

Trashing Our Treasures: Congressional Assault on the Best of America

**Highlighting National Threats to Conservation
In Montana**



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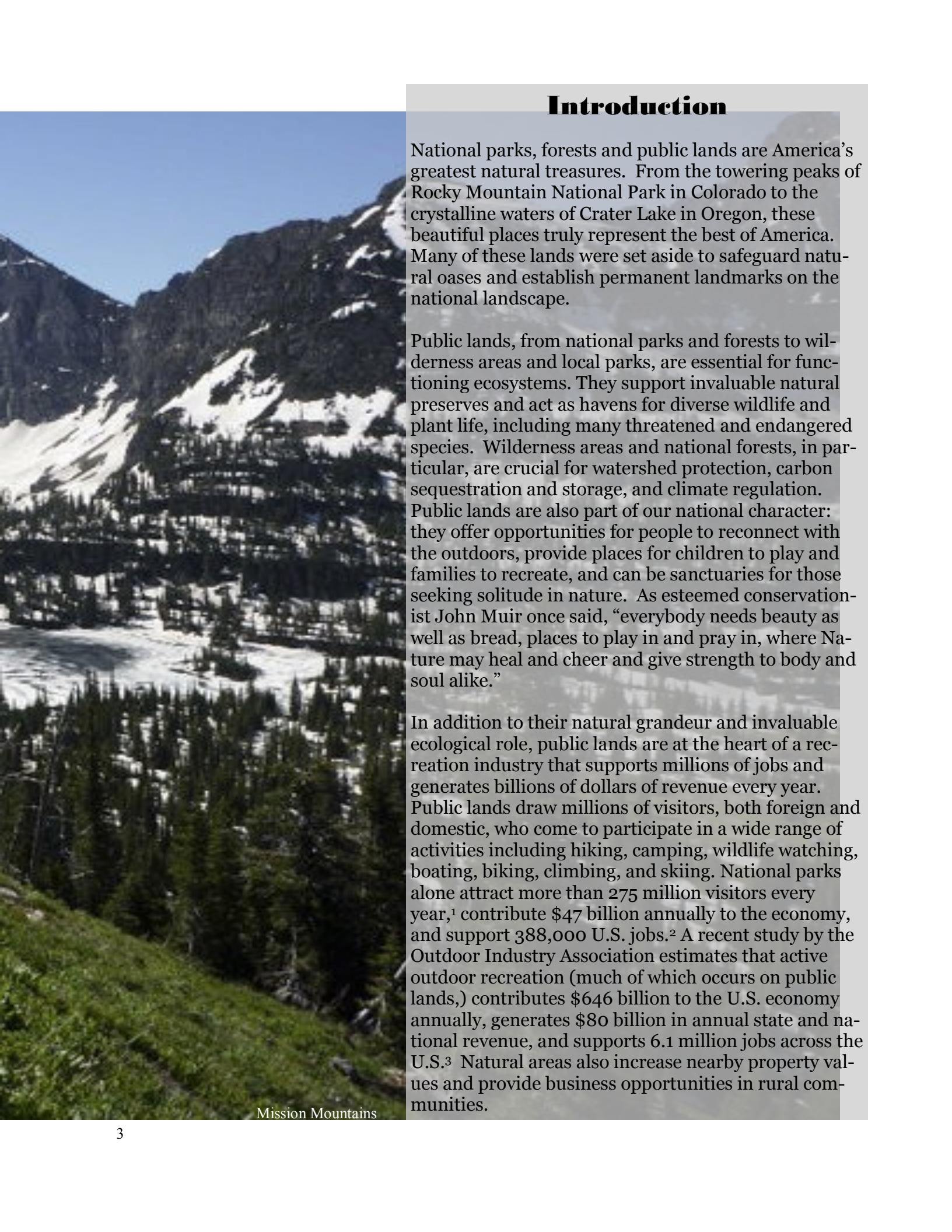
Contents:

Introduction.....	2
Montana: What's at Stake.....	8
Legislative Threats.....	10
Conclusion.....	12
References.....	13

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Introduction

National parks, forests and public lands are America's greatest natural treasures. From the towering peaks of Rocky Mountain National Park in Colorado to the crystalline waters of Crater Lake in Oregon, these beautiful places truly represent the best of America. Many of these lands were set aside to safeguard natural oases and establish permanent landmarks on the national landscape.

