Colorado, New Mexico, Montana, Utah and Wyoming are available for leasing and development. Only 12 percent of federal natural gas resources in this region are off-limits to leasing.^[1] The situation is similar in America's Arctic, where the Bush Administration made more than 70 million acres in the Arctic Ocean and National Petroleum Reserve-Alaska available to the industry for oil and gas drilling. Despite this aggressive and unsustainable expansion, the Bush Administration also unsuccessfully demanded that the heart of the Arctic National Wildlife Refuge be opened to oil and gas drilling.

Approximately 45 million acres of onshore public lands are presently under lease for oil and gas development, while less than 12 million acres of these leases are under production. During the last eight years, the Bush Administration issued over 35,000 drilling permits to these lands. Yet, despite the vast acreage of land under lease—and growing concern among western residents, western governors, hunters and anglers, ranchers and farmers, local elected officials, and the Government Accountability Office that an unchecked oil and gas industry is damaging the region's environment—the oil and gas industry continues to insist that even more of our fragile lands need to be turned over to them.

^[1] BLM, “Energy Policy and Conservation Act Inventory Fact Sheet,” 1/15/03, p. 3.

There are now more than 80,000 producing oil and gas wells on the public lands, and new BLM ‘land use plans’ project an additional 126,000 wells on public lands in just the five Rocky Mountain states of Montana, Wyoming, Colorado, Utah, and New Mexico over the next several years. A drilling boom of this scale comes at great cost to the environment. Full-field oil and gas development entails a web of production facilities, staging areas, waste dumps, airstrips, drill pads, hundreds of miles of pipelines, transmission lines, and roads. For wildlife, the development fragments their habitat into increasingly smaller and less usable areas, until healthy populations find it difficult to survive. The direct impact of this industrialization is magnified by noise, water, air, and light pollution that further degrade the region’s natural environment.

Moreover, a 2005 report from the Government Accountability Office found that the BLM’s increased oil and gas permitting activity “has lessened BLM’s ability to meet its environmental protection responsibilities” (GAO-05-418).

The Obama Administration has an opportunity to restore a better balance between energy development on the public lands, and the protection of our air, water, wildlife, cultural heritage and last remaining wildlands. Congress can also take steps to restore the balance by passing legislation to permanently place special public lands off limits to oil and gas development.

Unprotected Wild Lands Threatened by Irresponsible Oil and Gas Drilling

The BLM continues to issue leases on millions of additional acres of public lands every year, much of it on lands deserving of wilderness or other protection. For example, since April of 2003, more than 150,000 acres of Citizens Proposed Wilderness were included in oil and gas lease sales in Colorado, more than 400,000 acres in Utah, and more than 50,000 acres in Wyoming. Moreover, the Bush Administration’s BLM issued so many drilling permits that hundreds have gone unused.



Otero Mesa, New Mexico – area proposed for oil and gas drilling
(photo courtesy Coalition for Otero Mesa)

As the management of our public lands has become increasingly unbalanced in favor of oil and gas development, local elected officials, ranchers, homeowners, wildlife biologists, farmers, hunters, anglers, recreationists, county commissioners, governors, and business owners are increasingly speaking out. Citizens living near Colorado’s Roan Plateau, New Mexico’s Otero Mesa and Wyoming’s Upper Green River Basin have all asked the BLM to rein in the drilling and protect the environment, but such appeals to balance have, unfortunately, generally fallen on deaf ears.

Achieving Energy Independence and Security

There is a better solution to our energy challenges than sacrificing the last remaining wild places of our public lands to the increasingly desperate pursuit of fossil fuels. Investments in conservation, efficiency, and renewable energy facilities and transmission are effective and beneficial strategies that unfortunately have not received the support they need. In addition, by adopting a new energy policy for the 21st Century



that emphasizes the development of clean technologies and the more efficient use of energy to power our economy, we can save American families money, reduce our dependence on foreign sources of energy, reduce our emissions of greenhouse gases and help protect our wild land heritage for future generations.

The transition to a sustainable energy economy must safeguard our natural resources that help keep American communities safe, healthy, and prosperous. Congress will play a leading role in shaping the policies that govern when and where renewable energy development occurs across the United States, especially on public lands. The United States has a unique natural heritage that provides key services to society including supporting biodiversity and protecting air and water quality. By storing carbon, the nation's forests, grasslands, and intact ecosystems are also an essential defense against global warming. Given the vast scale of this development, it will be essential to site and configure new energy infrastructure to avoid and minimize environmental impacts and to prevent undue and unnecessary degradation across the landscape. There must be a balance between addressing the near-term impact of siting renewable energy facilities with the long-term impacts of climate change on our biological diversity and natural landscapes.

For more information please contact: David Alberswerth at (202)429-2695 or dave_alberswerth@tw.s.org or Chase Huntley at (202)429-7431 or chase_huntley@tw.s.org.

Global Warming And U.S. Public Lands

America's Wildlands are Under Threat and Will Play Key Role in Any Climate Change Solution



The Red Desert in Wyoming.

By Mike McClure

Climate change represents the most important environmental challenge facing humanity. Forest loss is a primary cause of global warming, second only to fossil fuel emissions. If properly conserved and managed, forests are major contributors to solving the global warming crisis. If left unprotected, forests and humanity become victims of a warming climate. There is a brief and important window of opportunity for meaningful action on climate change. Derived from both science (experts agree that significant reductions in greenhouse gas emissions are needed soon if we are to avoid dangerous ecological “tipping points”) and the political landscape (the international community, Congress and the White House are setting the stage for meaningful action on climate change) this window may not last long.

Our Heritage

America’s public lands—over 620 million acres of land and 150,000 square miles of protected waters—are the birthright of every citizen and the legacy we hold in trust for generations to come. Global warming poses an unprecedented threat to the nation’s iconic landscapes—our national parks, forests, wilderness areas, and wildlife refuges. At the same time, protecting these natural places is more important now than ever before. Our country’s public lands store carbon and offer one of our best hopes for sustaining the plants, animals, birds, clean water and air, and recreational opportunities that are important to our heritage.

The Threat

Dramatic and rapidly occurring transformations to our lands and waters are well documented. Glaciers are receding. Beaches and coastal wetlands are eroding as sea levels rise. Inland lakes and wetlands are drying up. Droughts and severe storms are more frequent as precipitation patterns shift. Invasive species are gaining a foothold and native plants are struggling. Wildland fires are increasing in frequency and intensity. Wildlife that depend on these habitats are increasingly stressed—more so as urban sprawl, energy development, and motorized recreation encroaches on the very habitats set aside to protect them.

These threats have wide-ranging impacts on human communities as well. Wildlands support the pollinators on which our crops depend and feed the watersheds that supply our drinking water. They also afford opportunities for hunting and recreation. Protected coastal wetlands buffer homes and property from damaging storms. What happens to these lands ultimately affects us all.

Economic Impacts

To put a conservative price tag on our investment in public lands, the economic benefits derived from biodiversity in the United States reach more than \$400 billion annually (in 2008 dollars).¹ Among these services to the public, water is paramount. For example, in anticipation of a 25 percent reduction in water access by 2050, California's state government proposed a \$4.9 billion package designed to increase water storage. However, many of the ecosystem services threatened by climate change are literally irreplaceable. We simply have no affordable alternative to letting nature do its work. It is not cost-effective, practical, or in many cases possible to find another means to provide the nation with clean air, clean water, waste treatment, and good health. Managing for a changing climate will allow for the natural adaptation of these resources and keep the services they provide and on which we rely strong. Agency decision makers must account for changing risk levels over the lifetime of a land management decision by incorporating climate change considerations into planning processes to avoid significant economic loss. Incorporating the threats of climate change into our land management decisions is an economic necessity.

The Solution

We need to follow a simple principle—polluters should pay for the pollution they cause. Today, power plant operators, for example, freely emit greenhouse gas pollution into the atmosphere, forcing others to bear the costs. Called the greatest market failure in history, this practice now threatens the future of the planet. To correct this market failure, the United States needs to place a steadily declining limit on this pollution and force the polluters to make the changes needed to comply with the cap. By allowing the polluters to trade allowances among each other, they can adapt most efficiently while staying below the cap. This is called “cap-and-trade,” an approach that worked well to reduce acid rain emissions in the 1990s. Both near and long-term emission reduction targets must match what science tells us is necessary to avoid dangerous “tipping points.” This requires strict 2020 targets and at least an 80% reduction from current emission levels by 2050.

In addition, preventing deforestation and maintaining healthy, intact ecosystems will be our best option for helping wildlands and the species that depend on them adapt to climate change while also sequestering carbon emissions. Deforestation is one of the primary causes of global warming, and preventing further loss and restoring healthy landscapes should be one of the primary solutions after curbing industrial emissions.

America's public lands are managed by the Department of Interior (principally the Bureau of Land Management lands, the National Parks, and the national Wildlife Refuges) and the Department of Agriculture (principally the National Forests). This includes 107 million acres of pristine wilderness and some of the nation's most diverse ecosystems. The American people have protected these landscapes for more than 100 years since the first national parks, refuges, and monuments were created. But we are losing 6,000 acres of open space every day, or about four acres per minute, as a result of unsustainable policies adopted before the current consensus on the looming threat of global warming. Now, we must do better to protect what we can no longer afford to lose. This requires a new approach to land-use policy that rewards “smart growth” and provides incentives to protect forests, grasslands and other ecosystems. First and foremost, stewards of our public lands must alter land management plans to account for climate change. This will require a message from the top, through an executive order or other similar mechanism, that turns the bureaucracy toward accounting for the climate services provided by natural systems and preserving them.

In addition, the value now placed on carbon storage has resulted in the development of carbon markets, both voluntary and mandatory, that can help compensate for private land management decisions favoring carbon sequestration. These new market forces need to be aligned to reward real, verifiable, additional forest and wildland projects that provide permanent new carbon storage to fight global warming. To ensure that promised climate benefits are realized, however, proper regulations and rigorous accounting practices must be part of any carbon market. In short, we can not let the pursuit of carbon credits lead to market manipulation and the destruction of the wildlands we seek to protect. The “carbon sink” potential of our nation’s wildlands has yet to be fully developed—and doing so will require innovative policies that value this ecosystem service over unsustainable development priorities.

Furthermore, we must plan for the effects of global warming caused by heat-trapping gases currently in the atmosphere. The past 100 years or more of accumulated global warming pollution is already causing, and will continue to cause, significant adverse impacts to the United States and the world. Cap-and-trade legislation must address not only the causes of worsening global warming, but also the effects of the unavoidable global warming we already face. This must include new dedicated resources to protect and restore the natural environment, including fish, wildlife, and their habitat, on which all human health and economic vitality depends.

Federal land management agencies must also gather the best scientific information and be required to manage the lands in their care to adapt to climate change. They must integrate “climate thinking” into their practices and ensure climate change is analyzed and addressed in policy planning and decision making. In particular, land managers must restore and better manage public lands where global warming’s impacts will be felt most severely while working to set aside additional lands to assure that key ecosystems and wildlife corridors are protected. These necessary activities can and should be supported by funds raised through the auctioning of pollution permits issued under a new cap-and-trade system. If these resources are made available quickly, our nation’s lands will be protected, and also will help to protect us from the ravages of climate change.

Therefore, any comprehensive climate legislation must include:

1. Dedicated Annual Funding Based on an Auction System. A carbon cap-and-trade emissions limitation bill should include an auction system for the distribution of emissions allowances. Proceeds from this auction system should be devoted to confronting the climate change challenge, including actions to address the harmful impacts of climate change on the natural environment.

2. Auction Proceeds for Protecting Wildlands and Natural Ecosystems. A significant share of the allowance value generated from any cap-and-trade program should be dedicated to protecting and restoring the natural environment, including wildlands, fish and wildlife habitat and the natural ecosystems on which human health depends. Protecting the habitats of fish and wildlife, including terrestrial, freshwater aquatic, estuarine, coastal and marine species, serves all Americans by protecting the clean water, clean air, biodiversity, open space and working natural landscapes that define our quality of life and are the foundation for a strong economy.

3. Broad Authority for Ecosystem and Wildland Protection. Auction proceeds under this bill should provide dedicated funding, not subject to annual appropriations, for climate-related ecosystem protection that ensures federal, state, and tribal resource agencies and their partners can meet the new challenge of conserving land, water and habitat in the face of an altered and rapidly changing climate. Eligible activities may include conservation, restoration, land acquisition, fish and wildlife protection, habitat

enhancement, planning, research, monitoring, and education activities that are carried out pursuant to comprehensive ecosystem climate adaptation strategies.

4. Eligible Resource Agencies. Agencies eligible for auction proceeds are those federal, state, and tribal agencies with authority and responsibility for programs and resources important to helping fish, wildlife and ecosystems survive climate change.

5. Federal Multi-Agency Comprehensive National Strategy. The activities of the federal resource agencies needed to restore and protect the land, fish, wildlife and ecosystems against the impacts of climate change should be directed and coordinated through a comprehensive national strategy, developed in close consultation with the states, tribes, and other stakeholders, and with advice from the National Academy of Sciences and a science advisory board.

6. State Comprehensive Strategies. The activities of the state resource agencies should be directed and coordinated through individual state comprehensive strategies for fish and wildlife adaptation to climate change that are approved by the Secretary of the Interior and integrated into state wildlife action plans, state coastal zone management plans, and other state wildlife species or habitat plans. Opportunities should be provided for scientific and public input during the development and implementation of these strategies.

7. Cost-Share Requirements. In order to ensure full and effective utilization of funds under this program, required cost-share contributions by states and other nonfederal entities receiving auction proceeds, should be capped at relatively modest levels for climate-related conservation actions. This cost-share requirement should supersede existing cost-share requirements in the programs through which the adaptation strategy is delivered.

8. Enhanced Scientific Capacity. The scientific capacity of the federal resource agencies to evaluate and address the impacts of climate change on fish, wildlife, and ecosystems should be enhanced through, among other things, the establishment of national climate change and fish and wildlife science centers, housed within agencies such as the U.S. Geological Survey and the National Oceanic and Atmospheric Administration.

For more information contact: David Moulton at (202)429-2681 or david_moulton@tw.s.org or J.P. Leous at (202)429-2676 or jp_leous@tw.s.org

¹ Pimental et al. 1997. Economic and environmental benefits of biodiversity. *BioScience* 47:11, (December).

National Forests

National Forests play a vital role in providing clean drinking water, public recreation opportunities, fish and wildlife habitat, flood control, carbon storage and other essential services. As our planet faces the imminent threat of global warming, we look to new management strategies to improve ecosystem resiliency and help minimize the negative impacts of climate change on our forests, while exploring opportunities to use our nation's forests to minimize the worldwide impacts of global warming. Early action on national forests can begin to address global warming by halting and reversing the degradation of landscape components that best store carbon and provide ecological services. Equally important, National Forest funding must be reformed to solve the increasing fire suppression costs and to recalibrate budgetary priorities to concentrate limited federal dollars on areas that best reflect public need. Global warming related actions and reformed funding will help to address continuing and emerging challenges facing our forests to maintain their adaptability and resiliency.

Global Warming Affects National Forests

Global warming threatens our National Forests in the form of increased wildfire seasons and pest outbreaks, melting permafrost in boreal forests, declining snowpack, increased drought, increased threat from invasive species, and habitat shifts. The natural systems that provide us with drinking water, flood protection, food, medicine, wildlife, recreational opportunities, scenic beauty, timber, jobs, and numerous other services are at great risk.

