

River Crossings

Volume 4

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Number 4

We've Moved

The MICRA office has been relocated. None of our operations will change, we will simply be able to reduce travel time and increase our efficiency.

Our new address is P.O. Box 774, Bettendorf, IA 52722-0774. Our telephone and FAX number is (319) 359-3029.

Fisheries Conservation Executive Order

On June 8 President Clinton signed a precedent-setting Executive Order which (1) requires federal agencies to strengthen efforts to improve the quality of streams, rivers, and lakes supporting recreational fisheries; (2) establishes a National Recreational Fisheries Coordination Council (NRFCC); (3) requires the NRFCC to develop a comprehensive conservation plan; (4) requires development of a new policy to promote compatibility between the protection of endangered species and recreational fisheries; and (5) expands the role of the federally

chartered Sport Fishing and Boating Partnership Council (SFBPC).

According to U.S. Fish and Wildlife Service Director Mollie Beattie, "The Executive Order opens up a treasure trove of possible partnerships that will benefit tomorrow's angling public." The Order directs federal agencies to identify degraded habitats and promote their restoration to increase fishing opportunities, acknowledging the key to accomplishing this task is through strong partnerships among federal, state, and tribal governments and

the private sector, including landowners.

The NRFCC; consisting of representatives from the Environmental Protection Agency and the Departments of Interior, Commerce, Agriculture, Defense, Transportation, and Energy; will draft a Recreational Fisheries Conservation Plan setting forth a 5-year agenda for each of the cooperating federal departments and agencies. The NRFCC will ensure that federal agencies will consider the social and economic values of healthy aquatic resources that support recreational fisheries,

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recommend ways to reduce overlapping federal programs, and increase information sharing.

The Order charges the Fish and Wildlife Service and the National Marine Fisheries Service to develop a joint policy to ensure consistency in administration of the Endangered Species Act, increase collaboration with other agencies and organizations, and increase outreach efforts on requirements of the Act.

The Idea for the Executive Order came from the SFBPC, established in 1993 to advise the Interior Department on recreational fishing and boating issues. The SFBPC is comprised of 18 representatives from the private sector and state government agencies. The Order calls upon the SFBPC to monitor, review, and report federal activities affecting aquatic resources to the NRECC.

Assigning Blame for Floods

The Dutch Environment Ministry blames deforestation, bigger fields, pesticides, and "ill-advised efforts to contain rivers in straitjackets" by river architects and dam builders" for the massive January floods which devastated much of northern and western Europe. In the largest mass civilian evacuation since the North Sea walls burst in Zeeland in 1953 killing 1,800 people, 250,000 people were evacuated from the area of Gelderland province around the city of Nijmegen and other areas of the Netherlands in January.

The "river architects" referred to by the Dutch Environment Ministry have been hard at work on European rivers for hundreds of years. In Germany, rivers have been straightened since 1830. The Rhine River, for example, has been shortened by nearly 130 km. As a result, Alpine snow melt and spring rains take only 30 hours to rush down from Basel to Karlsruhe, half

the time it took before the river was straightened.

As the clean-up continues, environmentalists warn of disgorged heavy metal residues left across vast tracts of agricultural land, and the possibility of petrochemical products leaching into the soil from lowland petrochemical plants. Dutch politicians are setting their sites on the country's rivers, which have been long neglected as Dutch attention was focused on coastal defenses. Prime Minister Wim Kok has called for a second "Delta Plan" of flood protection works.

Source: World Water and Environmental Engineering, March 1995.

New Crops for Flood Plains

Daniel Hines, executive director of the American Energy Crop Association (AECA), a group promoting farm interest in bio-energy, authored an article on that subject for the St. Louis Post Dispatch (6/16/95). Excerpts follow:

"Yogi Berra supposedly said: 'It's deja vu all over again.' That is a perfect description of the rains and flooding of sensitive plains along the Mississippi, Missouri and Illinois rivers in 1993 and this year."

But according Hines, "Some things are different this year. Sympathy for those suffering damage from the flooding is not as high as in 1993. Ironically, the group most adversely affected—farmers—is suspected of profiting from the

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P.O. Box 774
Bettendorf, IA 52722-0774

MICRA Chairman

Mike Conlin, Illinois Department of Conservation, Springfield

Executive Board

Mike Conlin, Member at Large

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Chris Ungate, Tennessee Valley Authority, Knoxville, TN

MICRA Coordinator/Executive Secretary and Newsletter Editor

Jerry L. Rasmussen, U.S. Fish & Wildlife Service, Columbia, Missouri

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deluge because of disaster payments they receive." "Something else is different," Hines says, "—the realization that floods are a natural occurrence and that flood plains have an ecological benefit. That is why the Environmental Defense Fund and American Rivers want the Corps of Engineers to fund federal buyouts of farmland in flood plains rather than repairing levees. At the same time, representatives of large grain processors do not want more land, such as flood plains, to be removed from production. They instead favor additional plantings of traditional row crops in those plains as part of a cheap grain policy."