Public lands, from national parks and forests to wilderness areas and local parks, are essential for functioning ecosystems. They support invaluable natural preserves and act as havens for diverse wildlife and plant life, including many threatened and endangered species. Wilderness areas and national forests, in particular, are crucial for watershed protection, carbon sequestration and storage, and climate regulation. Public lands are also part of our national character: they offer opportunities for people to reconnect with the outdoors, provide places for children to play and families to recreate, and can be sanctuaries for those seeking solitude in nature. As esteemed conservationist John Muir once said, "everybody needs beauty as well as bread, places to play in and pray in, where Nature may heal and cheer and give strength to body and soul alike."

In addition to their natural grandeur and invaluable ecological role, public lands are at the heart of a recreation industry that supports millions of jobs and generates billions of dollars of revenue every year. Public lands draw millions of visitors, both foreign and domestic, who come to participate in a wide range of activities including hiking, camping, wildlife watching, boating, biking, climbing, and skiing. National parks alone attract more than 275 million visitors every year,¹ contribute \$47 billion annually to the economy, and support 388,000 U.S. jobs.² A recent study by the Outdoor Industry Association estimates that active outdoor recreation (much of which occurs on public lands,) contributes \$646 billion to the U.S. economy annually, generates \$80 billion in annual state and national revenue, and supports 6.1 million jobs across the U.S.³ Natural areas also increase nearby property values and provide business opportunities in rural communities.

Mission Mountains

Protecting the Best of America

Despite the critical role these landscapes play in protecting water quality and ecosystems, as well as providing outdoor recreation opportunities, far too many of our public lands are under attack. Development, mining, drilling, and logging would destroy essential habitat for plants and wildlife, and ruin the experience for nature-goers. The environmental laws that protect public lands are intended to preserve treasured places for future generations and safeguard them from excessive exploitation. The Clean Water Act, Clean Air Act, Endangered Species Act, National Park Service Organic Act, Wilderness Act, National Environmental Policy Act, Federal Water Pollution Control Act, National Historic Preservation Act, and the Antiquities Act are just a few of the critical laws that we need to protect our waterways, air quality, and open spaces by limiting excessive development and other forms of resource exploitation on federal lands. The level of safeguards varies by land designation; the strongest protections prevent motorized vehicle access and road-building in the most sensitive wilderness and roadless areas, but all of these laws protect precious natural areas from pollution, habitat fragmentation and degradation.

Even though public lands have been protected by cornerstone environmental laws for decades, several Congressional leaders have been working to open them up to resource exploitation and development by dismantling these very protections. The following section highlights some of the most egregious attacks, which put beloved places in the country at risk of being lost forever.

Legislative Threats: A Dangerous Trend

Throughout the 112th Congress, we have seen dozens of bills introduced in the House of Representatives that seek to rollback protections for public lands. Representative Henry Waxman, who co-released a report detailing the anti-environmental track record of the current Congress, commented that “the House Republican assault on the environment has been reckless and relentless. In bill after bill, for one industry after another, the House has been voting to roll back environmental laws and endanger public health. The Republican anti-environment agenda is completely out-of-touch with what the American public wants.” The report reveals some startling numbers: in the first session, House Republicans voted 191 times to weaken environmental protections; by the end of 2011, there were 47 votes to weaken land and coastal protections.⁴ These votes were largely driven by powerful oil and mining industry lobbyists, large-scale developers and corporate interests. Representative Howard Berman, who released the report with Representative Waxman said, “sadly, many Republicans in the House of Representatives have shown a clear pattern of putting business interests ahead of human interest—of protecting corporate polluters over constituents.” If this trend persists, we will only continue to see bills that threaten to harm our beloved public lands.