Unfortunately, past management of national forests has harmed their capacity to reduce atmospheric carbon in ecologically sustainable ways and to provide habitat and other ecological services in the face of global warming. For example, roadless areas and older forests contain vast amounts of carbon and continue to remove atmospheric carbon dioxide for centuries after establishment. However, road building and unsustainable logging can adversely affect these functions while also damaging ecosystems.

Many national forest lands have been so compromised that they require substantial restoration. Full restoration of the values and services the American public wants and needs from these lands is vital. It will be a demanding, long-term task, calling for careful study and planning to reconcile competing considerations, deal prudently with uncertainty, and maximize benefits. This Congress can confidently undertake several early measures to promote carbon storage on federal lands, as well as restore degraded ecosystems and begin to address the impacts of global warming on forests and grassland ecosystems.

The initial step in making national forest management more responsible from a global warming standpoint will be to stop degrading the landscape components that currently do the best job of mitigating global warming and providing increasingly important refuges for fish and wildlife. For example, it is generally accepted that older forests, native grasslands and prairies, and roadless areas play a key role in mitigating climate change. Therefore, the Forest Service and other federal land management agencies should pursue policies that enhance these functions. Prime examples include reforestation of denuded lands and thinning plantations to accelerate development of old growth.

The following recommendations can help secure the climate benefits of National Forests:

Protect Roadless Areas

The almost 60 million acres of inventoried roadless areas within the National Forest System provide vital refuge for fish and wildlife in a warming climate while storing large quantities of carbon. The Roadless Area Conservation Rule should be defended in all outstanding appeals, any ongoing rulemakings begun

under the Bush administration’s petition process should be halted, full coverage of the 2001 rule—including an early announcement of the expiration of the “temporary” exception from the rule that the Bush administration adopted for the Tongass rainforest—should be restored. (*See section 5 for details*)

Protect Old Growth

- Halt the implementation of the BLM’s Western Oregon Plan Revisions and reinstate the Northwest Forest Plan.
- Conduct an independent scientific peer review of the Northern Spotted Owl recovery plan and modify the plan accordingly.
- Repeal the 2004 Sierra Nevada Plan amendments and reinstate the 2000 Plan
- Enact legislation (similar to the 2008 Wyden bill) to protect old-growth forests and watersheds.

Advance Sound Land Management Policy

The Bush administration planning regulation was enjoined in 2007 because it failed to comply with NEPA and the Endangered Species Act. The Wilderness Society recommends suspending and repealing the Bush administration’s forest planning regulations implementing the National Forest Management Act, while reinstating the 2000 planning regulations that will restore the requirement that plans comply with NEPA and protect wildlife viability.

In addition, the National Forest Management Act should be amended to address global warming issues including steps to ensure carbon storage/sequestration and forest adaptation/resilience to climate change (e.g. flooding, invasive weeds and fire) and ensure wildlife viability. Proposed amendments would further require the development and implementation of an interagency national strategy for helping fish, wildlife and their ecosystems navigate the bottleneck of global warming impacts, including gathering and incorporating the best independent science available regarding both impacts and strategies for restoring and saving those imperiled by global warming.

Additionally, The Wilderness Society recommends that the Forest Service restore the role of sound science in the culture of the agency by reconvening a Committee of Scientists to help develop new planning regulations that focus on helping forests adapt to global warming.

Promote Climate Research

The Forest Service should promote the research and development of tools supporting forest management strategies for sequestering and storing carbon while providing multiple ecological benefits. The Forest Service should also monitor and research the impacts of global warming on forest and grassland ecosystems and develop strategies for ameliorating these impacts.

- Implement and fund Forest Inventory and Analysis program to track global warming impacts and carbon storage.
- Implement and fund a Resources Planning Act (RPA) Program to provide the President, Congress and the public a better understanding of the effects of global warming on the National Forest System and the budgetary needs to respond to those effects.

Endorse Collaboration in Restoration and Stewardship Efforts

The Wilderness Society supports collaborative processes and advisory groups that are multi-party, transparent, and practical to aid rural economies and to guide ecological restoration. By building partnerships based on social and economic well-being of communities and long-term forest health, The Wilderness Society brings about enduring change in forest and fire management. Our coalition work brings together groups from across the spectrum of interested stakeholders. Our partners include conservation groups, professional foresters, federal agencies, rural communities, local government officials, academic and agency scientists, hunters and anglers.

To achieve collaboration goals, The Wilderness Society recommends expanding and emphasizing:

- 1) The implementation of the Forest Service’s new policy/interim directive on ecological restoration and resilience (FSM 2020), to incorporate ecological restoration in sustainable management of National Forest System lands—healthy, resilient landscapes will have greater capacity to survive natural disturbances and large scale threats to sustainability, especially in light of global warming and increasing human uses—and,
- 2) The use of collaborative stewardship contracts to complete economic and ecological service projects with broad support.

Recommendations for promoting collaboration include:

- Enacting Senator Bingaman’s Forest Landscape Restoration Act (S. 2593) and providing funding for implementation.
- Establishing a Green Job Corps to employ people in needed public land infrastructure maintenance and ecological restoration work, leading to long-term rural economic and landscape sustainability.
- Funding long-term, land agency ecological restoration work, such as the Legacy Roads and Trails Program, to improve fish and wildlife habitat and to restore watershed integrity (described below).

Re-Invest in Our National Forests

Funding levels should be reprogrammed to reflect the pressing need to protect and restore resilient, intact ecosystems and to engage in important research. Recent years have seen these management goals systematically impoverished in favor of extractive activities that both waste taxpayer dollars and degrade vital public resources. Furthermore, the Forest Service annual budget requests and appropriations should be revised to reduce commodity production and increase funding for important programs including Recreation, Wilderness & Heritage (including Travel Management Planning); Wildlife & Fish Habitat Management; Road Maintenance; Road Decommissioning; State Fire Assistance; Legacy Roads & Trails Remediation; and Forest Inventory Analysis. *(See the section 11 and section 6 for more information.)*

Invest in Road Maintenance, Remediation and Decommissioning

National Forests are currently crisscrossed with 386,000 miles of roads—enough to encircle the earth 15 times—and an \$8.2 billion maintenance backlog exists for its roads system. Ongoing logging and mineral extraction has not only led to the gradual creation of an enormous and unsustainable road system in the national forests but also to forest fragmentation and widespread unmanaged off-road vehicle driving and related damage. The Forest Service reports that it can only maintain about 20 percent of its roads to standard. The Forest Service needs to transform its currently oversized, decaying, and obsolete road system to a streamlined system that will meet the nation’s needs in the 21st century with a fiscally responsible approach. To do this, the Forest Service must accomplish widespread decommissioning and restoration of the roads that are no longer needed and properly maintain those roads that are needed. Road decommissioning and maintenance of necessary high clearance and closed roads could significantly decrease the direct impacts on fish, wildlife and recreation while benefiting the health of forest ecosystems. This will aid in the creation of a healthier and more resilient forest system, which is all the more important under global warming conditions.

The Wilderness Society recommends increasing investment in several roads-related programs including:

- **Roads Maintenance Program** – Increases should prioritize and maintain public safety needs, resource protection, and public and emergency access. The Forest Service should limit expanding the roads system, especially for resource extraction needs. The agency currently receives only a small fraction of the necessary funds and cannot meet its maintenance needs.

- **Deferred Maintenance** – The Forest Service estimates it has an \$8.2 billion backlog for deferred road maintenance alone. However, the number is closer to \$10 billion or more. Increased investment in this program should target the increasing backlog by focusing on roads that are in immediate need of attention and where ecological benefits will be greatest.
- **Legacy Roads and Trails Remediation Program** – The Legacy Roads and Trails Remediation Program is a vehicle for accomplishing road decommissioning and other remediation activities that will significantly improve water quality and fish habitat, reduce fragmentation of wildlife habitat, and aid in restoring stability and resilience to watersheds and large tracts of forests.

Forest Inventory and Analysis Program (including Carbon Accounting and Research)

Forest Inventory and Analysis (FIA) surveys conducted by the Forest Service provide the only consistent nationwide data on the state of U.S. forests. Global warming will increase both stresses on our forests and demands to manage them for carbon sequestration, biomass fuels and other outputs. Timely, complete, and accurate information about the state of our nation’s forests, both private and public, is critically important. The FIA program must receive adequate funding to support the frequent re-sampling (ideally 20 percent of plots each year nationwide) necessary to track changes in forest health due to global warming stresses and changes in management, and to increase sampling of soil carbon. As the U.S. moves toward binding commitments to reduce greenhouse gas emissions, it is critical that we make realistic assumptions about how our forests can contribute to offsetting other sources. The USDA’s Carbon Accounting and Research program, recently transferred to FIA, needs adequate funding to develop a complete and accurate nationwide monitoring system for terrestrial carbon. Inconsistency of land use and land cover data among agencies is a major source of uncertainty about terrestrial carbon stores and changes over time. The USDA should also be charged with coordinating land use and land cover data collected by all federal agencies.

Inventory and Monitoring

Consistent implementation of science-based planning, analysis, and decision-making requires dedicated funding for monitoring and science-based adaptive management processes. The Forest Service Inventory and Monitoring program funds the collection and analysis of data to be used in land management planning. Monitoring of fish and wildlife populations, along with habitat assessment and monitoring, is fundamental for effective planning and high-quality decision-making under a sound National Forest Management Act regulatory framework. The Inventory and Monitoring program should make targeted investments in key objectives that support policy relevant, science-based planning, including “enhancing scientific understanding of ecosystems” and “providing data, information, and analyses to decision makers.” Strategic investments in planning must be matched with comparable investments in species and ecosystem assessment, analysis, and monitoring. Indeed, the hallmark of intelligent land management is the use of comprehensive biological monitoring information to inform adaptive shifts in agency decisions and actions.

Recreation, Heritage & Wilderness Program

The Recreation, Heritage & Wilderness program makes up the largest of the forest uses, and demand for outdoor recreation is fast growing. Therefore, it is critical that the Forest Service encourage recreation that is environmentally sound and devote more institutional focus to meeting the challenge of projected increases in recreational use (e.g., emphasize rigorous recreation planning and implementation, on-the-ground management, and restoration). Furthermore, with the imminent threat of global warming, actions will be necessary to help Americans adapt to a more climate-responsible method of recreation. For instance, the Forest Service should emphasize providing recreational opportunities close to where people live and emphasize muscle-powered forms of recreation over those that expend fossil fuels.

Support Green Collar Jobs

A new injection of money for road and trail maintenance and decommissioning—that correctly falls under the heading of “green jobs”—is sorely needed. Such an economic revitalization package would create jobs by restoring the capacity of healthy landscapes focused on repairing damaged watersheds through erosion control, reducing the Forest Service roads system and repairing culverts because areas have “shovel ready” projects that can put people to work now, while providing long-term ecological and economic benefits. Hazardous fuels projects funded through economic revitalization should prioritize activities in the wildland-urban interface that reduce fire risk to communities.

Accounting Program

To further the Forest Service’s overall mission and to restore public confidence, the Forest Service must improve its budgetary transparency and accountability. Although the Forest Service has moved to improve its accounting practices, continued improvements should take place. Multiple Government Accountability Office and Office of the Inspector General reports have found glaring lapses in data collection and recurrent problems with long-term planning based on measurable goals. For example, current reporting is ineffective for basic activities like evaluating the cost-effectiveness of timber sales and documenting the location and effectiveness of hazardous fuels treatments. The reports have also provided important recommendations for maintaining an evolving and effective accounting program based on accurate data collection, storage and reporting in order to increase Forest Service budget and project transparency. Such accounting enhancements would provide the Forest Service a better grasp of its funding needs.

For more information contact: Mike Francis at (202)429-2662 or michael_francis@tw.s.org or Cecilia Clavet at (202)429-2663 or cecilia_clavet@tw.s.org.



National Landscape Conservation System

The mission of the National Landscape Conservation System is to conserve, protect, and restore these nationally significant landscapes that have outstanding cultural, ecological, and scientific values for the benefit of current and future generations. — Bureau of Land Management, 2000

The National Landscape Conservation System is a network of the last, great places to experience the history and wild beauty of the American West. The Bureau of Land Management (BLM) is the steward of these 26 million acres of special lands and waters—that include National Monuments, National Conservation Areas, National Historic Trails, National Scenic Trails, wilderness and wilderness study areas—all designated for conservation by Congress or the President.

The Conservation System's canyons, mesas, mountains and rivers are unique and irreplaceable refuges for our shared natural and cultural history. From the native grasslands of the Carrizo Plain in California, to the thousands of cultural sites at Arizona's Agua Fria or Colorado's Canyons of the Ancients, the Conservation System's diversity is dwarfed only by the potential it holds to help conserve incredible and iconic American landscapes.

The Wilderness Society, working with an alliance of more than 70 organizations and millions of Americans nationwide, seeks to make this system permanent and recognized as a world-class system of conservation lands managed by the BLM. We also support expansion of the Conservation System through additional BLM wilderness, new National Conservation Areas, and other conservation designations.

The Wilderness Society Goals for the National Landscape Conservation System

The BLM's National Landscape Conservation System brings together the best of BLM's lands and waters. The 26-million-acre Conservation System provides countless benefits, from hunting to fishing and other recreational opportunities, to important research and inquiry into ecosystem health and cultural resource protection. To sustain those benefits and keep the Conservation System healthy, wild, and open, the Wilderness Society seeks:

1. System Permanence for America's Newest Conservation System

On April 9, 2008, the House of Representatives passed the National Landscape Conservation System Act, which permanently establishes the National Landscape Conservation System. This tremendous accomplishment is the result of the commitment that both national and local conservation and citizens' groups have made to the Conservation System. The Wilderness Society is leading this effort.

As of December 2008, the Senate bundled the Act with over one hundred other public land and resources bills into an omnibus package that awaits a vote in the Senate. There is hope that Congress will address this important legislation in early 2009.

The Wilderness Society seeks congressional recognition of the System to promote consistent stewardship of the System's treasured places, to elevate the stature and recognition of the Conservation System's unique qualities, and to promote public understanding of the vital role these public lands play in the environment and local economies of the West.

2. Adequate Funding and a Transparent Budget

Since the Conservation System's inception in 2000, funding has steadily declined, though The Wilderness Society helped secure a modest increase last year over the prior year's level. The Wilderness Society is working to maintain and increase levels of funding each fiscal year. Eleven of the fifteen fastest growing states in the country are in the West, making the Conservation System the new backyard for millions. In parts of the System, visitor use has tripled in the past five years.

We asked for \$70 million in FY09 funding and \$75 million in FY10, which is about 5% of the whole of BLM's budget. (For some perspective, the Wildlife Refuge System budget is \$434 million in operations and management for approximately 100 million acres.)

Greater transparency and accountability in the System's budget is also a top priority of The Wilderness Society. This year, The Wilderness Society helped secure greater clarity in the System's budget but more work is needed.

3. Resource Protection and Public Awareness

Through the administrative planning process, the BLM makes decisions critical to the health of the Conservation System. The land use planning process for Conservation System areas like National Monuments and National Conservation Areas result in decisions on off-road vehicle use, determinations of wilderness protections, oil and gas leasing stipulations, and power corridors, among others—ultimately improving land condition or increasing possible harm. The planning process provides critical opportunities for advancing real protection and for public engagement in land conservation. The BLM Action Center in our Denver Regional office is a national leader in this process and supports our local partners across the West in ensuring the Conservation System is managed to the highest standards of resource protection.