According to Hines, "Claims that increased plantings of corn improve net farm income is a myth. Instead it reduces net earnings as prices tumble because of overproduction. The best example is the low price (less than \$2 a bushel at many elevators) for corn in 1994, when the harvest exceeded 10 billion bushels for the first time. A recent story in the Post-Dispatch cited the problems faced by farmers in getting a crop in the field. Clearly, if the farmer can't grow corn because of recurring bad weather, it is in his and fellow farmers' best interests to have diversified income opportunities from a variety of crops."

That is why the AECA "...supports new agriculture technology for renewable biomass energy from switchgrass and fast-growing woody crops", Hines says. "Already, biomass—in the form of ethanol from corn, diesel from soy—contributes to improved farm income, a reduction of our

dependence upon imported petroleum and improved air quality."

According to Hines the AECA believes "...an even more important contribution of energy from agriculture lies ahead with the development of technologies to use switchgrass and fast-growing woody crops for transportation fuels and electrical power generation."

"Switchgrass is a native, fast-growing crop that once naturally covered much of the nation. It has a high energy value, and work is progressing by the Department of Energy and its contractors such as the Oak Ridge National Laboratory on the technology to convert it into ethanol and electrical power generation", Hines says.

"Fast-growing woody crops are hybrids of various types harvested in three to four-year cycles. They can also be used in ethanol production and electrical power generation...These crops require lower inputs of chemicals, materials, labor and capital than row crops. They withstand the damages of floods better than row crops, allowing the flood plains to fulfill their natural role. This, combined with the lower inputs of chemicals, decreases runoffs of pollutants. Furthermore they have a favorable environmental impact by providing improved wildlife habitats...Both crops are highly

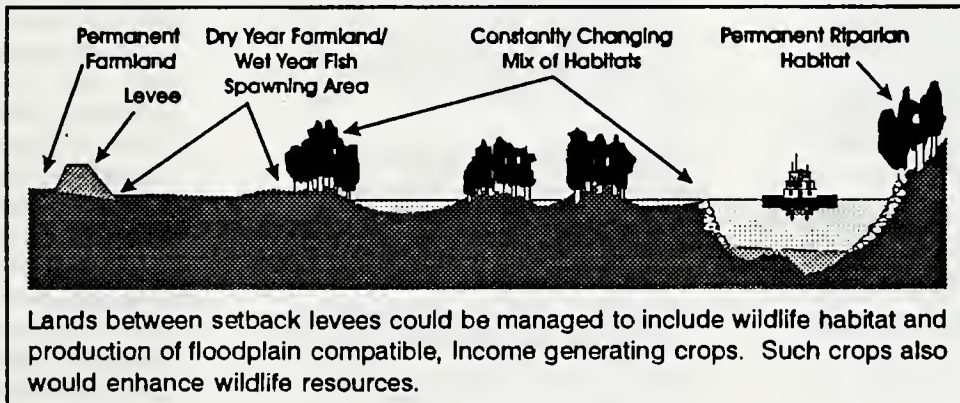
suitable for planting in the flood plains...That is why the floods offer an opportunity for an initiative to combine farmer needs with environmental goals and the energy requirements of the nation", Hines says.

Hines would like to see the St. Louis region be a leader in such an initiative. He says the AECA has proposals before several private and governmental organizations to convert much of the flood plains along the Missouri River to energy crops.

"The project could aid development of a domestically produced renewable energy source that has the potential to improve farm income. The knowledge gained will ensure a role for farmers in a new national energy strategy, as well as becoming an important part of the commercialization of new energy crops", Hines says. "At the same time", he says, "the diversified income opportunities from the new crops work to the advantage of farmers who otherwise would face depressed prices caused by overproduction."

"It's a win-win situation", Hines says. "We protect the environment. We decrease flood damage. Farmers gain more income opportunities. There is a favorable budget impact as disaster payments are reduced. Deficiency payments prompted by overproduction and low prices of

row crops would be lower as lands are converted to new energy crops. The country takes one more step on the road to a domestically produced, renewable energy source, lessening our reliance upon imported petroleum."



