

**Trashing our Treasures:
Congressional Assault on the Best of
America**

**Highlighting National Threats to Conservation
In Nevada**



ENVIRONMENT
NEVADA

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Sierra Nevada



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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.

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 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.



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 untrammelled 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 livestock 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.

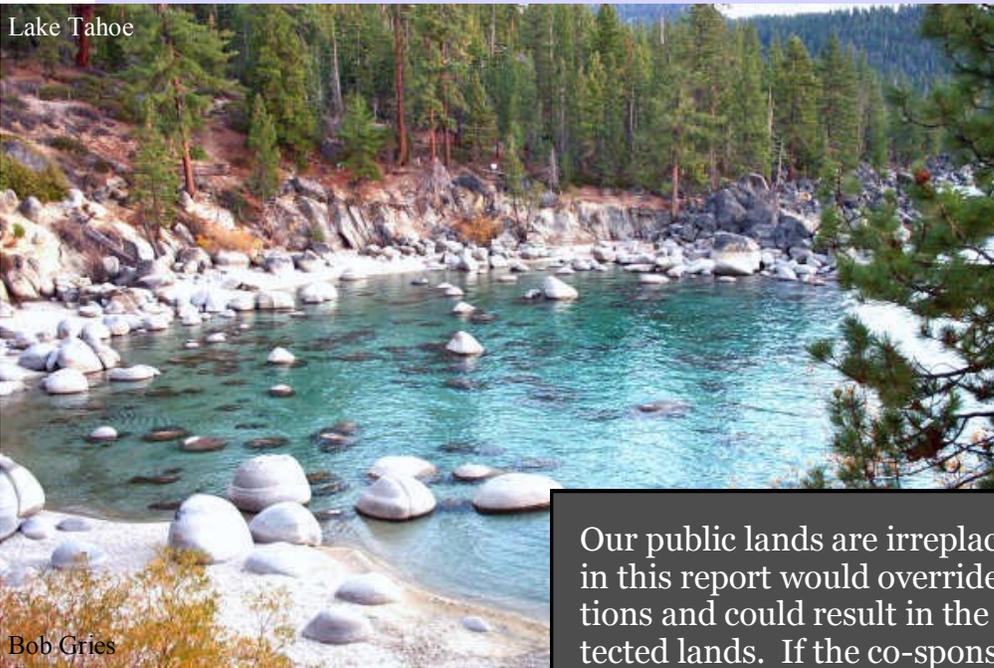
Other threats to public lands (HR 1126, HR 2588, HR 2852)

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

Lake Tahoe



Bob Gries

regions, such as Glacier National Park in Montana, the Boundary Waters in Minnesota, and even Allegheny National Forest in Pennsylvania. An amended version of this bill passed the House in June (see Box #1.)

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.