4. System Growth

There are still many BLM areas worthy of protection and inclusion in the Conservation System. The Wilderness Society is leading the effort to identify and advocate for these lands. By combining the knowledge and skills of our Regional Offices and the Wilderness Support Center, we look forward to a National Landscape Conservation System that more fully represents the crown jewels of the lands managed by BLM.

For More Information Contact: Kevin Mack at (202)454-2524 or kevin_mack@tw.s.org or John Garder at (202)429-2641 or john_garder@tw.s.org

National Parks: America's Public Lands Legacy

America's National Parks are known and loved the world over. Shielded by the country's most protective land management standards, National Parks have preserved our common heritage and provided evocative experiences for families for over a century, from the quiet solemnity of battlefields to the howl of wolves in Yellowstone.

The National Park System preserves a breathtaking array of archaeological, historical, and natural treasures. Its more than 390 units encompass hallmarks of our nation as varied as Gettysburg and the Grand Canyon, Martin Luther King's birth home and the geysers and wildlife of Yellowstone. The Park System began with an eye toward preserving lands as they existed before the West was settled. Bryce Canyon, Glacier, Mount Rainier, and Sequoia are all examples of that initiative. Since the establishment of the National Park Service in 1916, the System was expanded to include areas throughout the country that allow Americans to experience the events, places, and landscapes that have shaped us as a nation and a people. The National Park Service manages seashores, lakeshores, battlefields, historic sites, memorials, and other areas of national significance. The agency is charged with maintaining the highest standard of protection for these units. In fact, the agency's mission is "to conserve the scenery and to provide for the enjoyment of the same in such a manner and by such means as will leave them unimpaired for the enjoyment of future generations." National Parks are intended to be our country's legacy to pass on to future generations.



Grand Canyon National Park
Photo by NPS

The Historical Commitment to Protect Parks

The creation of natural national parks ranks high among America's contributions to world culture. Since the establishment of Yellowstone, over 100 countries have followed America's lead and designated their own national parks.

On March 1, 1872, Yellowstone National Park was designated by Congress as the world's first national park—protecting shooting geysers, bubbling mud pots, and expansive wilderness for all Americans. After nearly 20 national monuments were designated by Presidents Theodore Roosevelt, William Taft, and Woodrow Wilson, Congress established an agency (the National Park Service) in 1916 to manage these icons.

Over the last 90 years, the National Park System has not been immune to development pressures and threats to natural and cultural resources. In response to strong bipartisan and public pressure in 2006, Interior Secretary Dirk Kempthorne abandoned an effort to weaken the Park System's conservation principles by reinstating the National Park Service Management Policies—declaring that the policies' renewed emphasis upon conservation as the overarching duty of the National Park Service is the "lifeline" of America's commitment to preserve the parks. These policies are the foundation for day-to-day management of the Park System and include critical direction for its future protection and preservation. The policies address the following issues:

Conservation

“Congress, recognizing that the enjoyment by future generations of the national parks can be ensured only if the superb quality of park resources and values is left unimpaired, has provided that when there is a conflict between conserving resources and values and providing for enjoyment of them, conservation is predominant.”

Clean air

“Natural resources, process, systems, and values found in the parks include ... physical resources such as ... clear skies during the day and night" and "highly valued associated characteristics such as scenic views.”

Natural sounds

“The National Park Service will preserve, to the greatest extent possible, the natural soundscapes of parks.”

Wilderness preservation

“The National Park Service will take no action that would diminish the wilderness suitability of an area possessing wilderness characteristics until the legislative process of wilderness designation has been completed. Until that time, management decisions pertaining to lands qualifying as wilderness will be made in expectation of eventual wilderness designation.”

Less polluting and noisy vehicles

“Where such use is necessary and appropriate, the least impacting equipment, vehicles, and transportation systems should be used.”



Firehole River, Yellowstone
Photo by Jon Catton

Improving the National Park System

Sadly, many National Park System units suffer from poorly maintained infrastructure. Other units lack sufficient staff and operating funds to carry out vital elements of the mission given to the National Park Service by Congress that includes providing visitors with opportunities to learn about America’s history and the natural world in which we live. As a result, despite the best efforts of park employees and volunteers, visitors may see fewer park rangers and interpreters as well as crumbling roads, outdated and unsafe visitor centers, overgrown vistas, and poorly maintained campgrounds and trails. Research has demonstrated that the National Parks operate on average with only two-thirds of the needed funding—a System-wide shortfall that translates to more than \$600 million annually. In addition, the most recent estimate of the maintenance backlog puts the figure between \$4.5 and \$9.7 billion. Congress must work to rectify the operating budget shortfall, eliminate the maintenance backlog and restore natural biodiversity.

Protecting Yellowstone National Park

Opportunities to enjoy Yellowstone’s winter landscape and natural attractions continue to improve following years of ill health and controversy in the park. It is vital that the reasons for this long overdue recovery be understood so that healthy enjoyment of our oldest national park will be strengthened and not

unintentionally reversed. Until recently, Yellowstone was frequently shrouded during winter with air pollution and overwhelmed with excessive noise. Wildlife, challenged for survival in the park's harsh winter environment, were frequently harassed and pushed from their habitat. A series of publicly funded studies recommended phasing out snowmobile use that was causing the biggest share of these problems and instead providing increased access to Yellowstone with modern, environmentally-friendly snowcoaches.

Today, Yellowstone is in the midst of its fifth consecutive winter season where the steadily increasing popularity of modern snowcoaches has dramatically improved conditions for winter visitors. The park's air is cleaner and its chief attractions and roads less crowded and chaotic.

These improving conditions are no surprise. They were accurately forecast by three separate National Park Service studies, conducted over the past 15 years at a cost to the taxpayers of over \$10 million. After each of the studies, both the NPS and the Environmental Protection Agency concluded that phasing out snowmobile use inside Yellowstone and transitioning to snowcoaches is required to protect the park and its visitors. The snowcoach solution continues full, motorized access to the park, provides needed certainty for gateway communities, is overwhelmingly supported by the American public, and protects Yellowstone for future generations.

While Yellowstone is headed in a positive direction, the Bush Administration's latest plan would undermine and reverse its returning health. The average number of snowmobiles in Yellowstone the past five winters has been about 260 per day, but the administration continues to propose a plan that allows triple this current daily average. The latest scientific studies have indicated that 720 snowmobiles per day would result in significantly more air pollution than park visitors have experienced in past winters and would lead to significantly more man-made noise intruding on visitor enjoyment across greater portions of Yellowstone. In addition, park scientists cautioned that an increase in winter traffic beyond current averages would lead to more disturbance and displacement of Yellowstone's bison and other wildlife.

The administration's current regulation that allows 720 snowmobiles in Yellowstone per day is setting back Yellowstone's recovery and will result in negative consequences for visitors, employees, wildlife, and the park's environment.

The economic benefits of a snowcoach access system

When its access system emphasized snowmobiles, Yellowstone was profoundly influenced by traffic, noise and pollution—leaving the park's air perpetually clouded. Many visitors from inside and outside the region stayed away. Now, businesses in gateway communities such as West Yellowstone, Jackson, and Gardiner report growing numbers of new visitors, including seniors, wildlife and photography enthusiasts, skiers, snowshoers, and families. By attracting new customers inside Yellowstone, while emphasizing snowmobiling on National Forest lands near the park, these communities are diversifying their winter economies and being placed on a more sustainable path that protects both the health and image of Yellowstone.



Modern snowcoach,
Yellowstone.
Photo by Jon Catton

Increasing popularity of snowcoaches

Snowcoaches are larger, multi-passenger vehicles on skis that carry from six to 20 visitors into the park at a time. Snowcoach use has steadily grown for a number of reasons. As *The New York Times* observed on August 26, 2005: "Clean snowcoaches are the fleet of the future...Both tourists and former snowmobile operators have discovered the benefits of new snowcoaches, which include lower costs, greater comfort, better visibility and less disturbance for the animals."

The environmental benefits from a transition from snowmobiles to snowcoaches

National Park Service studies demonstrate that new snowcoaches are up to 41 times cleaner per visitor than the least-polluting new snowmobiles. Meanwhile, the *Billings Gazette* has reported that, “Despite technology and fewer numbers, noise is still an issue with snowmobiling in Yellowstone National Park...Snowmobiles exceeded noise thresholds near Old Faithful, Madison Junction and the West Entrance...” Snowmobile noise has been reduced in Yellowstone, but Park Service monitoring has revealed that even with a daily average of 260 snowmobiles in the park, noise levels fall into the category of “major adverse effects,” interfering with visitor enjoyment including in areas of the park most accessible by the vast majority of visitors.

Conclusion

We urge Congress to support the transition underway in Yellowstone by ensuring that the new administration implements a phase-out of snowmobile use in favor of park-friendly snowcoaches. The National Park Service and the EPA have concluded—three times each—that this alternative “best preserves the unique historic, cultural, and natural resources associated with Yellowstone and Grand Teton National Parks.”

For more information contact: Kristen Brengel at (202)429-2964 or kristen_brengel@tw.s.org

National Wildlife Refuges

From Arctic tundra to Sonoran desert, cypress swamps to tallgrass prairie, the Maine woods to prairie potholes, the National Wildlife Refuge System encompasses some of the most biologically rich lands and waters in the world.



Aransas National Wildlife Refuge, Texas

The Wilderness Society's Goals for the Refuge System

Address the Funding Crisis and Promote Expansion

Inadequate funding has put our national wildlife refuges at risk. Staffing shortfalls, a decline of wildlife habitat, deteriorating facilities, and inadequate water supplies are just a few of the problems on our refuges that must be addressed through increased appropriations.

Also underfunded is the Land and Water Conservation Fund (LWCF) (see section 11), a farsighted and bipartisan program established by Congress in 1964 to preserve public lands, protect wildlife habitat, and enhance recreational opportunities on refuges.

Advance Wilderness

These wild places are part of our nation's natural legacy; designating wilderness on our refuges will protect entire ecosystems, irreplaceable fish and wildlife habitat, and America's heritage.

Defend and Maintain Biological Integrity

The mission set forth in the National Wildlife Refuge System Improvement Act of 1997 is to administer a national network of lands and waters for the conservation of wildlife and plant resources and their habitats for present and future generations of Americans.

America's National Wildlife Refuges

From wetlands to forests, prairies to seashores, the National Wildlife Refuge System (Refuge System) includes more than 96 million acres of some of the most visually stunning and biologically diverse lands and waters in America. These wild lands harbor more than 20 million acres of designated wilderness and more than 50 million acres of potential wilderness.

There is a national wildlife refuge in every state and territory of the nation. Alaska boasts the most refuge acres, while North Dakota has the largest number of refuges. Unlike other conservation systems, the East Coast has hundreds of national wildlife refuges. And there is a refuge within an hour's drive of almost every major city. The Refuge System contains a diverse array of habitats from the bog marshes of J.N. "Ding" Darling National Wildlife Refuge in Florida, to the dry plains of the Charles M. Russell National Wildlife Refuge in Montana. In addition to providing critical habitat for thousands of species, the Refuge System filters drinking water for communities, reduces flooding, and provides places for wildlife dependent recreation such as hiking, photography, hunting, and fishing.

With the rapid conversion of natural habitats to housing complexes, shopping malls, and other development, America's fish and wildlife are threatened as never before. Today, more than ever, our national wildlife refuges are a critically important natural resource.

Refuge Improvement Act

The Wilderness Society proposed and worked for more than a decade to pass organic legislation for the National Wildlife Refuge System. That effort succeeded in 1997 with passage of the National Wildlife Refuge System Improvement Act.

The Refuge Improvement Act mandates that in administering the Refuge System, the Secretary of the Interior shall provide for the conservation of fish, wildlife and plants and their habitats within the Refuge System, and directs the Fish and Wildlife Service to prepare Comprehensive Conservation Plans for each national wildlife refuge. These plans direct management of the refuge for 15 years and provide an opportunity for the public to influence management of the Refuge System. The Act's vision is to ensure that planning efforts consider biodiversity, ecosystem level conservation, and wilderness preservation as vital concepts in wildlife management. The plans are an important tool for identifying and recommending wilderness.

Refuge Wilderness

Congress passed the Wilderness Act in order to "secure for the American people of present and future generations the benefits of an enduring resource of wilderness." For this purpose, Congress established a National Wilderness Preservation System of federal lands "where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain."

The Refuge System harbors some of the most spectacular areas left in America. Currently there are 73 wilderness areas in the Refuge System, covering about 20 million acres and comprising about 20 percent of both the Refuge System and the total wilderness acreage in the country. Expanding wilderness designation on refuges fits into the vision promoted in the Fish and Wildlife Service publication, *Fulfilling the Promise*, which emphasizes that long-term refuge planning look at biodiversity, ecosystem level conservation, and wilderness preservation as vital concepts in wildlife management.

Existing and potential designated wilderness areas are resources whose value must be addressed on each refuge; in fact, the Refuge Improvement Act requires that wilderness reviews be conducted as part of the Comprehensive Conservation Planning process that is required for every refuge.

National Wildlife Refuge System: Inadequate Funding Strains Public Use and Habitat Management Programs

The 96 million acre National Wildlife Refuge System, managed by the U.S. Fish and Wildlife Service (FWS), plays a vital role in providing wild land and natural habitat for migratory birds and other wildlife. All while strengthening local economies. Unfortunately, the places that protect thousands of birds, mammals, amphibians, reptiles, and fish and the lands that contain more than 20 million acres of wilderness and 1,400 miles of wild and scenic rivers are at risk due to severe budget cuts and chronic under funding.

The Refuge System's 548 refuges create a national network of lands for the conservation of fish, wildlife and plants, as well as offer a variety of recreational and educational opportunities to a broad and diverse group of users. With 40 million visitors annually, refuges generate over \$1.7 billion in revenues that benefit nearby communities. Protecting this valuable resource for the enjoyment of future generations of Americans is imperative. Immediate attention is needed and Refuge System funding must become a national priority.

Operations and Maintenance Funding Needs

In 2008, the Refuge System funding level was about \$434 million, far less than what is needed to fully fund the Refuge System. A 2007 estimate of System's budget operational needs was \$765 million; however many believe the estimate is nearing the \$1 billion mark.

Due to increased fixed costs, rising fuel bills and other factors the Refuge System needs to grow by at least \$12 million annually just to keep pace with inflation. In addition, nearly \$1.5 billion is needed to reduce the Refuge System's operations and maintenance funding backlog. Inadequate funding is taking a toll on visitor services, wildlife and the Refuge System's mission of conserving plants and animals for future generations. After years of operating and working under the constraints of a federal appropriation that has been level funded, the National Wildlife Refuge System has reached a crisis point. With ever-escalating fixed costs, rising salaries, and other growing operational expenditures related to increased public use and visitation, refuges can no longer keep pace. Across the country, refuge managers are forced to cut back or eliminate staff, education programs and conservation activities.

Without sufficient funding, the Service cannot effectively manage and restore wildlife habitat, safely maintain facilities and provide quality education and outdoor recreation programs for millions of visitors. These persistent funding shortfalls have led the Service to withdraw staff and reduce programs that manage public access and other activities from dozens of refuges. A reduction of services means refuges will suffer from severe deteriorating conditions. Law enforcement, trail maintenance, wildlife management, habitat restoration, facilities maintenance, recreational activities, and educational programs are all in jeopardy. Insufficient staffing equates to diminished public use and lands managed to protect native wildlife and plant species will be neglected. Treasured by sportsmen's groups and other conservationists, recreationists, families, teachers, and students, refuges should be protected for future generations.