Buyouts Now Seen As Wise by Missouri Communities

Federal, state, and local officials in several dozen flood-prone Missouri communities saw the wisdom this spring of the acquisition and relocation projects they approved in the aftermath of the 1993 floods.

In the city of Arnold, MO (located approximately 25 miles south of St. Louis), for example, many houses were flooded again this year, but this time fewer families suffered. The people who used to live in 88 homes that were severely damaged in 1993 sold them and moved to safer locations to avoid another flood disaster.

Such purchases were funded by the Federal Emergency Management Agency (FEMA) and the Department of Housing and Urban Development (HUD), and administered by the Missouri State Emergency Management Agency (SEMA) and the Missouri Department of Economic Development. The homes—many of which had been flooded several times over the years—were purchased at pre-flood, fair-market value, thus giving these families the wherewithal to relocate in less hazardous areas.

The flood-prone properties, deeded to the city, are being demolished and the land is being turned into open space for recreational use—breaking the historic cycle of repeated destruction and rebuilding, while reducing the cost of federal and state disaster assistance.

Arnold's Community Development Director, Mike DeRuntz said that home owners who chose not to participate in the buyout program after the 1993 flood faced evacuation again this year.

SEMA Director Jerry Uhlmann

noted that the buyout projects also benefit communities by reducing the cost of responding to flood emergencies. "Our municipalities incur high costs for protective measures like sandbagging and overtime for police, fire departments, state patrols and other emergency responders," he explained. "By reducing flood damage to populated areas, the buyout program is keeping these expenses down."

Arnold City Manager Eric Knoll estimates that a comparable prior flood would have cost \$15,000 per day for flood-response expenses and required sandbagging operations in 16 locations. "Now, our expenses are only \$5,000 per day and we have no need for sandbagging," he said.

According to John A. Miller, director of FEMA's regional office in Kansas City, MO, acquisition projects have been approved in 48 Missouri communities to date, involving over 4,000 individual properties. Total funding for these projects by FEMA, HUD and the state of Missouri will approximate \$100 million, according to SEMA. Acquisition, relocation and elevation projects involving more than 8,200 properties have been approved in all nine states affected by the 1993 Midwest floods.

"Although the buyout program is not yet complete," Missouri Gov. Mel Carnahan said, "many families and communities have already experienced the positive impact of the buyouts. The (1995) flooding has served to sharpen our focus on mitigation efforts and the wise use of flood-prone areas."

Contact: Mark Stevens/Phil Cogan, FEMA, Washington, D. C. (202) 6464600, or Susie Stonner SEMA, Jefferson City, MO (314) 526-9136

Habitat Beads Not Levees

The 18-month Army Corps of Engineers study of the 1993 flood

says it would cost billions to build enough levees to prevent widespread damage in future disasters. Along one stretch of the Mississippi River (from the mouth of the Missouri River near St. Louis to the mouth of the Ohio at Cairo, IL), the study estimated a \$6 billion cost to build enough levees to prevent a flood of the magnitude that occurred in 1993.

"I have concluded that significant changes to the existing system of structural flood control projects are unlikely to be feasible," said Col. Richard W. Craig, commander of the Chicago Corps Division. In a letter to Congress, Craig said the study underscored the need to emphasize other ways to prevent flood damage, such as government buyouts in floodprone areas and improved flood insurance for buildings and crops.

The study will serve as the Corps' justification for making flood control decisions, said Dave Loss, study manager. "Most of the 1993 flood was followed by a lot of rhetoric about levees and flood control," Loss said. "A lot of the time, those statements weren't based on facts."

The Corps' study focused on about 3,500 miles of the upper Mississippi and lower Missouri rivers and their tributaries. A computer model was developed to estimate the flood impact of various alternatives regarding the levees. Along the Mississippi (south of Muscatine, IA) 70% of the River has agricultural levees on at least one bank. On the Missouri (south of Omaha, NE) the figure is 90%. The Corps' computer found that if the agricultural levees had been raised enough to prevent the 1993 flood along the Mississippi, the rivers would have been about 6 ft. higher at St. Louis. Along the Missouri, raising the levees would have increased flood heights almost 7 ft. at Waverly, MO, and an average of 3-4 ft. elsewhere. "If the levees are raised, you'll essentially put St. Louis under water," said

If the same levees were removed, the flood waters would have been 2-4 ft. lower along the Mississippi and up to 3 ft. lower along the Missouri. If, however, the banks contained more natural forest, the flood levels would not have changed as much.

According to computer modeling, if levees are set back to let the rivers spread out at least 5,000 ft. In a flood all towns along the Mississippi River would have experienced lower flood levels, while along the Missouri there would have been an equal number of slight increases and decreases.