Triple Divide Pass

Threats to Wilderness and Roadless Areas (H.R. 1581, H.R. 2834, H.R. 4089)

The Wilderness Act of 1964 defines wilderness as “an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain,” and that is “protected and managed so as to preserve its natural conditions.”⁵ For nearly five decades, this law has preserved millions of acres and protected some of our most sensitive lands from pollution, development, habitat fragmentation and erosion. Without the legal protections that come with a Wilderness designation, pristine areas and the wildlife that depend on them could be lost forever to destructive practices like drilling, mining, logging, and other forms of resource extraction. The “Roadless Rule” protects more than 58.5 million acres of national forest land from most commercial logging and road-building, and associated mining and drilling. This protection was the result of hard-fought battle by the conservation community to protect sensitive areas under the 2001 Roadless Area Conservation

Rule. The following bills are a serious step backwards and represent very real attacks on the sensitive and important places they protect.

The Wilderness & Roadless Release Act (H.R. 1581) sponsored by Rep. Kevin McCarthy (R-CA), would strip these protections from roadless and wilderness study areas, where road-building is forbidden.⁶ Roadless areas are often within national forests and adjacent to national parks, enriching the beauty and grandeur of pristine areas, keeping wildlife habitat intact, and offering respite for visitors seeking solitude. This bill would eliminate the Forest Service’s Roadless rule and turn a portion of these lands over to logging. It would also prohibit the Bureau of Land Management (BLM) from implementing Secretary Salazar’s “Wild Lands” policy, which protects wilderness-quality BLM lands.⁷ Former Secretary of the Interior Bruce Babbitt called H.R. 1581 “the most radical, overreaching attempt to dismantle the architecture of our public land

laws that has been proposed in [his] lifetime.”⁸

Box #1 The House has continued its recent assault on public lands by passing H.R. 2578. This package of lands bills would privatize 90,000 acres of Tongass National Forest allowing a corporation to clearcut prime old growth in Alaska, allow motorized vehicles near turtle nesting areas in Cape Hatteras National Seashore and in wilderness areas of the Boundary Waters, and has a provision that would waive 16 cornerstone environmental and public health laws within 100 miles of the Canadian and Mexican borders – including such fundamental laws like the Safe Drinking Water Act and the Endangered Species Act. The package also incorporates a provision which would gut conservation protections associated with grazing on federal lands by granting unchecked powers to exclude the management of live-stock grazing from environmental review.

The Wilderness Development Act (H.R.2834), proposed by Representative Dan Benishek (R-MI), threatens to open up wilderness areas to development in a similar way.⁹ The bill would automatically grant an exception to the Wilderness Act's prohibitions on the use of motorized vehicles and equipment for any activity that provides opportunities to hunt, fish, or shoot.¹⁰ This could involve allowing all-terrain vehicles, snowmobiles, motorbikes, motorboats, chainsaws, and other motorized vehicles and equipment onto pristine wilderness lands.¹¹ Opening isolated wilderness regions to such destructive activities and the associated pollution would harm both the environment and backcountry recreation in these areas.

Box #2 H.R. 4089, the so-called "Sportsmen's Heritage Act," offered by Representative Jeff Miller (R-FL), is a revised version of H.R. 2834 that passed the House in April. The

representatives offering this bill have disguised an attack on our treasured places as a bill to create more hunting and fishing opportunities. In actuality, this bill could rollback crucial environmental protections and damage lands valued by conservationists and sportsmen alike. Like H.R. 2834, it would overturn decades of Congressional protections for wilderness areas and change the Wilderness Act to allow wide-spread motorized access, as well as permit new logging, mining and fossil fuel extraction. Additionally, this bill would exempt important land management decisions from environmental review under the National Environmental Policy Act. The bill also includes language enabling the management agencies to close areas to hunting and fishing in favor of energy development, without notice to the public. H.R. 4089 would have implications on wildlife refuges, national forests and BLM land as well—more than 600 million acres in all. Finally, this legislation takes away the president's ability to quickly designate national monuments and protect national treasures at risk.