Grappling with Inadequate Funding

A 2008 Government Accountability Office (GAO) report found that refuges do not have adequate resources to meet their strategic goals and address problems such as invasive species control and law enforcement. The report states that "maintaining the refuge system as envisioned in law ... may be difficult in light of continuing federal fiscal constraints and an ever-expanding list of challenges facing refuges,"

During the assessment of the system, refuge managers told the auditors that habitat for migratory birds declined in about 17 percent of refuges from 2002 to 2007. Invasive plant species and habitat fragmentation plagued nearly half of refuges. And environmental education and interpretation—two key visitor service programs -- were considered poor quality at one-third of refuges.

Budget shortfalls are a critical problem facing the Refuge System, which has lost 227 staff from 2005-2007. Staff cuts mean that routine maintenance activities are cut, essential science-based programs to protect wildlife and their habitat are compromised, and programs for sportsmen, educators, school children, families and other wildlife refuge visitors are abolished.

America's National Wildlife Refuge System, comprising nearly 100 million acres currently receives \$434 million per year—an average of just \$4.34 per acre. A 2008 report issued by the Cooperative Alliance for Refuge Enhancement (CARE) illustrates how refuges are vastly under-funded, leading to unstaffed refuges and closings; unsafe roads and trails; decreased safety; millions of acres of invasive species; unprotected at-risk species; and hundreds of layoffs. More specifically the report states that,

- One in three refuges are operating without a single staff member
- The System has already cut 300 staff positions; without adequate funding increasing, plans for a 20 percent staff reduction will resume
- Unfunded projects regarded as “Mission Critical” total more than \$115 million
- The system needs 845 full-time law enforcement officers, but currently has just 180—one officer for every 555,000 acres
- The System only invests 0.67 percent of its value in annual maintenance
- More than two million acres have already been lost to invasive species, placing threatened and endangered species at even greater risk

Refuges Need the Land and Water Conservation Fund

Acquisition of critical wildlife habitat through the Land and Water Conservation Fund (LWCF) benefits refuges confronted with encroaching development. Targeted land acquisition and strategic growth of the Refuge System allows refuges to meet their mission to administer a national network of lands and waters for the conservation, management and restoration of fish, wildlife and plant resources and their habitats. (See section 11 for more information on the LWCF)

For more information contact: Maribeth Oakes at (202)429-2674 or maribeth_oakes@twc.org

Roadless Forest Protection

On January 12, 2001, after nearly three years of analysis and the greatest public outreach in the history of federal rulemaking, the U.S. Forest Service adopted the Roadless Area Conservation Rule to conserve 58.5 million pristine acres of National Forests and Grasslands from most logging and road construction. The Roadless Area Conservation Rule is one of the most significant public lands measures of the last century.

Overwhelming Public Support

Throughout the rulemaking process and beyond, Americans vociferously expressed their desire to see the last 30 percent of pristine land on National Forests protected. The U.S. Forest Service held more than 600 meetings and hearings in 37 states, the majority in communities near National Forests. More than 25,000 people participated. Of the more than 1.6 million comments submitted, an overwhelming 95 percent favored the strongest possible protection for roadless areas. As well, in 18 separate opinion polls, conducted by both Republicans and Democrats, Americans demonstrated robust support for roadless area protection. In July 2005, more than 140 members of the U.S. House of Representatives introduced a bill to codify the Roadless Rule into law.

Clearly, the American people understand the need for strong roadless forest protection. Representing less than two percent of our country's landscape, these pristine lands are sources of clean drinking water for millions of Americans and offer wonderful backcountry recreation, including hiking, hunting and fishing. They offer safe harbor for vanishing and imperiled wildlife and fish species. They also provide a wide range of economic values and improve the overall quality of life in communities adjacent to National Forests.



Pyramid Roadless Area in Willamette National Forest, Oregon

Bush Administration Attacks on the Roadless Rule

The Bush administration tried hard to eliminate or weaken protection for roadless forests (*See chronology on page 39*). After initially suspending the Roadless Rule, the administration failed to defend the rule against lawsuits. In 2005, they repealed the Roadless Rule and replaced it with a voluntary state petition process. Only two states—Idaho and Colorado—have continued to pursue petitions. Without a state petition, management of the roadless areas would revert back to existing forest plans. Nationwide, forest plans allow road building in 34 million acres of inventoried roadless areas (IRAs), or about 59% of the 58.5 million acres of IRAs.

Conflicting Court Decisions

The states of California, Oregon, Washington, and New Mexico sued the Bush administration in a California federal court for repealing the 2001 Roadless Rule. In September 2006, Judge Elizabeth Laporte decided that the Bush administration violated the National Environmental Policy Act (NEPA) and the Endangered Species Act when it repealed the 2001 Roadless Area Conservation Rule. The court reinstated the 2001 Roadless Rule and enjoined the Forest Service from undertaking any road building or logging inconsistent with the Roadless Rule, except in the Tongass National Forest in Alaska (see below).

However, the state of Wyoming also challenged the 2001 Roadless Rule in Wyoming federal court. In August 2008 Judge Clarence Brimmer ruled that the 2001 Rule violated NEPA and the Wilderness Act, and he issued a nationwide injunction prohibiting implementation of the Roadless Rule. In response to a request by the Bush administration, Judge Laporte agreed to temporarily limit the scope of her injunction to 10 western states. The California and Wyoming cases have been appealed to the Ninth and Tenth Circuit Courts of Appeals, respectively. In the meantime, roadless areas are in legal limbo.

Tongass National Forest Exempted

The Bush administration temporarily exempted the Tongass National Forest in Alaska from the Roadless Rule in 2003 through settlement of the State of Alaska's lawsuit challenging the Roadless Rule.

Important Facts about Roadless Forests

- The National Forest System comprises more than 192 million acres in 42 states. Roadless areas make up 58.5 million acres of National Forest lands in 38 states and the Commonwealth of Puerto Rico.
- The Roadless Rule has garnered widespread support since 2001, receiving more public comments than any federal rule in history.
- America's National Forests are currently covered with 386,000 miles of roads—enough to encircle the earth 15 times—and a \$8.2 billion maintenance backlog exists on National Forest roads according to the Forest Service's own estimates (USDA Forest Service Audit Report, # 08401-8-FM).
- Roadless forests safeguard clean water from watersheds nationwide, the source of drinking water for millions of Americans. More than half of roadless areas intersect watersheds that provide drinking water to local communities.
- Roadless forests preserve critical habitat for fish and wildlife, including more than 1,600 threatened, endangered or sensitive plant and animal species.
- More than 100 scientists wrote a letter to the Forest Service in 2004 extolling the high quality of watersheds, fisheries, and wildlife habitat provided by roadless forests. Also in 2004, more than 100 economists told the Forest Service that designating roadless areas is an economically sound policy that saves taxpayers millions of dollars.
- Exceptions were made to the Roadless Area Conservation Rule to allow road building to fight fire, protect property and provide access to state and private lands (Sec. 294.12 (b) of the 2001 Rule).



Rock Gorge Roadless Area in Sumter National Forest, Georgia

For more information contact: Mike Francis at (202)429-2662 or michael_francis@tws.org or Cecilia Clavet at (202)429-2663 or cecilia_clavet@tws.org

2001-2008 ROADLESS AREA CONSERVATION POLICY CHRONOLOGY (as of December 10, 2008)

2001

- January 12 Roadless Area Conservation Rule is published in Federal Register.
- February 5 USDA Secretary Veneman suspends implementation of Roadless Rule until May 12.
- May 10 Idaho federal district court issues preliminary injunction blocking implementation of Roadless Rule. Environmental intervenors appealed to Ninth Circuit Court of Appeals.
- June 7 Forest Service issues interim directive requiring approval by chief of all road building and logging projects in roadless areas until forest plans are amended.
- July 10 Bush administration requests public comment on 10 questions regarding protection of roadless areas. More than 800,000 comments were submitted by the end of the public comment period.

2002

- June 5 Legislation is introduced in the House of Representatives to enact the Roadless Rule, with more than 170 original cosponsors. A companion bill was introduced in the Senate on July 25.
- December 12 Ninth Circuit Court of Appeals reverses the Idaho district court decision and strongly upholds the legality of the Roadless Rule.

2003

- June 12 Bush administration announces that it will propose changes to the Roadless Rule to exempt Alaska's National Forests and grant waivers upon request of individual state governors.
- July 14 Wyoming federal district court decides that the Roadless Rule violated NEPA and the Wilderness Act and issues injunction. Environmental intervenors appealed to the tenth Circuit Court of Appeals.
- December 23 Forest Service exempts Tongass National Forest in Alaska from Roadless Rule.

2004

July 12 USDA Secretary Veneman announces the administration will propose replacing the Roadless Rule with a voluntary Governor petition process. By the end of the comment period, more than 1.7 million comments opposed the administration's proposal and supported retaining the Roadless Rule.

2005

May 13 Bush administration issues final regulation repealing the Roadless Rule and replacing it with a state petition process.

July 11 Tenth Circuit Court of Appeals dismisses appeal of the Wyoming district court decision and vacates that court decision, on grounds that the case has been made moot by the May 13 repeal of the Roadless Rule.

August 5 Ninth Circuit Court of Appeals invalidates the Tongass National Forest management plan and remands the case to the district court to determine appropriate relief. The court decision postpones roadless area logging in the Tongass until the plan is revised.

August 28 States of California, Oregon, and New Mexico (later joined by Washington State) file a lawsuit challenging the Bush administration's repeal of the Roadless Rule. The states' case, along with a similar lawsuit filed by 20 environmental groups, was assigned to Magistrate Judge Elizabeth Laporte in Northern California federal district court.

December 22 Virginia submits the first state roadless petition, requesting protection for all of the state's 380,000 acres of roadless areas. Four other states (North Carolina, South Carolina, New Mexico, and California) also petitioned for full protection of their states' roadless areas.

2006

September 20 Judge Laporte rules that the administration illegally repealed the Roadless Rule, sets aside the State Petitions Rule, and reinstates the Roadless Rule nationwide except in the Tongass National Forest.

September 20 Idaho submits petition allowing road building and logging in most of the state's 9.3 million acres of roadless areas.

September 22 State of Wyoming asks Judge Brimmer for immediate reinstatement of his 2003 decision enjoining the Roadless Rule.

October 4 Bush administration revises regulations to allow continued review of state roadless area petitions by a Roadless Area Conservation National Advisory Committee (RACNAC).

2007

- February 6 Judge Laporte issues final injunction, barring road construction in connection with more than 300 oil and gas leases sold since January 2001.
- April 9 Bush administration and timber industry appeal Judge Laporte's decision to the Ninth Circuit.
- April 10 Bush administration initiates 30-day comment period on Idaho petition for state-specific rulemaking.
- April 11 Colorado submits roadless petition including exemptions for ski areas, grazing, and coal mining.
- May 24 Bills to enact the Roadless Rule are introduced in the House and Senate.

2008

- January 25 Tongass final forest plan released.
- February 28 State of California sues the Forest Service for failing to protect roadless areas in four southern California forest plans.
- July 25 Draft rule for Colorado roadless areas released for 90 days of public comment.
- August 12 Wyoming federal district court issues a second decision (very similar to its 7/14/03 decision) invalidating and enjoining the Roadless Rule nationwide.
- August 20 Bush administration asks Judge Brimmer and Judge Laporte to suspend their respective injunctions.
- October 16 Final Idaho roadless rule adopted.
- November 4 Barack Obama, a supporter of the Roadless Rule, is elected next President of the United States.
- December 2 Judge Laporte partially stays her injunction, limiting geographic scope to the Ninth Circuit and New Mexico and removing protection for other 29 states and Puerto Rico.
- December 5 Colorado and administration officials agree to postpone finalizing the Colorado roadless rule until spring 2009.

Wildland Fire

Our Vision

The Wilderness Society envisions a landscape composed of fire-safe communities and fire-resilient lands in a network of healthy wildland ecosystems. Where safe, we want fire to play its natural role—free of human control. Where natural fire is not safe, its beneficial role can be sustained through active management—either through prescribed burning or by managing the ecosystem to be resilient to uncontrolled wildfire. Where natural fire must be excluded, we want communities prepared to suppress or to deflect fire from their door.



Firefighting professionals using controlled burn as management tool.
Photo by John McCarthy, The Wilderness Society

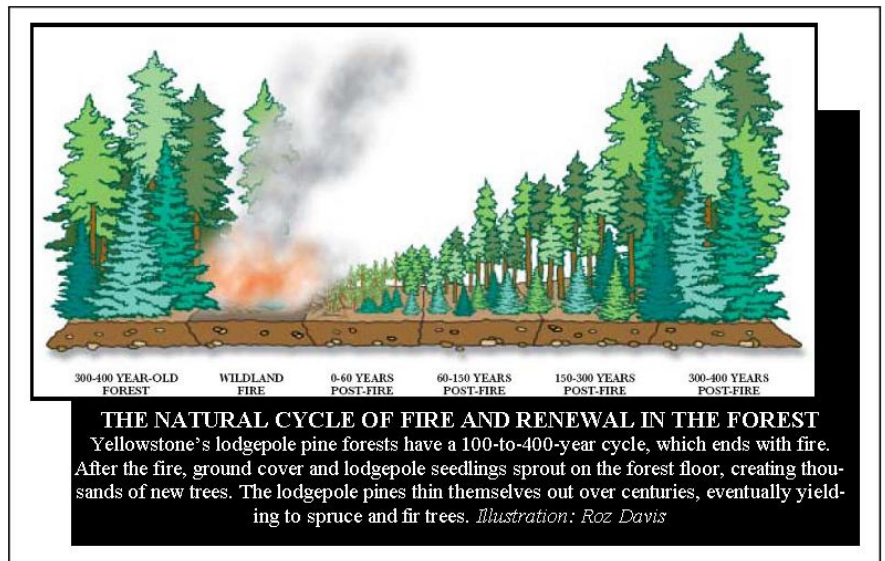
The Wilderness Society Takes Part in Finding Solutions

The Wilderness Society works collaboratively with local groups, land managers, and communities to support fire management strategies with social and ecological benefits. By building partnerships based on social and economic well-being of communities and long-term forest health, The Wilderness Society brings about enduring change in fire and forest management. Our coalition work brings together groups from across the spectrum of interested stakeholders, including those that have not worked with one another in recent years. Our partners include conservation groups, professional foresters, federal agencies, rural communities, local government officials, academic and agency scientists, hunters and anglers.

As a national stakeholder, The Wilderness Society was actively engaged with the Western Governor's Association (WGA) effort to develop a comprehensive national strategy to reduce fire risk across the nation. The 10-year Comprehensive Strategy—a collaboratively developed and broadly endorsed product—has since become the glue that holds federal fire policy together. The Wilderness Society continues to work with diverse interests across the country to implement the strategy recommendations.

The Relationship between Forests and Fire

For eons fire has played an essential role in maintaining the health and resiliency of many ecosystems. For as long as there have been forests, there have been wildland fires. Wildland fire is as natural and necessary as sunshine or rain to the health of a forest. Nature uses fire to transform dead and dying material into nutrients, to control insect populations, and to provide living conditions for wildlife. Burned trees provide critical habitat for many animals and their slow decay provides nutrients essential to rejuvenating growth. In fact, logging after a fire and replanting trees is not



necessary to restore a forest impacted by fire; this practice can actually increase the risk of future fire and cause irreparable damage to the landscape. Fire plays a critical role in the functioning of ecosystems. Allowing fire to resume its natural role in forest ecology will help reduce the long-term risk of severe, catastrophic fires, and in turn, reduce costs. With the wildland-urban interface growing each year and climate change lengthening fire seasons, there will never be enough resources to aggressively suppress all fires. As such, the best use of money is to suppress those fires that threaten communities and allow those fires away from communities to play their natural role in maintaining healthy ecosystems.