The Corps report also stated that, "Restoration of a series of natural flood plain patches (a string of beads) connected by more restrictive river corridors would be practical and beneficial". This habitat bead concept, referred to by the Corps, is one that was developed by a group of international scientists (lead by Dr. Robin Welcomme of the United Nations Food and Agricultural Organization in Rome) at the "Large Floodplain River Management" symposium held in LaCrosse, WI last summer by the National Biological Survey.

The habitat bead concept was further developed in a series of graphics and has been promoted by MICRA Coordinator/Executive Secretary Jerry Rasmussen in *River Crossings* and several scientific and technical publications prepared over the past year. A typical "Habitat Bead" is shown in Figure 1. Contact the MICRA office for further details.

Attorney General Supports Buyouts/Habitat Restoration

In a July 5th letter to Dr. John Zirschky, Acting Assistant Secretary of the Army for Civil Works, Jay Nixon, Attorney General for the State of Missouri, suggests that "Some of the flood-damaged land could have been put to good use mitigating the adverse environmental impacts of system operations on the

Nixon calls the Corps' policy limiting payment for flood-damaged land to the post-flood appraised value "counterproductive". "I am not recommending that the Government pay more than what the land is worth, I am simply recommending that the Government reevaluate its appraisal methods and consider authorized alternatives which will result in more successful environmental mitigation and restoration", Nixon said.

"First, relying on crude appraisals of flood-damaged land is appropriate if a landowner is planning to build a residential development or some other for-profit concern, but one cannot put a pricetag on habitat", Nixon said. "The river's inherent value as an ecosystem is barely beginning to be understood and cannot be reflected in a cold, mechanical appraisal", he said.

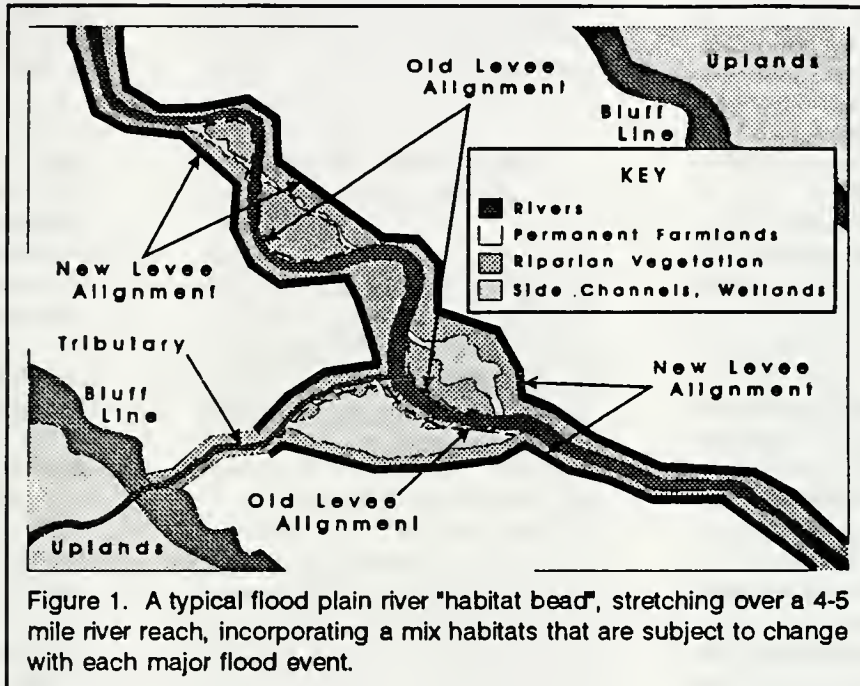


Figure 1. A typical flood plain river "habitat bead", stretching over a 4-5 mile river reach, incorporating a mix habitats that are subject to change with each major flood event.

Missouri River ecosystem. A fair price for flood-damaged land could have helped many Missorians relocate their farming operations and avoid damage this year as well."

"Unfortunately", Nixon says, "the Corps' efforts were thwarted by the rigid policy that it would not pay more than post-flood appraised value for the land...Instead of purchasing flood-damaged land for a fair price, the Corps wound up repairing most of the failed levees, some of which failed again this year. Without a change in policy,

Nixon goes on to say, that "...a standardized appraisal does not take a tract's intrinsic value as "flood space" into account". "Land between primary and secondary levees could have substantial flood control value if managed as flood space. Utilizing available flood space would reduce the damage to private property by keeping river levels lower when the river floods. Reducing flood damage with natural solutions like acquiring flood space from willing sellers would benefit everyone in the long run", Nixon says.