Other threats to public lands (HR 1126, HR 2588, HR 2852)

There several bills that demonstrate many legislators' outright disregard for preserving public lands.¹² One of these is the Disposal of Federal Lands Act (H.R.1126), proposed by Rep. Jason Chaffetz (R-UT), that would force the Bureau of Land Management in Arizona, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, Oregon, Utah, and Wyoming to sell off "excess" public lands to the highest bidder.¹³ The Wilderness Society estimates that this would result in the sale of 3.3 million acres that could then be used for logging, mining, and other forms of resource exploitation.¹⁴ Another similar bill is the American Land Sales Act (H.R.2588), sponsored by Rep. Ted Poe (R-TX), which would force BLM and the Forest Service to sell 8% of their respective federal land to the highest bidder, annually until 2016. This year alone, the two agencies would be forced to sell off nearly 36 million acres of forest and public land to corporate interests.¹⁵ Furthermore, the Land Division Act (H.R.2852), sponsored by Rep. Rob Bishop (R-UT), bill would force the Bureau of Land Management and Forest Service to give away, free of charge, 5% of their lands to each Western state. This would leave 30 million acres in the west vulnerable to resource extraction and development.¹⁶

Threats to Public Lands in Border States (H.R. 1505)

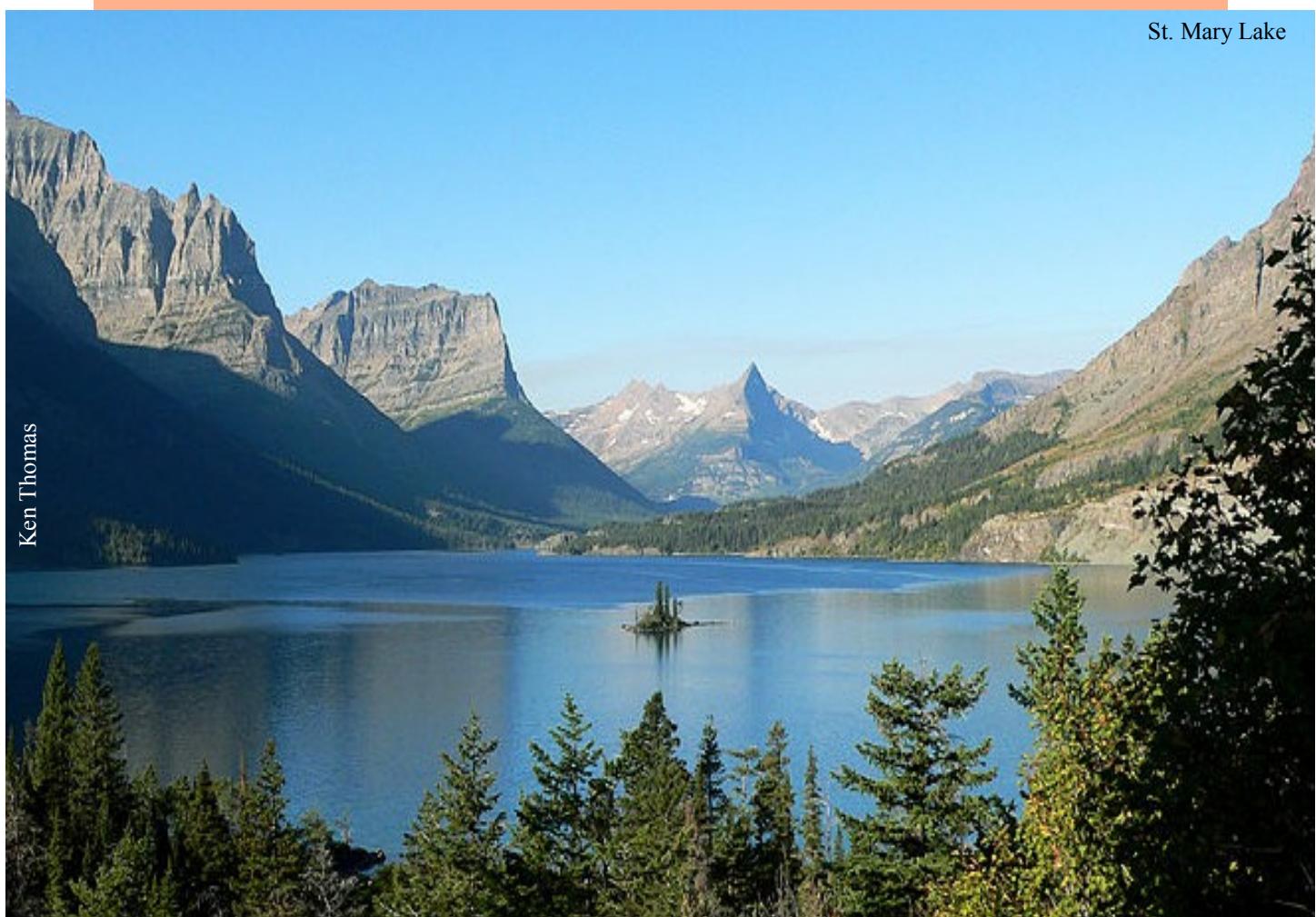
