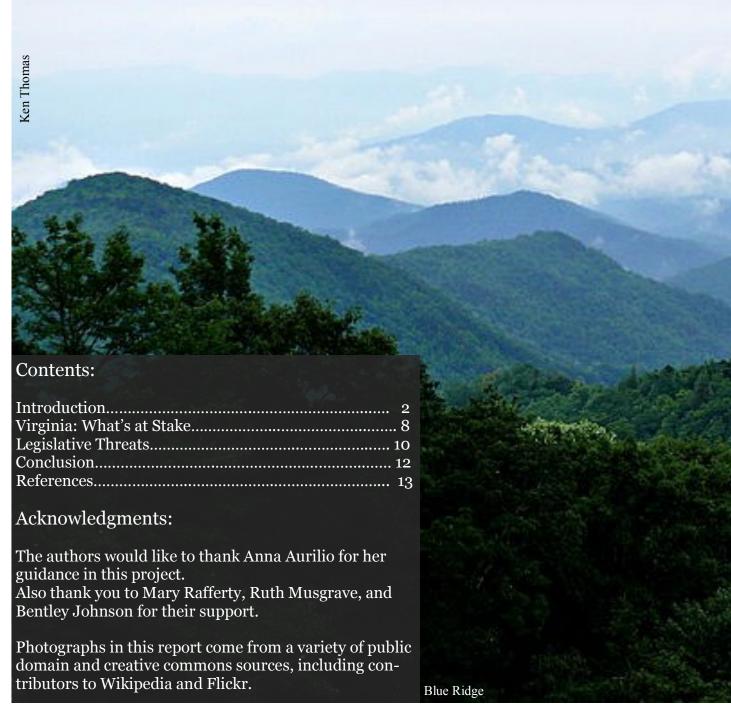


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#### Introduction

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, contribute \$47 billion annually to the economy, and support 388,000 U.S. jobs.<sup>2</sup> 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.<sup>3</sup> 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 safe-

guards 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 fragmen-

tation 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. 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 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." 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 re-



sult 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.<sup>6</sup> 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 wildernessquality BLM lands.<sup>7</sup> 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

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. 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. This could involve allowing all-terrain vehicles, snowmobiles, motorbikes, motorboats, chainsaws, and other motorized vehicles and equipment onto pristine wilderness lands. Opening isolated wilderness regions to such destructive activities and the associated pollution would harm both the environment and backcountry recreation in these areas.

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. 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. 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. 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. 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.

#### 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.<sup>17</sup> 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." 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.<sup>20</sup> 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 Minne-

> sota, 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.

### VIRGINIA



Shenandoah National Park is a magnificent ribbon of 197,438.76 acres of forest nestled in the heart of Virginia.<sup>21</sup> Nearly 80,000 acres, or 40% of the park, is designated as wilderness, making it one of the largest wilderness areas in the Eastern United States.<sup>22</sup> This beautiful area is a famous natural setting only a short drive from major metropolitan areas, which serves as both a tourist destination and provides valuable habitat for flora and fauna.

#### What's at Stake: Shenandoah National Park

The rolling peaks and steep slopes in this forest showcase the gorgeous landscape punctuated by graceful waterfalls, sheltered stream valleys, and dense plant life. Crystal clear water flows from more than 800 freshwater springs that join with three major rivers.<sup>23</sup> The park includes 300 square miles of the Blue Ridge Mountains, and two peaks — Stony Man and Hawksbill — that exceed 4,000 feet.<sup>24</sup> Shenandoah's varied topography creates great diversity in plant and animal life. Oak-hickory trees dominate the forest; cove hardwood, sprucefir, chestnuts, and yellow poplars are also abundant, as well as understory foliage like jack-in-the-pulpit, interrupted fern, blueberries, azaleas, and lady slipper orchids.<sup>25</sup> This forest hosts more than 200 species of birds and 50 species of mammals including deer, bobcats, raccoons, opossums, gray foxes, and eastern cottontails.<sup>26</sup> This pristine wilderness not only provides a habitat for wildlife but also serves as a unique site for research in a quiet, undisturbed natural area. Scientists who have the opportunity to study this environment gain a better sense of what is essential for developing new and better forest management practices.