Fire Management Challenges

The unpredictability of climate change, increased development near wildland areas, a century of suppressing all fires, and past forestry practices have made fire management much more complicated for policymakers, legislators, and firefighters today. Climate change has increased the length of the fire season. For example, the fire season in the western United States has increased by 78 days over the past 30 years. As a result, the average number and size (but not always the severity) of fires has increased during the same time. In addition, increased drought and water shortages, and shorter winters and rainy seasons brought on by a changing climate, will lead to a drier landscape more susceptible to wildland fires.

New Fire Management Regime

People, particularly those who live within forested landscapes, understandably fear fire. Indeed, the short-term effects of fire can be seen as quite damaging to the ecosystem. But what may seem devastating in the short term is part of the long-term forest rejuvenation process.

While human lives and property must be a top priority, land managers must also take into account the ecological role of fire as a management tool for maintaining and restoring the landscape. Fire is a natural part of most forests in the United States. Forests are at their healthiest when key functions and processes—including fire—are most intact and it is these forests that will be best able to adapt to and withstand the effects of a changing climate. Fire management approaches that incorporate a broad array of actions and strategies are necessary to ensure that land managers effectively advance forest resiliency and ecological restoration.

Forest managers have many tools at their disposal to accomplish this goal, including removing hazardous fuels, controlled burning and natural fire where it is safe.

Over the next year, The Wilderness Society will continue to be actively engaged in the following:

1) Fire Suppression Funding Solution

Fire funding is fast approaching 50 percent of the agency's budget as insufficient funds are appropriated each year for wildfire suppression. The increase comes as a response to variety of factors that include a longer fire season due to climate change, an increase in the number of people who reside in wildfire-prone areas, hazardous fuel build-up, and a budgetary process that bases wildfire suppression funding on a 10-year average cost. That average cost continues to climb, while the overall budget remains more limited. In addition, as suppression activities continue to increase, so does suppression funding since it is based on a rolling average for the previous 10 years. Because the agencies' budgets are essentially flat year to year, the ability to offset increased funding for critical programs has been significantly reduced. The result is a diminishing capacity to deliver core agency duties and programs, which is harmful to long-term prospects for reducing wildfire costs.

FY 2008 was the third consecutive year that the U.S. Forest Service ran out of money to fund the ever-skyrocketing costs of suppressing wildfires in mid-season. The shortfall forced the agency to raid the budgets of vital programs and services ready to be completed during the field season, including campground and trail maintenance, habitat enhancement, and fire prevention and safety work that would reduce the risk to homeowners and firefighters from future fires.

The long-term solution is an emergency funding account for suppressing costly fires—similar to the way the U.S. pays for natural disasters such as hurricanes. These are principles supported by a range of experts including foresters, former Forest Service chiefs, community-based forestry groups, and environmentalists.

2) Appropriate (Strategic) Management Response

In addition to creating a new fund to address the increasing costs of fire suppression, the Forest Service must invest in a 21st century fire management force. A robust commitment to new fire management strategies, such as Appropriate (Strategic) Management Response is also needed. Appropriate (Strategic) Management Response is an approach to firefighting that treats each fire individually, accounting for threats to lives and property first, but also weighing factors like ecology and landscape and then applying the appropriate response—which can include the full range of tactical responses from monitoring to aggressive attack. This change will lead to healthier landscapes and less costly fire seasons in the future. That means investing in a 21st century fire management force—an investment on par with the one made in hazardous fuels reduction. A key aspect of this investment must be funding designated for training and staffing to equip Incident Management Teams to implement the full range of management responses from suppression to capturing resource benefits of fire.

3) Prioritize State Fire Assistance Funding

Without exception, the first priority of fire management should be keeping families safe and protecting communities. The Wilderness Society's research has shown that up to 85% of the land around communities at highest risk for wildfires is state or private. However, the bulk of federal funds for wildfire management is spent on federal lands.

Since wildland fires do not discriminate on the basis of land ownership, successful fire management depends on a new level of collaboration between local, state, and federal governments. In order to make saving homes and lives truly the top priority, we must focus scarce resources in local communities. Policies are needed to get federal money to local communities, to be spent on planning and implementing locally based, collaborative community protection strategies that target acres that provide the greatest benefit.

Resources

- **Science and Policy Reports:** The Wilderness Society incorporates expert economic, policy and ecological analysis into all of its conservation work. Recent projects have included an evaluation of the quality of information that influences wildland fire policy, an analysis of the federal wildland fire budget process, and a review of the National Fire Plan.
 - **Follow the Money: National Fire Plan Funding and Implementation** reveals federal priorities for fire management and substantial accounting problems. Looks at how money originates in Washington DC through the annual appropriations process and proceeds through complex layers of the USDA Forest Service system to reach the ground where work is done. Find the report here: http://www.state.co.us/gov_dir/leg_dir/lcsstaff/2008/comsched/08WildfireIssuesWildernessIssues.pdf
 - **Climate Factsheets Series**
 - A Primer on Carbon Cycling (<http://wilderness.org/content/primer-carbon-cycling>)
 - Are Wildland Fires Making Climate Change Worse? (<http://wilderness.org/content/climate-change-facts-are-wildland-fires-making-climate-change-worse>)
 - Fossil Fuels Are A Bigger Problem Than Wildland Fires (<http://wilderness.org/content/fossil-fuels-wildland-fires>)
 - Fire and Forest Management (<http://wilderness.org/content/fire-and-forest-management>)
- **Western Governors' Association Updated Implementation Plan:** The Wilderness Society worked with a group of diverse stakeholders to update the Western Governors' Association (WGA) *Implementation Plan* for the *10-Year Comprehensive Strategy* (A Collaborative Approach for Reducing Wildland Fire Risk to Communities and the Environment). The *Comprehensive Strategy* is one of the key elements of the National Fire Plan. It emphasizes the importance of a collaborative approach to wildland fire management and focuses specifically on restoring fire-adapted ecosystems and promoting community assistance. The *Implementation Plan* is the implementing mechanism for the *Strategy*. This updated *Implementation Plan* reaffirms the commitment to collaboration on the part of all stakeholders and establishes important new steps towards the restoration of fire to fire-adapted ecosystems. Find the report here: <http://www.forestsandrangelands.gov/plan/documents/7-19-en.pdf>
- **Mapping Fire-Prone Forests:** We work with communities to help identify where the greatest areas of fire risk are so they can prioritize accordingly. We also collaborate with community residents and local stakeholders to ensure that scarce federal funds for fuel reduction are spent where they are needed most—protecting homes and communities as articulated in Community Wildfire Planning Processes. The following page provides one example of the types of maps we work with communities to create for use when making decisions about fire planning and mitigation. This map shows our rendition of the Community Fire Planning Zone (CFPZ) in California.

For more information on the The Wilderness Society Wildland Fire Program contact: Tom Fry at (303)650-5818 ext. 110 or tom_fry@tws.org, Dr. Greg Aplet at (303)650-5818 ext. 104 or greg_aplet@tws.org, or Cecilia Clavet at (202)429-2663 or cecilia_clavet@tws.org.

Arctic National Wildlife Refuge, Alaska



PHOTO © KENNETH R. WHITEN

The Arctic National Wildlife Refuge, Alaska

What's at Stake?

The Arctic National Wildlife Refuge is a spectacular wilderness of boreal forests, rugged mountains, sweeping tundra vistas, wild rivers, coastal lagoons, and barrier islands. Located in the northeastern corner of Alaska, the Arctic Refuge features a complete range of arctic and sub-arctic ecosystems and an extraordinary assemblage of wildlife. The Arctic Refuge is a place of unparalleled beauty, so wild and untrammled that one may walk for days without seeing signs of another human being.

The U.S. Fish and Wildlife Service has called the Refuge's 1.5 million-acre Coastal Plain "the center for wildlife activity" for the entire Refuge. But the oil industry and its allies are lobbying hard to open this part of the Refuge to oil drilling.

Polar and grizzly bears, wolves, and muskoxen are just a few of the more than 250 animal species that depend on the Coastal Plain. Millions of birds, representing some 125 species, migrate to the Coastal Plain to nest, rear their young, molt, and feed. The Coastal Plain is not only one of the most significant on-shore polar bear denning habitats in the U.S. but also the most important habitat for the Porcupine caribou herd (named for the Porcupine River).

The Gwich'in (Athabaskan) people depend on the Porcupine caribou herd for their subsistence and culture, a relationship that has existed for thousands of years. The 123,000-member caribou herd has used the Coastal Plain as a calving area for millennia, traveling hundreds of miles from wintering grounds in Canada and the U.S. There is no alternative to this sensitive habitat for the herd. The gathering of the herd following calving is a spectacle reminiscent of Africa's Serengeti and of the enormous herds of buffalo that once thundered across the Great Plains. Other tribal groups from across the country—including the Alaska Intertribal Council, representing Alaska Natives from across the state—have consistently supported the Gwich'in position against drilling in the Arctic National Wildlife Refuge.

Protection Status

Currently, oil and gas exploration and drilling are prohibited in the Refuge's 1.5 million-acre Coastal Plain, also known as the "1002 Area" after the section of the Alaska National Interest Lands Conservation Act of 1980 (ANILCA) which set the Coastal Plain aside for special study. ANILCA prohibits oil exploration and development in the 1002 Area; it would require an act of Congress to change that status. Of the Arctic National Wildlife Refuge's 19 million acres, approximately 8 million acres are protected as the Mollie Beatty Wilderness Area. However, the area being proposed for drilling is not part of the protected wilderness.

Status of Threat

The Coastal Plain of the Arctic National Wildlife Refuge has been almost continuously in the crosshairs for drilling since 1980. The oil and gas industries and pro-drilling politicians have tried numerous times to pass legislation opening the 1002 Area to oil and gas development. Since 2001, the U.S. House of Representatives has passed bills authorizing Arctic Refuge drilling multiple times but drilling legislation always faced a filibuster in the U.S. Senate. In recent years, moderate Republicans and Democrats in the House formed a bipartisan bloc to foil attempts to attach drilling to unrelated budget bills. In December 2005, an effort to attach the Refuge drilling language to a Defense Appropriations bill was blocked in the U.S. Senate, after attempts to attach drilling to the filibuster-immune budget reconciliation bill were scuttled in response to bipartisan opposition in the House.

In the 110th Congress, drilling proponents introduced more than ten bills that would ostensibly use highly speculative leasing revenues from the Refuge to fund independently worthy renewable energy proposals as well as a number of programs that continue to tie America to finite and dirty commodities such as coal.

At the same time, legislation to designate the Arctic Refuge Coastal Plain as federally-protected wilderness has been introduced in every Congress since 2001.

What Would Drilling Mean to the Arctic Refuge?

The oil industry claims it can develop the Arctic Refuge in an “environmentally sensitive” manner and points to its history in Prudhoe Bay. But in March 2006, a leaking pipeline spilled close to 270,000 gallons of crude oil at Prudhoe Bay and, in August 2006, BP was forced to shut down a significant portion of the Prudhoe Bay pipeline complex because years of inadequate maintenance led to dangerous corrosion in miles of pipelines. According to the Alaska Department of Environmental Conservation, an average of more than 400 spills of oil and other toxic substances were reported every year between 1996 and 2004. In fact, more than 1.7 million gallons of toxic substances have been spilled in the last six years alone. Emissions of some air pollutants on the North Slope of Alaska are twice those in Washington, D.C.

Experts agree that developing an oil field in the Arctic Refuge Coastal Plain would inevitably involve:

- Hundreds of miles of pipelines and roads leading to oil fields, oil pumping plants, power generating stations, and airstrips, which would disturb and block the free movement of migratory wildlife.
- Helicopters, cargo planes, dump trucks, and bulldozers—the sights and sounds of heavy equipment would be almost constant for long periods.
- Living quarters, sewage treatment, and other infrastructure for hundreds of workers.
- Chronic spills of oil and other toxic substances onto the fragile tundra.
- Rivers and streambeds—key habitat for wildlife—stripped of millions of cubic yards of gravel for road, airstrip, and drill pad construction.
- Enormous diversions of fresh water to support drilling at the expense of pristine rivers and wetlands.

Proponents of drilling have leaned heavily on their assertion that development would be “limited to 2,000 acres” of the 1.5 million-acre Coastal Plain. But in reality, the entire 1.5 million acre 1002 Area would be opened to leasing and exploration. In fact, the 2005 House energy bill (with the so-called “2,000 acre” restriction) would have mandated that the first lease sale be no less than 200,000 acres. In addition, drilling proposals contain no requirement that the 2,000 acres be contiguous. The bill’s “2,000 acres” calculations only included the area where oil production facilities actually touch the ground and excluded gravel mines, roads and pipelines (except their posts).² It did not limit seismic or other exploration operations across the 1.5 million acre area, nor did it take into account air and noise pollution, which are carried far from development. The U.S. Geological Survey has said that whatever oil and gas is under the Coastal Plain is in small deposits spread throughout the plain.³ To produce oil from this vast area, networks of pipelines and roads would be built, fragmenting wildlife habitat.

Of course, even if the 2,000 acres were contiguous, it would have a huge impact on the wilderness. After all, the 12-lane wide New Jersey turnpike stretches more than 100 miles across the state but covers only 1,773 acres.

Development in the Arctic Refuge would destroy the wilderness experience for all visitors. Opportunities for pristine camping, hiking, rafting, and hunting unlike anywhere else in North America would be lost

² Identical amendment in H.R.4 and H.R.6: “Ensure that the maximum amount of surface acreage covered by production and support facilities, including airstrips and any areas covered by gravel, beams or piers for support of pipelines, does not exceed 2,000 acres on the Coastal Plain.”

³ U.S. Geological Survey. April 2001. *Arctic National Wildlife Refuge, 1002 Area, Petroleum Assessment, 1998, including economic analysis*. USGS Fact Sheet FS-028-01.

Bird, K.J. 1998. Chapter AO. Assessment Overview. In: *The oil and gas resource potential of the 1002 area, Arctic National Wildlife Refuge, Alaska*, by ANWR Assessment Team, U.S. Geological Survey Open File Report 98-34. Figs. AO6-15.

forever if the Coastal Plain were turned into a sprawling oil and gas complex, and the effects on wildlife would threaten the Gwich'in's subsistence way of life.

Where is the Arctic National Wildlife Refuge?



Current Oil and Gas Development

The Coastal Plain of the Arctic National Wildlife Refuge is the only portion of Alaska's North Slope that is currently protected by law from oil exploration and drilling. Immediately to the west of the Arctic National Wildlife Refuge, drilling has been underway for more than three decades at the Prudhoe Bay oil field complex, which covers more than 1,000 square miles. Further west, the National Petroleum Reserve-Alaska (NPR-A), another area rich in wildlife and subsistence resources, is also the target of intense oil-company activity. And offshore, in the waters of the Beaufort and Chukchi Seas (Arctic Ocean), millions of acres have been offered for oil-company leasing. Since 2001, more than 70 million acres of the NPR-A and Arctic Ocean have been made available to oil companies for leasing.

Solution

The most biologically rich and recognized wildlife and wilderness values of the region are not permanently protected. A balanced approach to the management of these natural resources is needed to protect the most sensitive areas, resources and cultures.