One of the first bills to threaten public lands this Congress was the so-called National Security & Federal Lands Protection Act (H.R.1505), sponsored by Rep. Rob Bishop (R-UT). If passed, H.R. 1505 would exempt Department of Homeland Security (DHS) and the Border Patrol from 36 environmental laws within 100 miles of the Canadian and Mexican borders.¹⁷ Since the bill would waive the National Environmental Policy Act, among others, DHS could build roads and fences, implement vehicle patrols, allow fly-overs, and erect towers and checkpoint stations on all federal lands- including national parks, without any notice to the public. Not only could these activities pollute and disrupt sensitive ecosystems, but motorized vehicles, road-building and construction would degrade and fragment habitat, lead to soil erosion and could pollute nearby waterways.¹⁸ Finally, this bill would allow DHS to close off recreation areas to visitors and sportsmen, without being held accountable. Representative John Garamendi (D-CA) summed up his views on the House floor with these words “[this bill is] the epitome of stupidity.”¹⁹ His statement is perhaps best supported by a recent General Accounting Office report that concluded that current federal laws do not currently impede border protection.²⁰ Other detractors of the bill include Department of Homeland Security itself, which testified before Congress that it deems its current jurisdiction adequate. This bill is a serious threat to public lands in border regions, such as Glacier National Park in Montana, the Boundary Waters in Minnesota, and even Allegheny National Forest in Pennsylvania. An amended