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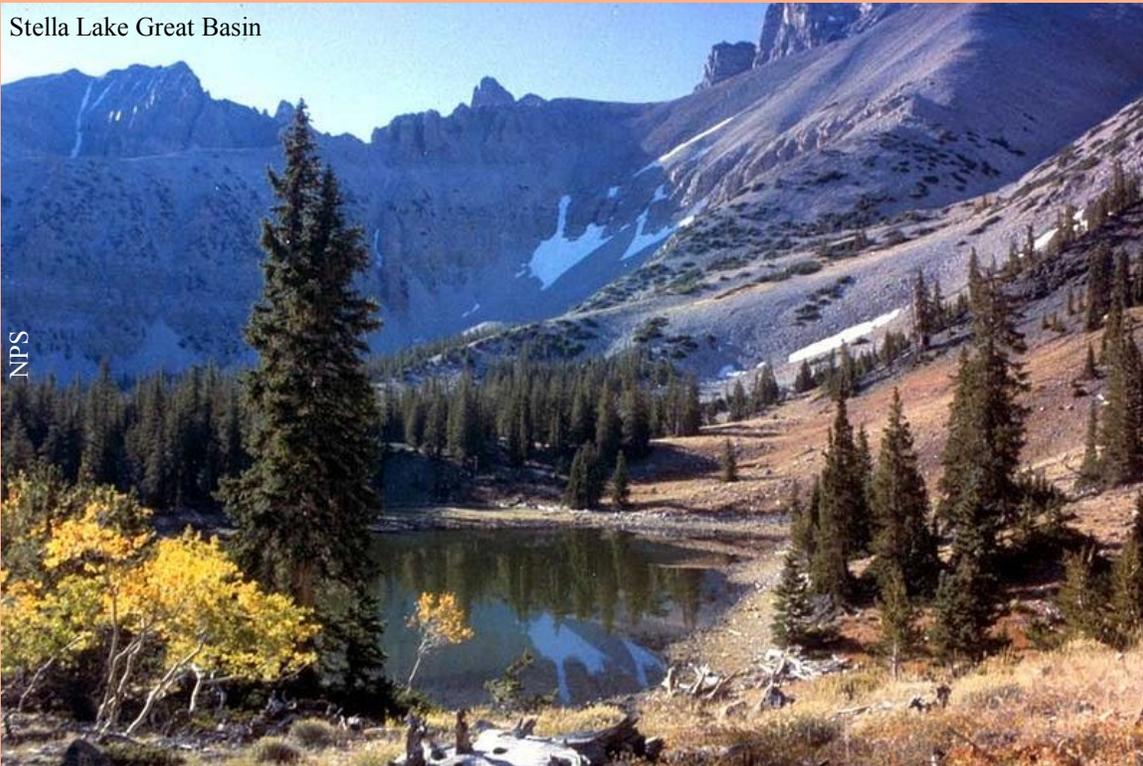
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Throughout Nevada, there are many isolated, dramatic, and stunning landscapes showcasing the state's enormous diversity: from dusty deserts to glacial mountain tops to crystalline lakes. Many of these lands are preserved by Congress or by the state government, ensuring that these treasured lands remain as vibrant and wild as they have always been. The Great Basin, a wide and untamed swath in the middle of the state, is protected as a national park.

What's at Stake: Great Basin National Park

Great Basin National Park encompasses an enormous, diverse stretch of land in the heart of Nevada. Its 114 million acres include long mountain ranges separated by equally long, flat valleys. The flat stretches of hot desert valleys have abundant sagebrush, as well as hardy species like prickly pear cactus, snakes, and jackrabbits.²¹ The edges of these vistas meet mountain ranges with peaks soaring above 13,000 feet, including the 13,063-foot Wheeler Peak. Beneath the summit of Wheeler Peak, a lone glacier still clings to the rock, a remnant of a past Ice Age. In the harsh climate just below the tree line the bristlecone pine can live to be 5,000 years old.²² Above the desert valleys, aspen, fragile alpine wildflowers and ancient bristlecone pines grow, accompanied by mountains lions, coyotes, bobcats, badgers, mule deer, and pronghorn antelope. Incredibly, 70% of all North American mammals are found in this region, a testament to the diversity of the Basin's deserts, playas, mountains, rock formations, springs, caves, and creeks.²³ There are over 40 known caves filled with unique flora and fauna, including the famous Lehman Caves.²⁴ This National Park contains and lies adjacent to several wilderness areas such as North Jackson Mountains Wilderness (23,439 acres) and Cedar Mountain Wilderness Area (99,428 acres). The unspoiled area of Cedar Wilderness is home to a wild horse herd, known for its large, beautifully colored horses.²⁵

Stella Lake Great Basin



By the Numbers

Great Basin National Park not only has a stunningly rich environment, it also brings economic benefits to Nevada. The roughly 70,000 annual visitors gain the experience of true solitude in an isolated location. Hiking, fishing, and horseback riding are all popular here as well, and 50,000 people visit Lehman Caves annually.²⁶ These beautiful marble caves are ornately decorated with rock structures like stalactites, stalagmites, helictites, flowstone, and over 300 rare shield formations, and many different tours are offered through this mysterious underground world.²⁷



Lehman Caves

Legislative Threats

The deserts, wilderness areas and parks of Nevada are unlike any others in the United States. Yet we have seen many members of Congress take aim at treasured places throughout the 112th Congress. The bills discussed below would leave places like Great Basin National Park vulnerable to development and resource exploitation.