The Wilderness Society believes that the Coastal Plain of the Arctic National Wildlife Refuge should be designated a federally-protected wilderness area. Until the Coastal Plain of the Arctic Refuge has the permanent protection that wilderness designation provides, the battle over oil drilling in this sensitive, unique and irreplaceable place will continue. Concerned citizens should contact their Representatives and ask that they support wilderness designation for the Coastal Plain of the Arctic National Wildlife Refuge and oppose any measure, in any legislative vehicle, that would open the Arctic Refuge to oil drilling.

For more information contact: Maribeth Oakes at (202)429-2674 or maribeth_oakes@tw.s.org or Eleanor Huffines at (907)272-9453 or eleanor_huffines@tw.s.org

Conservation Funding and Appropriations



Natural Resource Adaptation

As Congress debates global warming in the 111th Congress, any carbon cap-and-trade emissions limitation bill should include dedicated annual funding for natural resource adaptation based on an auction system, a significant share of the allowance value dedicated to protecting and restoring the natural environment, and auction proceeds should provide dedicated funding, not subject to annual appropriations, for climate-related ecosystem protection. *(See page 54 for details)*

Land and Water Conservation Fund

The Land and Water Conservation Fund (LWCF) federal program has preserved 4.7 million acres of land for conservation and recreation purposes, including the Redwoods National Park in California, Everglades National Park in Florida, Denali National Park in Alaska and the Appalachian National Scenic Trail stretching from Maine to Georgia. The stateside program has provided more than \$3.5 billion in matching grants to states and localities over the past 40 years, completing more than 40,000 projects.

LWCF is the premier land acquisition tool that the federal land management agencies have, and robust funding for the program will help mitigate the effects of global warming by connecting landscapes, preserving migration corridors, and protecting our clean water sources. *(See page 54 for details)*

Forest Legacy Program

The Forest Legacy Program helps preserve working forestlands and critical forest resources. Forest Legacy payments of \$221.7 million have leveraged the protection of more than one million acres of forested lands. *(See page 55 for details)*

Community Forest and Open Space Program

The Community Forest and Open Space Program will enable communities to acquire forest areas that are economically, culturally, and environmentally important to that locality and that are threatened by conversion to non-forest uses. The Forest Service will be writing regulations for this program in FY 2009; the FY 2010 recommendation will provide the agency with the necessary funds to implement the program. *(See page 56 for details)*

National Landscape Conservation System

The Bureau of Land Management's (BLM) National Landscape Conservation System, comprising some 26 million acres of congressionally and presidentially designated lands and waters, such as National Monuments and National Conservation Areas, represents some of the best places where one can experience the history and wild beauty of the West. The System provides innumerable recreational opportunities, critical wildlife habitat, clean water, wilderness, and open space near fast-growing cities. *(See section 7 for details)*

National Park System

Our National Park System, comprised of 387 units, includes some of our nation's most beautiful landscapes and culturally significant areas. Increased funding for operations of the National Park System can help ensure that visitors have safe, enjoyable, and educational experiences in the park system. *(See section 8 for details)*

National Wildlife Refuge System

The National Wildlife Refuge System, with its 548 refuges on nearly 100 million acres of land, helps protect critical wildlife habitat, ensuring that wildlife protection remains a priority of these lands. There is a wildlife refuge in every state and within an hour's drive of most American cities. More than 35 million people visit refuges annually, generating nearly \$1.7 billion for local economies and supporting almost 27,000 private sector jobs. *(See section 9 for details)*

National Forest System (U.S. Forest Service)

Wildland fire (the biggest portion of which is suppression) now accounts for close to 50 percent of the U.S. Forest Service budget. These increased fire suppression costs are overwhelming the agency's other mission areas and experts are predicting that a changing climate will only increase the length of the fire season. As suppression activities continue to increase, so does suppression funding since it is based on a rolling average for the previous 10 years. Because the agency's budgets are essentially flat year to year, the ability to offset increased funding for critical programs has been significantly reduced. The result is a diminishing capacity to deliver core agency duties and programs, which is harmful to long-term prospects for reducing wildfire costs.

As a first step in addressing this problem, Congress must fix the fire suppression funding structure. A new suppression funding structure should include the creation of a separate emergency fund for unanticipated large fire events from the already constrained federal wildland firefighting budgets so the necessary funds are freed up to be invested into the goals of the National Fire Plan and the 10-Year Comprehensive Strategy. *(See National Forest Program section 6 for details)*

Forest Inventory and Analysis Program (FIA) - including Carbon Accounting and Research

Climate change will not only increase both stresses on our forests, but also will increase demands to manage them for carbon sequestration, biomass fuels and other outputs. Timely, complete, and accurate information about the state of our nation's forests, both private and public, is critically important. As the U.S. moves toward binding commitments to reduce greenhouse gas emissions, it is critical that we make realistic assumptions about how our forests can contribute to offsetting other sources. *(See section 6 for details)*

Inventory and Monitoring

The Forest Service Inventory and Monitoring program funds the collection and analysis of data to be used in land management planning. Monitoring of fish and wildlife populations, along with habitat assessment



and monitoring, is fundamental for effective planning and high-quality decision making under a sound National Forest Management Act regulatory framework. *(See section 6 for details)*

Recreation, Heritage & Wilderness Program

The Recreation, Heritage & Wilderness program makes up the largest of the forest uses, and demand for outdoor recreation is growing fast. With the imminent threat of climate change, the Forest Service should emphasize providing recreational opportunities close to where people live and emphasize muscle-powered forms of recreation over those that expend fossil fuels.. *(See section 6 for details)*

Roads Maintenance Program

Ongoing logging and mineral extraction has not only led to the gradual creation of an enormous and unsustainable road system in the national forests but also to forest fragmentation and widespread unmanaged off-road vehicle driving and related damage. The Forest Service needs to transform its currently oversized, decaying, and obsolete road system to a streamlined system that will meet the nation's needs in the 21st century in a fiscally responsible way by decommissioning and restoring roads that are no longer needed, and properly maintaining those roads that are needed. *(See section 6 for details)*

Deferred Maintenance

The Forest Service should address its \$10 billion road maintenance backlog by focusing on roads that are in immediate need of attention and where ecological benefits will be greatest. *(See section 6 for details)*

Legacy Roads and Trails Remediation Program

The new Legacy Roads and Trails Remediation Program is a vehicle for accomplishing road decommissioning and other remediation activities that will significantly improve water quality and fish habitat, reduce fragmentation of wildlife habitat, and aid in restoring stability and resilience to watersheds and large tracts of forests. *(See section 6 for details)*

State, Tribal and Local Fire Assistance

Increased population in the wildland urban interface is one of the primary reasons fire suppression costs have skyrocketed to over \$1 billion annually since 2000. In addition, because climate change will increase the length of the fire season and potentially the number and size of fires that burn in any given year, it is more critical than ever to help these communities prepare for inevitable wildland fires. State Fire Assistance is the primary federal program that can help communities become “firesafe” and is a key program to reducing suppression costs—and ultimately restoring functional and fire-resilient wildlands. *(See section 11 for details)*

Preparedness Program—Appropriate (Strategic) Management Response Training

Appropriate (Strategic) Management Response is an approach to firefighting that treats each fire individually, accounting for threats to lives and property first, but also weighing factors like ecology and landscape and then applying the appropriate response—which can include the full range of tactical responses from monitoring to aggressive attack. This change will lead to healthier landscapes and less costly fire seasons in the future. *(See section 11 for details)*

For more information please contact: Alan Rowsome at (202)429-2643 or alan_rowsome@tw.s.org

Natural Resource Adaptation

Scientists now agree that the concentration of heat-trapping gases already in the atmosphere is causing and will cause significant adverse impacts to the United States and the world. Thus, legislation must address not only the causes of worsening global warming, but also the effects of the unavoidable global warming we already face.

Therefore, any comprehensive climate legislation must include:

- Dedicated Annual Funding Based on an Auction System. A carbon cap-and-trade emissions limitation bill should include an auction system for the distribution of emissions allowances. Proceeds from this auction system should be devoted to confronting the climate change challenge, including actions to address the harmful impacts of climate change on the natural environment.
- Auction Proceeds for Protecting Wildlands and Natural Ecosystems. A significant share of the allowance value generated from any cap-and-trade program should be dedicated to protecting and restoring the natural environment, including wildlands, fish and wildlife habitat and the natural ecosystems on which human health depends. Protecting the habitats of fish and wildlife, including terrestrial, freshwater aquatic, estuarine, coastal and marine species, serves all Americans by protecting the clean water, clean air, biodiversity, open space and working natural landscapes that define our quality of life and are the foundation for a strong economy.
- Broad Authority for Ecosystem and Wildland Protection. Auction proceeds under this bill should provide dedicated funding, not subject to annual appropriations, for climate-related ecosystem protection to ensure that federal, state, and tribal resource agencies and their partners can meet the new challenge of conserving land, water and habitat in the face of an altered and rapidly changing climate. Eligible activities may include conservation, restoration, land acquisition, fish and wildlife protection, habitat enhancement, planning, research, monitoring, and education activities that are carried out pursuant to comprehensive ecosystem climate adaptation strategies.
- Federal Multi-Agency Comprehensive National Strategy. The activities of the federal resource agencies needed to restore and protect fish, wildlife and ecosystems against the impacts of climate change should be directed and coordinated through a comprehensive national strategy, developed in close consultation with the states, tribes, and other stakeholders, and with advice from the National Academy of Sciences and a science advisory board.
- Enhanced Scientific Capacity. The scientific capacity of the federal resource agencies to evaluate and address the impacts of climate change on fish, wildlife, and ecosystems should be enhanced through, among other things, the establishment of national climate change and fish and wildlife science centers, housed within agencies such as the U.S. Geological Survey and the National Oceanic and Atmospheric Administration.

The Land and Water Conservation Fund

Federal Program, FY10 Goal: Land and Water Conservation Fund Federal Program at \$325 million

- The LWCF federal program has preserved 4.7 million acres of land for conservation and recreation purposes, including the Redwoods National Park in California, Everglades National Park, and the Appalachian National Scenic Trail stretching from Maine to Georgia.

- Funding for the LWCF federal land acquisition program has been cut by more than seventy-five percent over the past four years.
- The vast majority of federal land acquisition priorities are inholdings. Over eighty percent of lands acquired in recent years are within the boundaries of federal parks, refuges, forests or recreation areas. Acquisition of critical parcels results in resource consolidation rather than fragmentation, ensuring better recreational opportunities, more successful wildlife habitat, endangered species protection and public access.
- The landowners in federal acquisitions are willing sellers. They have indicated a desire to sell to the federal government for conservation purposes. Timely and adequate federal acquisition funds are needed to support those landowners who wish to have their property added to our public lands.
- Federal land acquisition also facilitates good management, helps reduce costs, funds recreation, protects cultural resources, leverages private and community investments, protects drinking water supplies, and helps to conserve wildlife and wildlife habitat.

Stateside Program, FY10 Goal: LWCF state assistance program funded at \$125 million

- The Land and Water Conservation Fund state assistance program has provided more than \$3.5 billion in matching grants to states and localities over the past 40 years, completing more than 40,000 projects.
- The state/local program provides 50 percent matching grants to the states, and through the states to local governments, to conserve land and to develop recreation facilities and infrastructure that support public use. State and local governments agree to manage grant assisted resources in perpetuity with non-federal funds.
- Federal funds have been equally matched by state and local contributions for a total LWCF grant investment of over \$7 billion.
- Of the total number of grant projects, more than 10,000 have helped states and localities conserve about 2.55 million acres of land.

The Forest Legacy Program

FY 10 Goal: Fund the Forest Legacy program at \$125 million

- Authorized by Congress in 1990, the Forest Legacy Program helps preserve working forestlands and protect critical forest resources. Between 1982 and 1997 the nation lost more than 10 million acres of forest to development, with five million of that occurring over the five-year period between 1992 and 1997
- Forest Legacy is a state-grant program. The Forest Legacy Program was created to assist the states with the management and preservation of their forest resources. Under federal oversight, participating states work with local communities and private landowners to preserve the multiple benefits found on forest lands. As a state-administered program, Forest Legacy provides the flexibility necessary to keep local shareholders involved in the decision making process that will ultimately affect their communities.
- Forest Legacy supports working forests
 - Forest Legacy ensures the continuation of a traditional working forest rather than fragmentation and subdivision.
 - When critical community forest lands are put up for sale, the potential impacts of their conversion to non-forest uses are often of significant concern to communities whose economic base is entirely or in large part dependent on timber production.
 - Forest Legacy conservation easements prohibit development on land under new ownership, as well as reduce the financial incentives to large timberland owners for divesting themselves of more land.

- Under a Forest Legacy easement, the landowner or other parties may continue to harvest timber according to the terms of the agreement, which are often more restrictive than existing state laws.
- Forest Legacy promotes partnerships and leverages funds
While the program requires a minimum of 25 percent non-federal match, over its history the program has leveraged twice that amount.
- Forest Legacy protects drinking water supplies
In a number of parts of the country, drinking water supplies for urbanized areas are located within undeveloped forest areas.

The Community Forest and Open Space Conservation Program

FY 10 Goal: Community Forest and Open Space Conservation Program funded at \$75 million

A new Forest Service program in the 2008 Farm Bill, the Community Forest and Open Space Conservation Program will help American communities conserve threatened forests for watershed protection, outdoor recreation, wildlife habitat and sustainable forest management. The program will:

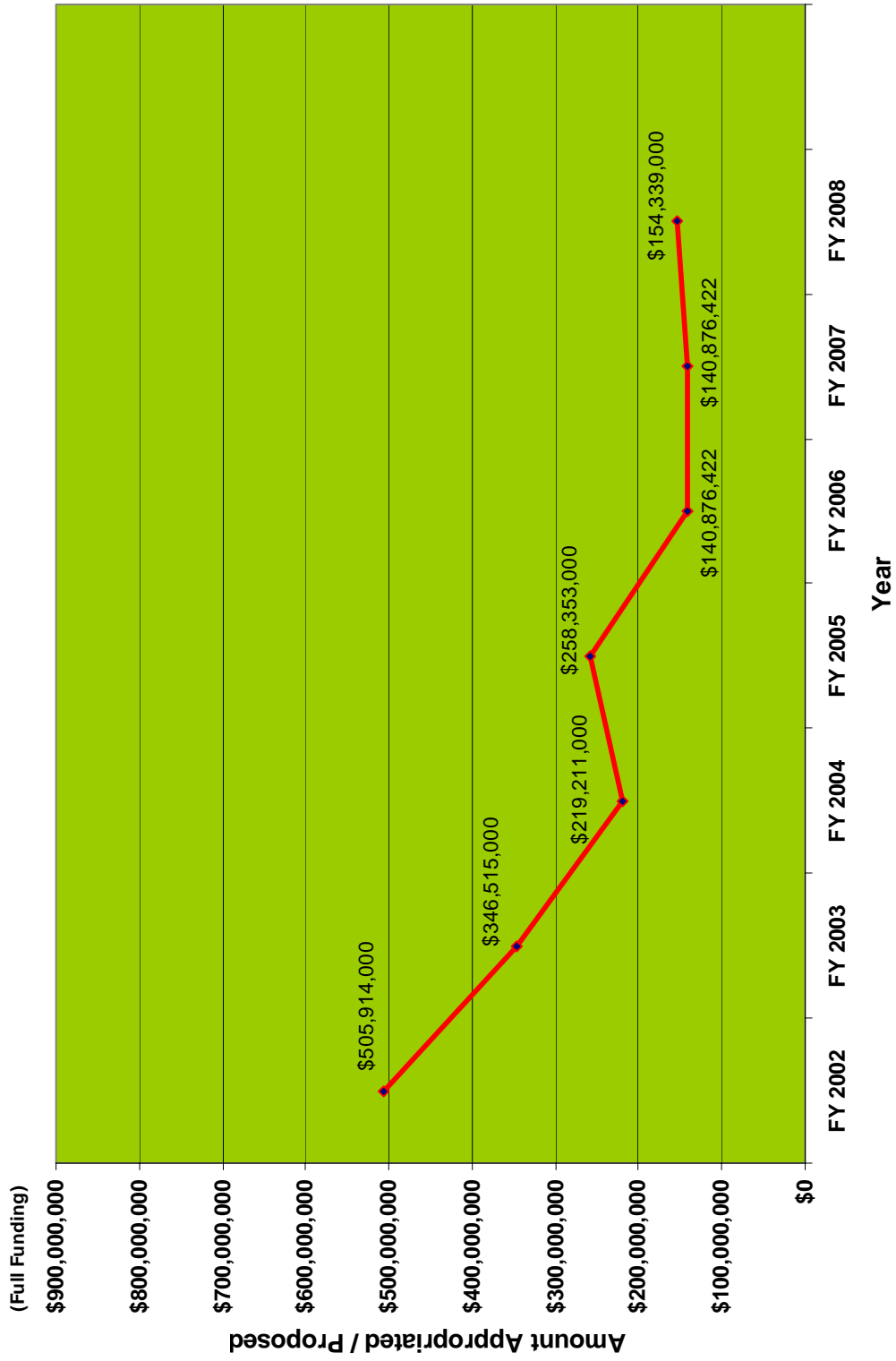
- Enable communities to acquire forest areas that are economically, culturally, and environmentally important to that locality and that are threatened by conversion to non-forest uses,
- Establish forests to be owned by communities,
- Have a management plan subject to a public process,
- Provide technical assistance to communities for community forest management, and,
- Be established under the U.S. Forest Service system and in cooperation with appropriate state and local units of government.