Kootenay Lake

Our public lands are irreplaceable. All of the bills chronicled in this report would override existing environmental protections and could result in the disastrous exploitation of protected lands. If the co-sponsors of these bills have their way, cornerstone public lands protections that have safeguarded invaluable ecosystems for decades will be undone, and the recreation industries that depend on these natural settings will suffer. Pending legislation poses significant risks to our public lands, and demonstrates the skewed priorities of far too many members of the 112th Congress. The following sections outline some of the ways these bills could damage specific treasured places across the country.

MONTANA



St. Mary Lake

Glacier National Park, one of the country's greatest natural treasures, is named for its jagged terrain that was carved by glaciers 10,000 years ago. Receding ice and shifting rock over thousands of years serve as a record of geologic history and there are still remnants of these glaciers throughout the landscape.²¹ The park is invaluable to the state, and emblematic of all of Montana's natural beauty.

What's at Stake: Glacier National Park

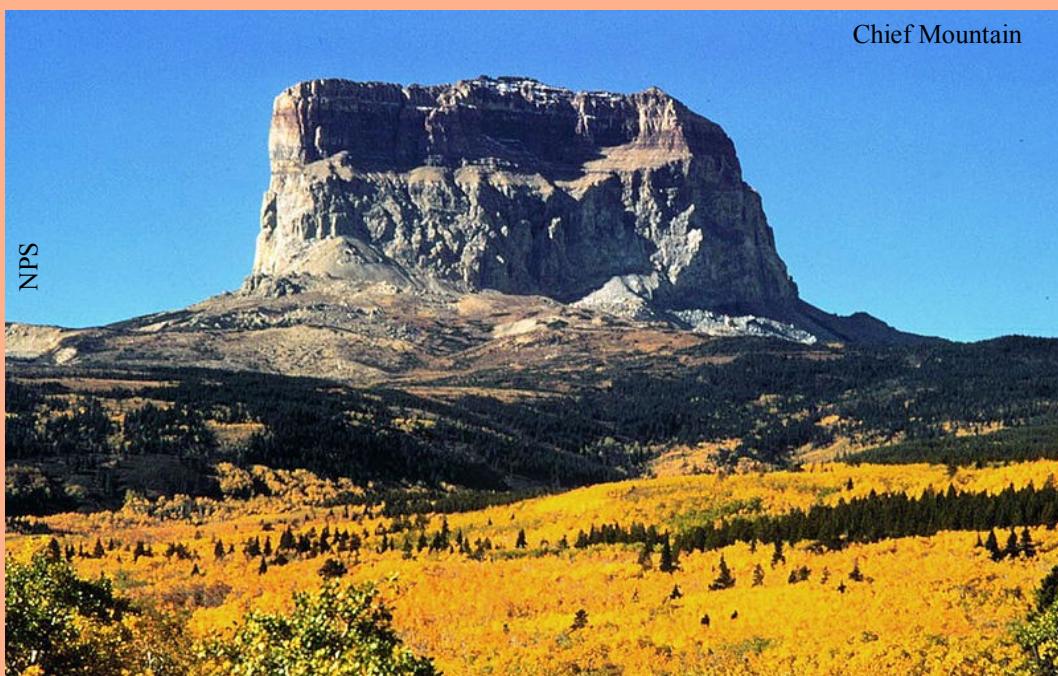
On top of its rich geologic history, the park and surrounding wilderness areas are home to a rich diversity of forests, alpine meadows, and 131 named lakes with crystal clear water. The park is more than 1 million acres, 93 percent of which has wilderness characteristics.²² Within this spectacular setting there are more than 1,000 different species of plants which vary over the terrain with different elevations and levels of rainfall. In the east, dry winds chisel trees along the high ridges while calmer conditions surround the aspen groves below. The dark, ancient cedar and hemlock forests in the west are dramatically different from the more open forests, glades and grasslands on the east side.²³ Hundreds of species of animals reside in this landscape, including more than 60 species of mammals and 260 species of birds. These include rare and endangered species such as bald eagles, grizzly bears, mountain lions and wolverines.²⁴ Glacier was named a World Heritage Site in 1995.²⁵



Dave Grickson/FWS

By the Numbers

Glacier National Park is important for a vibrant state economy as well. Outdoor-related tourism supported 34,210 jobs in 2010 and visitors spent a total of \$2.5 billion on things like outfitters, guides, licenses, and campgrounds.²⁶ Glacier National Park attracted 2.2 million visitors in 2010, with 45% of visitors counting it as their primary destination in the state.²⁷ Visitors participate in activities such as backpacking, camping, hiking, snowshoeing, and skiing on more than 700 miles of trails.²⁸ Fly fishing is popular as well. Scientists and students come to the area to research the unique and isolated landscape, and many visitors are drawn to the park to learn about Native American history.²⁹



Legislative Threats

Glacier's more than 1 million acres of forests, alpine meadows and crystal clear lakes are truly magnificent. The Flathead River flowing through the park boasts some of the cleanest, most pristine water in the world. Bills moving through Congress would allow roadbuilding and logging within and adjacent to the park, and could pave the way for energy development. Oil and gas drilling and other harmful resource extraction would pollute the Flathead watershed, harming wildlife inside and outside the park and damaging the recreation industries that rely on the river.

One bill moving through Congress that threatens to harm these landmarks is the Wilderness Development Act (H.R.2834), proposed by Representative Dan Benishek (R-MI) - and cosponsored by Rep. Dennis Rehberg (R-MT). This bill adds loopholes to the Wilderness Act to allow motorized vehicles, logging, and road building. Like the Roadless Release Act, this bill targets sensitive wilderness areas, like the Bob Marshall wilderness complex, which have been set aside by Congress to remain untouched.

More Legislative Threats

Another dangerous bill is the Wilderness & Roadless Release Act of 2011 (H.R.1581), proposed by Rep. Kevin McCarthy (R-CA) and cosponsored by Rep. Dennis Rehberg (R-MT), which could open areas with wilderness characteristics—or more than 90% of Glacier—to energy development and other forms of resource exploitation. Wilderness study areas in the park are some of the last untouched forests in Montana. They support ecosystems while providing visitors a true sense of solitude. Drilling, road building, logging and excessive development in wild places around Glacier National Park could destroy the natural environment, putting the pristine waters in the Flathead River valley at risk of pollution and runoff, mar the impeccable vistas and degrade essential habitat for threatened species like grizzlies and bald eagles.