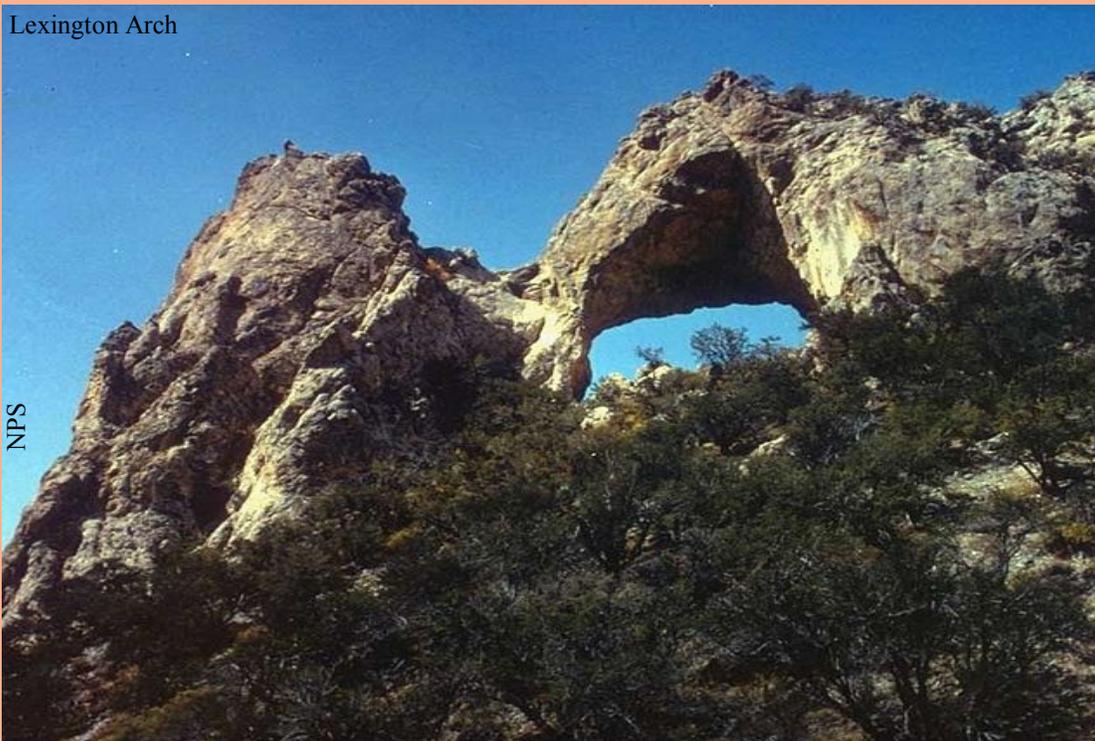
One such bill that threatens Great Basin National Park is the Roadless Release Act (H.R. 1581), proposed by Rep. Kevin McCarthy (R-CA) and cosponsored by Rep. Mark Amodei (R-NV). This bill would permit road building in some of the most sensitive and beautiful areas within the national park.²⁸ Clear cutting ancient forests and introducing roads could lead to habit degradation and fragmentation for mule deer and bobcats, among other species, as well as erosion and runoff into nearby waterways. Construction, motorized vehicles, and trucks lumbering through the park would also ruin the experience for visitors.

More Legislative Threats

Additionally, the Wilderness Development Act (H.R.2834), proposed by Rep. Dan Benishek (R-MI) and cosponsored by Rep. Mark Amodei [R-NV) and Rep. Joe Heck (R-NV), could allow motorized vehicles and equipment in wilderness areas within and near the park.²⁹ This could involve allowing all-terrain vehicles, snowmobiles, motorbikes, motorboats, chainsaws, and other motorized equipment to tear through wilderness. In addition, the bill would pave the way for logging, oil and gas drilling, and mining. The wilderness regions of the Great Basin region would suffer greatly since these lands were aside to remain unspoiled by excessive human activity, which includes preventing harmful development and motorized intrusions.

Finally, the Land Division Act (H.R.2852), proposed by Rep. Rob Bishop (R-UT), would force the Bureau of Land Management and the Forest Service to give away 5% of their public land to Nevada, free of charge. (There are 47.3 million acres of BLM land and 6.3 million acres of national forest in the state.) Nevada would have the opportunity to sell more than 2.7 million acres of public land to the highest bidder, and in the process these lands would lose many environmental safeguards. Development, logging and mining could wreak havoc on the plant and animal life in these regions that depend on a secluded environment, and the people who run recreation services in the dismantled area could lose their livelihoods. These lands harbor irreplaceable natural resources that must not be given away to new development, so this pending legislation poses significant risks to public lands in Nevada, including forests near Great Basin National Park.

Lexington Arch



NPS

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,³⁰ 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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