The Threat:

- More than 40 million acres are expected to be converted from forestlands to developments by 2030,
- The top 15 watersheds in the nation that are projected for development are located and will have significant impacts on eastern forests,
- Few communities have the necessary capacity to conserve forestlands that protect their water supply, support a timber-based economy, or enhance recreational opportunities, scenic beauty and quality of life for local residents.

Community forests can provide an increasingly urban and suburban population with opportunities to enjoy forests close to home. These forests are essential for future generations to enjoy.

Recent Decline in the Land & Water Conservation Fund



The National Environmental Policy Act



Aspen grove on the Grand Mesa Uncompahgre Gunnison National Forests - Public input provided for by NEPA requirements protected groves such as this from a plan to clear cut aspen groves in Colorado.

Enacted in 1970 by overwhelming bipartisan majorities, the National Environmental Policy Act (NEPA) established a national policy calling for "productive harmony" between man and nature. The law directs federal agencies to take into account, and publicly disclose, the environmental consequences of their proposed actions. NEPA is one of the most important environmental laws on the books today. It reinforces the democratic system by providing an avenue for citizens to comment upon and influence government decisions that affect their lives. NEPA puts people before politics and values science over short-term thinking by requiring that the public is involved and the environmental impacts of proposed projects are disclosed.

NEPA has three visionary elements: a far-sighted declaration of national environmental policy, an action-forcing mechanisms to ensure that the federal government achieves the Act's goals, and a broad recognition of the importance of public participation in government decision-making that affects the human environment. NEPA has unquestionably improved the quality of federal agency decision-making in terms of its sensitivity to environmental concerns. As the Council on Environmental Quality concluded in a report commemorating NEPA's 25th anniversary, "NEPA's most enduring legacy is as a framework for collaboration between federal agencies and those who will bear the environmental, social, and economic impacts of their decisions."

Despite NEPA's proven track record at improving the health and well-being of the public and communities, misguided legislative and administrative proposals aimed at weakening the substance of environmental review and public participation persist. In some cases, including the extensive waivers and exemptions to NEPA contained in the 2005 "Real ID Act" and the Energy Policy Act of 2005, Congress has already acted to weaken NEPA. In addition, the Bush administration has revised departmental



regulations, manuals and directives that dramatically weaken the application of NEPA—including public participation opportunities—to a wide range of actions impacting our public lands. The Forest Service and the Department of the Interior in particular took steps to undermine the integrity of reviews of oil and gas development and forest management planning.

Any proposal that would severely undermine NEPA, whether labeled as broad NEPA reform or as components of specific issue legislation or administrative actions, must be rejected. For example, any attempt to 1) limit opportunities for the public to comment on and challenge agency decisions; 2) restrict analysis under NEPA in particular by allowing federal agencies to ignore environmentally superior alternatives to a proposed action; or 3) exempt large categories of proposed actions from NEPA review, must be abandoned. While some of these proposals are legislative, many come from agency officials who claim that the law constrains their discretion.

However, proposals for improving efficiency would likely be beneficial and should be carefully considered. For example, to maintain the integrity of the NEPA process, agencies should commit to implement mitigation measures as part of the decision to proceed with a project, should fund such mitigation fully and should monitor its effectiveness. Second, agencies should commit greater efforts to monitoring the environmental effects of their actions after they are completed. Third, federal agencies, with the guidance from the Council on Environmental Quality should improve their implementation of NEPA through enhanced management, training and funding.

NEPA is pivotal to environmental protection. Because of NEPA, communities and the public are better informed and decision-making and decision makers are more responsive and aware of actions that could impact the environment. As we celebrate the 40th anniversary of NEPA in 2010, we should work for thoughtful improvement in agency practice and a renewed commitment of federal resources to make NEPA more effective. The Wilderness Society, along with our conservation colleagues, is eager to work with the 111th Congress to improve and strengthen NEPA, not to undermine and weaken it.

For more information please contact: Leslie Jones at (202)429-2628 or leslie_jones@twc.org or Stephanie Young at (202)429-3947 or stephanie@saveourenvironment.org

R.S. 2477

The controversial threat that could carve highways and force off-road vehicles into National Parks, Bureau of Land Management lands, National Forests and Wildlife Refuges.

What is R.S. 2477?

A loophole left over from a 140-year-old mining law, R.S. 2477 states: “the right-of-way for the construction of highways over public lands, not reserved for public uses, is hereby granted.” It was repealed in 1976 upon enactment of the Federal Land Policy and Management Act (FLPMA), but already existing rights-of-way were grandfathered into the law.

Over the last 30 years, some Western states, counties, and off-road vehicle groups have alleged that hiking trails, wash bottoms, streambeds, routes, and little-used two-tracks meet the standard for a “constructed highway” under the law. These states, counties, and off-road vehicle groups have tried to get the National Park Service, Bureau of Land Management, and other agencies to acknowledge these claims and surrender management. Some counties believe that they can upgrade these trails and routes to paved highways and/or allow off-road vehicle use on them. In many cases, they have viewed the law not as a shield to protect legitimate transportation needs, but as a sword to undermine effective protection of wildlife habitat, wilderness, and other values of public lands.

What’s at Stake?

Unfortunately, R.S. 2477 highway claims have been asserted in Wilderness, National Monuments, National Parks, military and other federal and tribal lands. Some threatened areas include:

Alaska. The state of Alaska claimed thousands of miles of routes on public lands, including areas within Denali National Park and Preserve, Wrangell-St. Elias National Park, and Katmai National Park, some of the world’s most pristine wildlands.

California. San Bernardino County has alleged more than 2,500 miles of R.S. 2477 claims in the Mojave National Preserve. Inyo County sued to undo wilderness protections in Death Valley National Park using R.S. 2477.

Utah. There are an estimated 15,000 R.S. 2477 claims in Utah, including jeep trails, cow paths, streambeds, and long-abandoned mining tracks. Many are located within Canyonlands, Zion, and Bryce Canyon National Parks, as well as lands proposed for wilderness designation in the “America’s Redrock Wilderness Act.” In Tooele County, the Utah Test and Training Range is awash in claims, potentially jeopardizing military training practices.

Colorado. In Moffat County, more than 300,000 acres of wildlands including Dinosaur National Monument and Browns Park National Wildlife Refuge are threatened by R.S. 2477 highway claims.

The Ongoing Debate

Clear water, abundant wildlife, captivating beauty, scientific importance, historical significance and spiritual value are the reasons cited by Congress to protect public lands over the last century. These resources and values are directly threatened by most R.S. 2477 highway claims that could endanger the public’s ability to enjoy natural treasures without tens of thousands of miles of roads cutting across these stunning places.



Yampa River Canyon: Moffat County (CO) claims 20 miles of this river as a constructed highway under R.S. 2477. Image: Colorado Environmental Coalition

National Parks, Wildlife Refuges, and other public lands have road or trail systems that are supposed to be managed by each respective agency to ensure visitors can travel through these areas with minimal harm to the resources, beauty, and values they wish enjoy. The great majority of R.S. 2477 highway claims are illegitimate assertions meant to undermine federal protected areas, thwart wilderness protection (because the presence of a road generally disqualifies an area for wilderness designation), and serve special interests, such as mining, timber, oil and gas industries, and off-road-vehicle groups.

Controversial Policy

Under a policy signed by former Interior Secretary Gale Norton in 2006, the Bush Administration finalized guidance to make it easier for states or counties to perform landscape-changing highway maintenance and construction on public lands in the name of R.S. 2477. In certain cases, that maintenance and construction could directly conflict with long-standing federal protections and management decisions on Western public lands.

While this policy has been in place since March 2006, it has not yet been utilized or implemented by any land management agency at this time. This policy needs to be repealed and replaced.

A Modern Process for Obtaining a Right-of-Way Across Public Lands

A far more efficient, modern and common-sense process exists for state and county governments to obtain road rights-of-way across public lands. Under Title V of the Federal Land Policy and Management Act and the Federal Aid Highway Act, the Bureau of Land Management has permitted tens of thousands of miles of roads, highways and rights-of-way across public lands throughout the West to meet legitimate transportation needs. Title V provides for full environmental reviews and opportunities for public comment before rights-of-way are granted. As the BLM itself admits:

Currently the vast majority of ROW's granted are authorized by Title V of the Federal Land Management Policy Act (FLPMA) 43 U.S.C. 1761-1771 and the Mineral Leasing Act[.]

There is no need for land management agencies to give away public lands under an obsolete statute, when states, counties, and local governments have a track record of satisfying their legitimate transportation needs via existing statutory authorities.

Our Recommended Solution

We urge Congress to overturn the Bush administration's ill-conceived guidance and to close the R.S. 2477 loophole once and for all.

For more information contact: Kristen Brengel at (202)429-2964 or kristen_brengel@tw.s.org

Off-Road Vehicles

Unmanaged, poorly managed, and damaging off-road vehicle use has become a major problem in National Parks, Forests, Monuments, and other public lands.

Off-road vehicles (also known as off-highway vehicles) are any motorized vehicle designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh,



Illegal routes created by off-road vehicles in the Pike San Isabel National Forest (CO).
Photo credit: Southern Rockies Conservation Alliance

swampland, or other natural terrain. Dirt bikes, all-terrain vehicles, jeeps, snowmobiles, jet skis (also known as personal watercraft), and dune buggies are the most common types of off-road vehicles. In the last 30 years, increasing damage caused by off-road vehicles on public lands and waterways has alarmed Presidents and agency heads.

In 1972, President Nixon began an Executive Order with the following statement:

An estimated 5 million off-road recreational vehicles—motorcycles, minibikes, trail bikes, snowmobiles, dune buggies, all-terrain vehicles, and others—are in use in the United States today, and their popularity continues to increase rapidly. The widespread use of such vehicles on the public lands—often for legitimate purposes but also in frequent conflict with wise land and resource management practices, environmental values, and other types of recreational activity—has demonstrated the need for a unified federal policy toward the use of such vehicles on the public lands.

In April 2003, Forest Service Chief Bosworth described expanding damage due to off-road vehicle use as follows:

For example, the Lewis and Clark National Forest in Montana has more than a thousand unplanned roads and trails reaching for almost 650 miles. That's pretty typical for a lot of national forests, and it's only going to get worse.

General Off-Road Vehicle Use

Off-road vehicle users make up a small portion of visitors to federal public lands. In 2005, at a House Resources subcommittee hearing, Chief Bosworth reported that 95 percent of visitors to National Forests and Grasslands per year do not use off-road vehicles (211 million visitors with only roughly 12 million on off-road vehicles). Although these machines are less popular than other forms of recreation, their speed, power, and ability to go long distances, coupled with poor management, have caused widespread damage to National Forests, Bureau of Land Management lands, National Parks, and Wildlife Refuges.

Off-Road Vehicle Use on Public Lands

The National Park Service, Fish and Wildlife Service, Forest Service, and Bureau of Land Management are guided by two Executive Orders regarding off-road vehicle use (E.O. 11644, 11989). The Executive Orders have three major principles for designating and managing areas for off-road vehicle use: protect the resources of those lands, promote the safety of all users of those lands, and minimize conflicts among the various uses of those lands. The orders require each agency to develop regulations and policies while recognizing off-road vehicles are prohibited from Wilderness Areas and should be more carefully scrutinized in National Parks, Wildlife Refuges, and Game Ranges.



Off-road vehicle damage in the Pike San Isabel National Forest (CO). Photo credit: Southern Rockies Conservation Alliance



Area in the White River National Forest that has become an illegal off-road vehicle race track. Photo credit: Aaron Clark

Each agency has completed regulations and policies on off-road vehicles. The Forest Service and Bureau of Land Management must designate trails and areas where off-road vehicles are allowed. In many cases, the agencies prepare travel plans that indicate where street-legal vehicles and recreational off-road vehicles are allowed. The Park Service requires each unit to complete a regulation before allowing snowmobile, jet ski, or other off-road vehicle use. The Wildlife Refuge System prepares compatibility and appropriate-use plans that designate areas and routes for off-road vehicle use.

Travel Planning: The Forest Service and BLM's Current Efforts

As a first step toward getting unmanaged off-road vehicle use under control, both agencies proclaimed their intent to finally transition off-road vehicle use from "going anywhere" to designating roads and motorized trails. In 2001, the BLM began a west-wide planning effort that in many places such as eastern Oregon and southern Utah includes designating roads and motorized trails. In 2001 and 2005 the Forest Service revised its regulations, making a commitment to identify its minimum road system for public and private use as well as designate roads and trails for off-road vehicle use by 2010 in all National Forests and Grasslands, respectively.

The Wilderness Society performed its own informal survey in 2006, which indicated that approximately 80 comprehensive BLM travel management plans have been completed or are close to completion. However, other than plans for units of the National Landscape Conservation System, most of these travel plans are for small portions of different planning areas, such as individual areas of critical environmental concern or special recreation management areas. As a result, while many travel management plans have been completed, many more are still needed to address the vast acreage managed by the BLM.

The Forest Service is preparing plans for each of the 155 National Forests and 20 Grasslands.

Unfortunately, many of the current travel planning efforts are not addressing current damage and conflicts among users that are caused by poorly managed off-road vehicle use. These plans designate routes ignoring the requirements set in the Nixon Executive Order for identifying routes. Therefore, many road and motorized trail designations may increase conflicts among visitors, damage natural and cultural resources and wildlife habitat, interfere with compliance with applicable laws and policies, and increase costs of management, maintenance, and enforcement.