Finally, the so-called Conservation & Economic Growth Act (H.R. 2578), proposed by Rep. Jeff Denham (R-CA), waives 16 cornerstone environmental and public health laws within 100 miles of Montana's Canadian border and guts conservation protections associated with grazing on federal lands. It includes a provision based on H.R.1505, which was proposed by Rep. Rob Bishop (R-UT) and cosponsored by Rep. Dennis Rehberg (R-MT), giving Department of Homeland Security and Border Patrol unchecked authority to build structures, drive vehicles and close fishing and hunting grounds on public lands without any notice to the public.



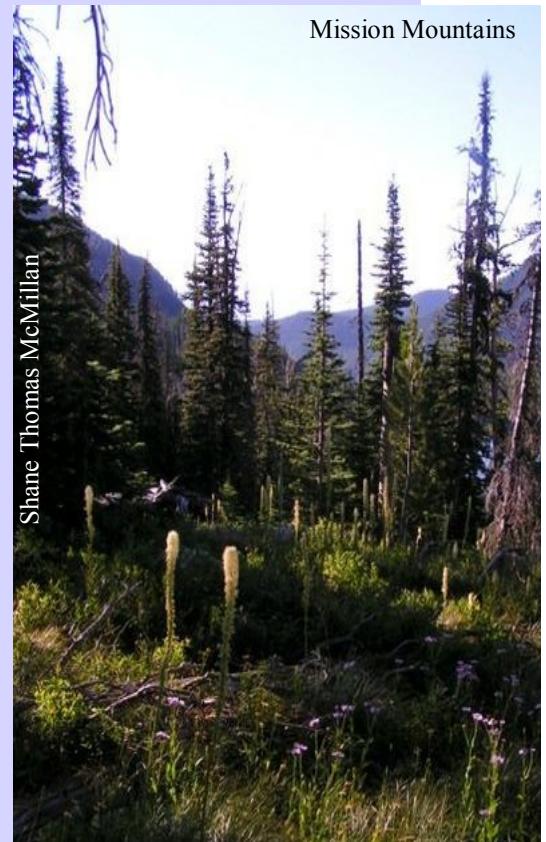
Recommendation

America's treasured places, from the heights of Mount Hood to the old growth forests of Allegheny National Forest, need to be protected for generations to come. Cornerstone environmental laws enacted decades ago, provide critical protections for our most beloved natural places. Public lands are part of our national legacy and enjoy widespread support from citizens everywhere, yet several members of Congress, many of whom are mentioned in this report, are working to roll back the laws that protect the best of America. People care deeply about these places—the public needs to demonstrate to their representatives that conserving our state treasures should be a top priority. We urge our elected officials to reject bills that threaten to strip public lands of the laws that were passed to conserve them. We ask the American people to hold members of Congress who give in to the pressures of big developers, oil and mining industries, and others working to weaken public lands protections, accountable in the next election.

Conclusion

For generations upon generations, public lands have been an essential part of our natural landscape and national character. These tracts of land, home to diverse wildlife, plant life, and crystal clear waters, support unique and essential ecosystems. From local parks to isolated wilderness landscapes, public lands provide places for people to reconnect with the outdoors. They provide unique opportunities for outdoor activities like hiking, camping, boating, and skiing. More than 275 million people visit national parks every year,⁴² which generates billions of dollars for the economy and supports thousands of jobs.

Public lands are protected by cornerstone environmental laws enacted by past Congresses. These crucial laws ensure that our water and air is clean, endangered species and their habitats are protected, national parks and monuments can be established and maintained, and wild landscapes across the country remain pristine and undeveloped. Yet throughout the 112th Congress, we have seen more than 50 bills move that seek to undermine the cornerstone environmental protections that maintain the integrity of these places. The legislators who proposed these bills want to increase logging, road building, mining, and other forms of exploitative development—activities that could mar landscapes, fragment habitats and pollute ecosystems. Once damaged, many of our treasured places might never rebound. In short, the pending legislation highlighted in this report poses a real danger to the natural settings that make up the best of America. Our leaders in Washington need to understand that this is a critical issue to citizens around the country and must work to defeat all bills that threaten America's beautiful public lands.



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