#### By the Numbers:

Not only is Shenandoah National Park a thriving ecosystem, it also provides many recreational opportunities that contribute significantly to Virginia's economy. It attracts 1.5 million visitors every year and brings in \$960 million to the state's economy annually.<sup>27</sup> Skyline Drive is the park's only road, and this scenic byway has 75 overlooks with spectacular views. There are 516 miles of trails on which hikers can enjoy waterfalls, scenic vistas, and quiet woods, providing a unique experience in unspoiled nature. Trails include 101 miles along the Appalachian Trail and 200 miles of designated horse paths.<sup>28</sup> In addition, visitors come to backpack.



climb, bird-watch, camp, walk and fish. Rangers lead tours through remote areas and historical sites, from Civil War battlefields during Stonewall Jackson's Shenandoah Valley campaign in 1862 to President Herbert Hoover's retreat at Rapidan Camp.<sup>29</sup> All these recreational opportunities create thousands of jobs in the region, both for forest personnel and for people living near the park who provide lodging, food, and equipment for visitors.<sup>30</sup> The National Park Service estimates that Shenandoah infuses \$70 million annually into the economies of its neighboring communities.<sup>31</sup> Additionally, two thirds of Shenandoah's visitors go on to explore other attractions in Virginia. This National Park is a beautiful landmark in Virginia and is a significant asset both economically and environmentally.



#### **Legislative Threats:**

Virginia is home to some of the most beautiful landmarks on the eastern coast: from Shenandoah National Park, to the Appalachian mountains, to the George Washington and Jefferson National Forests. Bills moving through Congress put Virginia's treasures at risk and could open many public lands up to logging, development and toxic coal and uranium mining.

There are several bills that threaten Shenandoah National Park. One of these is the Wilderness Development Act (H.R.2834), proposed by Rep. Dan Benishek (R-MI) - and cosponsored by Rep. Rob Wittman (R-VA). This bill would circumvent the Wilderness Act and allow motorized vehicle use, logging, and road building in Shenandoah's

wilderness areas. Congress designated nearly 80,000 acres as pristine wilderness free from motorized vehicles and energy development—protecting the park's valuable ecosystems and making sure that Virginians have the opportunity to visit the park for generations to come. Road building, development, clearcutting, and mining could all destroy essential habitat—once damaged, flora and fauna, especially threatened species like the peregrine falcon and Shenandoah salamander,<sup>32</sup> might never rebound. This bill targets vulnerable wilderness areas in the



national park and jeopardizes a true sanctuary for wildlife and city-dwellers alike.

Another bill that poses a threat to forest land near Shenandoah is the Wilderness & Roadless Release Act (H.R.1581), proposed by Rep. Kevin McCarthy (R-CA) and cosponsored by Reps. Robert Goodlatte (R-VA) and Morgan Griffith (R-VA). This bill would open some of the most sensitive and beautiful areas in George Washington and Jefferson National Forests to road-building. If passed, this bill could lead to habitat degradation and fragmentation for more than 200 plant species, 78 species of amphibians and reptiles, 200 species of birds, 60 species of mammals, 100 species of freshwater fishes and mussels, and could destroy essential habitat for more than 50 threatened and endangered species.

The American Lands Act (H.R. 2588), by Rep. Ted Poe (R-TX), would force the Bureau of Land Management and 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. Much of the George Washington and Jefferson National Forests, stretching along the Appalachian Mountains and running parallel to Shenandoah, could be sold to the highest bidder if this bill becomes law. Dividing up valuable public lands and handing them over to coal or uranium mining companies, loggers, or developers could do enormous damage to treasured lands across Virginia. More than 1 million acres in George Washington and Jefferson forests forest could be sold off to the highest bidder, and both the ecosystems and recreation sites that rely on this forest would be harmed.

#### 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 mem-

bers 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,<sup>33</sup> 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 112<sup>th</sup> 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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