The Forest Service and BLM efforts have several shortcomings that can be overcome and must be corrected in order to ensure adequate travel planning and management.

1. Bloated, Dense Road and Motorized Trail Systems

Although the agencies are moving from millions of acres essentially open for off-road driving toward a much more limited system of designated road and motorized trails, they are not moving in the direction of ecologically sustainable road and motorized trail networks. Instead, they are designating large, unmanageable, and damaging route systems. If more Forest Service ranger districts and BLM field offices continue this trend, these initiatives to get off-road vehicle use under control will be missed opportunities. For instance, in the Plumas National Forest travel plan in California, the agency manages approximately 4,150 miles of roads and 102 miles of motorized trails. Its latest proposal adds 375 miles of existing unauthorized routes to the current system of motorized trails.

2. Failure to Protect and Preserve Wild Lands and Cultural Sites

There are certain areas where natural and cultural resource values must be given special consideration in travel planning, including heightened protection from the impacts of off-road vehicles. Agencies have a duty to protect cultural sites, rivers and streams, wildlife migration corridors, and other sensitive lands and should consider designating these areas for walking trails and other lower-impact recreation. For instance, the Utah Resource Management and Travel Plans include more than five million acres of proposed Wilderness, including 1.8 million acres of Wilderness Study Areas (WSA). The plans propose to designate motorized vehicle routes throughout the WSAs and 92% of lands outside WSAs that the BLM has recognized as having wilderness characteristics. .

3. Fiscally Irresponsible Road and Motorized Trail Networks that Agencies Cannot Afford to Maintain, Monitor, or Enforce

Roads and motorized trails are expensive to construct and maintain whether they are asphalt, gravel, or dirt. The BLM and Forest Service are designating road and motorized trail systems that are fiscally unrealistic based on available and projected funding for construction, maintenance, monitoring, and enforcement. Even where minimal construction or maintenance is required (as is the case for some routes on BLM lands), more routes mean more monitoring to ensure that they are not causing unacceptable damage and enforcement problems.

One acknowledgment of this funding shortfall is in the Cibola National Forest that includes the Sandia Mountains, a popular place to visit just east of Albuquerque, New Mexico. This area prepared a travel analysis that included the following statement: *“But based on road maintenance funding received over the previous five years the Cibola N.F. can afford to fully maintain only about 31% of the existing system.”*

4. Agencies are Not Adequately Planning for Recreation Including Hiking, Horseback Riding, Hunting, and Fishing

The majority of Americans who visit National Forests and BLM lands do so to experience nature, view wildlife, hike, hunt, or fish. They enjoy a break from the hustle and bustle of everyday life by seeking out fresh air, solitude, and natural scenery. The BLM and the Forest Service are required to preserve these experiences when identifying roads and motorized trails for off-road vehicle use. Unfortunately, the agencies are proposing road and motorized trail systems that do not take into account other visitor and recreation needs. In the Bangs Canyon Travel Management Plan in Colorado, the BLM agreed with Colorado citizens that large portions of this area had wilderness characteristics. However, the travel management plan designated a motorized trail through the area.

Recommendations to Move in the Right Direction

The BLM and Forest Service can make significant improvements to their travel planning processes. We recommend:

- Basing travel planning on the precept that motorized use is only appropriate where it will not damage natural and cultural resources and values;
- Planning for all recreationists. Motorized vehicles have a place on public lands but it should be separate from the places the majority of visitors use;
- Applying stricter protective standards for areas identified for their conservation values; and
- Evaluating financial, law enforcement, and other resources needed to manage proposed travel networks, and ensuring that the systems are sized to be commensurate with available resources.

The solutions identified above can result in significant improvements in public land stewardship—protecting natural and cultural resources, while providing quality recreation experiences for both motorized and traditional recreationists. We urge Congress to review the serious risks associated with current travel planning and provide direction to conduct travel planning that designates appropriate travel systems.



September 2002



May 2004



September 2004

Photos of an area in the Wasatch-Cache National Forest (UT) that has sustained damage due to off-road vehicle use. Over time, the route's condition has worsened.

Photo credits – Dan Schroeder, Ogden Sierra Club

For more information contact: Kristen Brengel at (202)429-2964 or kristen_brengel@tw.society.org

Glossary of Commonly Used Terms and Acronyms in Public Lands Management and Related Legislation

Alaska National Interest Lands Conservation Act of 1980 (ANILCA): A milestone in U.S. land protection, this act created more than 104 million acres of new national parks, national wildlife refuges, and conservation areas, or additions to existing national parks, refuges, and forests.

Alaska Native Claims Settlement Act of 1971 (ANCSA): This act granted nearly \$1 billion and 44 million acres, including subsurface rights, to 12 regional and approximately 200 Native corporations.

Antiquities Act of 1906: This act gives the president the power to grant National Monument status to areas possessing significant historical and/or scientific values. Nearly every President has used this bipartisan conservation statute to protect more than 100 icons of the American landscape.

BIA: Bureau of Indian Affairs

BLM: Bureau of Land Management – the Bureau of Land Management is an agency of the Department of the Interior. It is responsible for administering more public lands than any other agency – over 258 million surface acres, mostly in western states.

Categorical Exclusion (CE or CX): A category of actions (identified in agency guidance) that do not individually or cumulatively have a significant effect on the human environment, and for which neither an environmental assessment nor an EIS is required (40 CFR 1508.4).

CEQ: Council on Environmental Quality

CFR: Code of Federal Regulations

CRS: Congressional Research Service

Eastern Wilderness Areas Act of 1975: The Eastern Wilderness Act of 1975 designated 16 Wilderness Areas in the East. The law clarifies that eastern lands that have been logged or otherwise altered by man may be considered for designation, if they have been restored or are in the process of being restored to a primitive and natural condition.

Endangered Species Act of 1973 (ESA): Federal legislation that is intended to provide a means to conserve the ecosystems upon which endangered and threatened species depend and to provide programs for the conservation of those species, thus preventing extinction of plants and animals.

Endangered Species: An animal or plant species in danger of extinction throughout all or a significant portion of its range, pursuant to the Endangered Species Act of 1973.

Environmental Assessment (EA): A public document for which a federal agency is responsible that serves to: (a) briefly provide sufficient evidence and analysis for determining whether to

prepare an Environmental Impact Statement or a finding of no significant impact; (b) aid an agency's compliance with the National Environmental Policy Act (NEPA) when no Environmental Impact Statement is necessary; (c) facilitate the preparation of a statement when one is necessary. An EA includes brief discussions of the need for the proposal and of the environmental impacts of the proposed action and other alternatives.

Environmental Impact Statement (EIS): A written analysis of the impacts on the natural, social, and economic effects of a proposed project or resource management plan.

EPA: Environmental Protection Agency

FACA: Federal Advisory Committee Act of 1997

Federal Land or 'Public Land': Land owned by the United States, without reference to how the land was acquired or which federal agency administers the land, including mineral and coal estates underlying private surface.

Federal Land Policy and Management Act of 1976 (FLPMA): Referred to as the “enabling” or “organic” legislation for the BLM, this Act gives the BLM legal authority to establish public land policy, to establish guidelines for administering such policy and to provide for management, protection, development and enhancement of the public land.

FLTRA: Federal Land Transaction Facilitation Act of 2000

FOIA: Freedom of Information Act

Forest Legacy Program: Congress authorized the Forest Legacy Program in 1990. The program helps preserve working forestlands and protect critical forest resources. It has a minimum requirement of 25 percent non-federal matching funds thereby leveraging state and private dollars to complement federal money.

FONSI: Finding of No Significant Impact

FWS: Fish and Wildlife Service

GAO: Government Accountability Office

Healthy Forests Initiative (HFI): A series of regulatory and Administrative changes instituted by the Bush Administration in August of 2002 with the intent to “to reduce the risks severe wildfires pose to people, communities, and the environment”. Administrative actions undertaken through HFI include: new categorical exclusions for certain fuel-treatment projects and fire rehabilitation projects; new guidance from the Council on Environmental Quality to conduct environmental assessments for fuel reduction; new Forest Service and Interior appeals rules amendments; and new Endangered Species Act procedures for hazardous fuel projects.

Healthy Forests Restoration Act (HFRA): A law enacted in December of 2003 that contains a variety of provisions for expediting hazardous fuel reduction on specific types of Federal land that are at risk of wildland fire or insect and disease epidemics. It provides expedited environmental analysis of fuel-treatment projects, administrative review before decisions are issued, and requires collaboration between federal agencies and local communities, particularly



when Community Wildfire Protection Plans are prepared. It requires that at least 50 percent of the dollars allocated to HFRA projects are to protect communities at risk of wildland fire.

IBLA: Interior Board of Land Appeals

Inventoried Roadless Areas: Areas as defined under the Roadless Area Conservation Rule of 2001.

Land and Water Conservation Fund (LWCF): In 1964, Congress established the Land and Water Conservation Fund to preserve America's lands and waters using revenues from offshore oil and gas drilling. Congress is authorized to appropriate up to \$900 million a year between the Federal and state grants components of the program.

Leasable Minerals: Minerals such as coal, oil shale, oil and gas, phosphate, potash, sodium, geothermal resources, and all other minerals occurring on federal public lands that may be leased for extraction under the Mineral Leasing Act of 1920, as amended.

Locatable Minerals: A mineral subject to claim location under the 1872 mining laws. Examples of such minerals would be gold, silver, copper and lead as compared to oil and natural gas, which are leasable minerals.

MMPA: Marine Mammal Protection Act of 1972

MOU: Memorandum of Understanding

Multiple Use-Sustained Yield Act of 1960: Directs the Secretary of Agriculture to consider “the relative values of the various resources in National Forests, and not necessarily the combination of uses that will give the greatest dollar return or the greatest unit output.

National Fire Plan: The Department of Agriculture and the Department of Interior jointly developed this long-term fire-fighting strategy. The National Fire Plan is not a single document, but rather is composed of several strategic documents that set forth a priority to reduce wildland fire risks to communities. There are five core documents:

1. Federal Wildland Fire Management: Policy and Program Review (1995)
2. Report to the President in Response to the Wildfires of 2000 (2000)
3. Review and Update of the 1995 Federal Wildland Fire Management Policy (2001)
4. Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment (2001) – also known as the Western Governor Association’s 10-Year Comprehensive Strategy
5. Collaborative Approach for Reducing Wildland fire Risks to Communities and the Environment Implementation Plan – also known as the 10-Year Comprehensive Strategy Implementation Plan

National Forest Management Act of 1976: Requires the Secretary of Agriculture to assess forest lands, develop a management program based on multiple-use, sustained-yield principles, and implement a resource management plan for each unit of the National Forest System. It is the primary statute governing the administration of national forests.

National Historic Preservation Act: Created a role for the federal government in providing leadership for preservation, and contributing to and providing the “maximum encouragement” to



preservation, and "foster conditions under which our modern society and our prehistoric and historic resources can exist in productive harmony."

National Landscape Conservation System: A 26 million acre network of the Bureau of Land Management's premier lands and waters. The Conservation System includes those BLM areas which have received special recognition and protection through congressional or presidential conservation designations, such as National Monuments and Wilderness.

NMFS: National Marine Fisheries Service

National Environmental Policy Act (NEPA) of 1969: Established a national policy to maintain conditions under which man and nature can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations of Americans. It established the Council on Environmental Quality for coordinating environmental matters at the federal level and to serve as the advisor to the President on such matters. The law made all federal actions and proposals that could have significant impact on the environment subject to review by federal, state and local environmental authorities.

National Wildlife Refuge System Improvement Act of 1997: This act establishes fish, wildlife, and plant conservation as the mission the refuge system, outlines a process for determining if an activity is compatible with a refuge's purpose, requires the preparation of comprehensive conservation plan for each refuge and gives priority to certain wildlife-dependent recreational uses on national wildlife refuges.

National Wildlife Refuge: A designated area of land and water within the National Wildlife Refuge System. Each refuge shall be managed in a manner that maintains the biological integrity, diversity, and environmental health of the Refuge System.

National Wildlife Refuge System: The Refuge System's mission is to administer a national network of lands and waters for the conservation, management and, where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

OCS: Outer Continental Shelf

OHV: Off-Highway Vehicle [also refers to Off-Road Vehicles (ORVs) and All-Terrain Vehicles (ATVs)]

Payments In Lieu of Taxes Act of 1976 (PILT): The means for the Federal government to make payments to local governments that help offset losses in property taxes due to nontaxable Federal lands within their boundaries.

PILT: see Payment In Lieu of Taxes Act of 1976

Research Natural Area (RNA): Research Natural Areas (RNAs) are areas that contain important ecological and scientific values and are managed for minimum human disturbance. RNAs are primarily used for non-manipulative research and baseline data gathering on relatively unaltered community types. Since natural processes are allowed to dominate, RNAs also make excellent controls for similar communities that are being actively managed. In addition, RNAs



provide an essential network of diverse habitat types that will be preserved in their natural state for future generations.

Resource Advisory Council (RAC): A council established by the Secretary of the Interior to provide advice or recommendations to agency management. In some states, Provincial Advisory Councils (PACs) are functional equivalents of RACs.

Revised Statute 2477: RS-2477: Contained in the 1866 Mining Law, granted rights-of-ways on public lands before being repealed in 1976.

Roadless Area Conservation Rule: Adopted in January 2001 the Roadless Rule protected 58.5 million acres of inventoried roadless areas in national forests from road building and logging, with some exceptions.

ROD: Record of Decision (for an EIS)

Rural Schools & Self Determination Act of 2000: Also referred to as “County Payments,” this act stabilized payments to counties that help support roads and schools, provided projects that enhance forest ecosystem health and provided employment opportunities, and to improved cooperative relationships among Federal land management agencies and those who use and care about the lands the agencies manage.

SDWA: Safe Drinking Water Act of 1974

T&E: Threatened and Endangered Species

Threatened Species: An animal or plant species likely to become endangered within the foreseeable future throughout all or a significant portion of its range, pursuant to the Endangered Species Act of 1973.

U.S.C.: United States Code; also U.S.C.A. (United States Code Annotated)

USFS: United States Forest Service – established in 1905 the United States Forest Service is an agency of the Department of Agriculture and administers 193 million acres of federal land in the nation’s 155 national forests.

USGS: U.S. Geological Survey

Weeks Law of 1911: Responsible for the majority of the eastern forests in the National Forest System. Appropriated \$200,000 for the Secretary of Agriculture to cooperate with states in protecting forestland (private or state-owned) within watersheds of navigable streams from fire, and appropriated money for the survey and acquisition of “lands located on the headwaters of navigable streams or those which are being or which may be developed for navigable purposes,” with no geographical limitations.

Wild and Scenic Rivers Act of 1968: A means of instituting a national wild and scenic rivers system and by which additional components of the system may be added.



Wilderness Act of 1964: This act created the National Wilderness Preservation System (NWPS), established the first wilderness areas (totaling 9.1 million acres), and established a process for expanding the NWPS, putting most of the authority in the hands of the public and Congress.

Wilderness Area: An area of Federal land designated by an act of Congress to be protected in its natural condition according to the requirements of the Wilderness Act of 1964.

Wilderness Study Area (WSA): Created by the BLM through the inventory process of the Federal Land Policy and Management Act (FLPMA), which requires the BLM to inventory its lands for wilderness quality and protect those lands until Congress decides whether or not to designate the land as Wilderness.