Public Law 84-99 authorizes the

Corps to repair levees. "The Flood Control Act of 1938 authorizes the Corps to "evacuate" an area instead of repairing a levee so long as the evacuation does not 'substantially exceed' the repair costs", Nixon says. Nixon believes the Corps "should interpret these laws to allow the Corps to use 84-99 funds to buy flood-damaged lands from willing sellers." He also suggests that 84-99 funds be used, "...to make evacuation payments above the appraised values which could be paid from mitigation funds. This would allow the Corps to pay willing sellers a more realistic price for their land and ultimately obtain more land for habitat improvement...the cost-benefit rationale behind these laws", Nixon says, "is well-supported by this suggested interpretation". "When you start to add up the potential future repair costs for the same levees, evacuation makes even more sense. It shows why Congress made the policy choice that it did", he says.

Nixon says that "the suggested interpretation is consistent with the public interest, and that there is no legal reason preventing the Corps from adopting this interpretation". He stressed that this concept should only be used in connection with purchases from willing sellers.

"Finally, the government should do something to truly offset the losses to the local tax base that would result from the sale of productive farmland to the government", Nixon says.

He suggests that the Corps will have greater success in restoring lost habitat on the Missouri River if 84-99 funds are used to "sweeten the deal" for Missouri landowners

who cannot afford to sell at post-flood appraised values. "This program could be offered as a one-time opportunity for a landowner to sell and receive a cash benefit above their land's appraised value," Nixon says.

Attorney General Nixon's initiative, supports many of the recommendations of the White House Floodplain Management Review Committee (Directed by BG Gerald Galloway, USACE Retired), and those we have been promoting in *River Crossings*.

If we all work together on this, perhaps we can find a win-win situation for everyone involved on the Missouri and other large floodplain rivers.

House Blocks Study of Navigation Locks

The U.S. House of Representatives on July 12 approved an \$18.7 billion bill for energy and water programs in FY96, including a block on further funding for an Army Corps of Engineers study of the Mississippi River. In a move "hailed" by environmental interests, Rep. Steve Gunderson (R/WI) amended the bill to block the Corps from spending any more money to study the expansion of 16 locks and dams on the Upper Mississippi between Minneapolis and Moline, IL.

The Corps began a six-year study in 1993 to determine if it needs to triple the barge-handling capacity

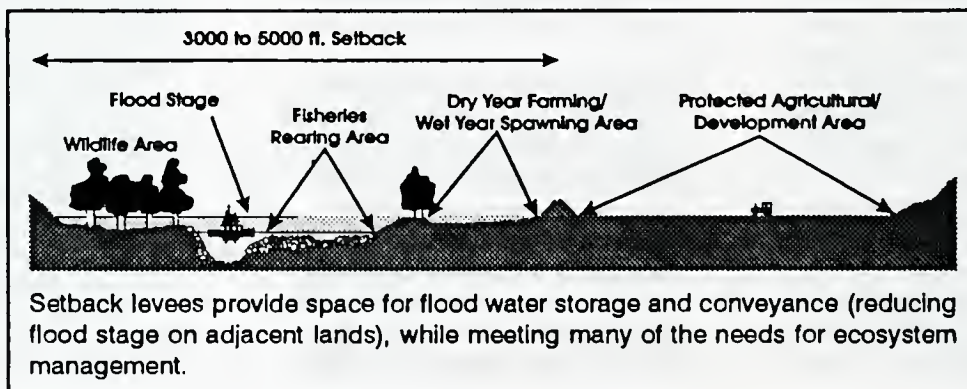
of many old locks. If the reconstruction project were approved, it would be one of the nation's biggest public works programs ever and could cost taxpayers more than \$5 billion. Enviros contend that the 29 locks and dams between Minneapolis and St. Louis have altered the Mississippi's "natural processes and accelerated the decline of its fish- and wildlife-rich backwater lakes and marshes."

The bill still provides \$6 million for the study, but if the Senate concurs with the House, the study will be limited to the area between Moline and St. Louis and won't stretch to Minneapolis. The complete Corps study is expected to cost more than \$44 million.

In a December 27, 1994 letter to Al Ames, Maritime Administration in Des Plaines, IL, Steve Johnson Minnesota's River Management Supervisor, described Upper Mississippi River environmental concerns:

"...our society has profoundly changed the Mississippi River environment in order to accommodate commercial navigation. Those changes had significant benefits to our society, but they set in motion an inevitable series of events that will—without question—lead to the ecological collapse of the Upper Mississippi River."

"...When we constructed side channel closing structures and wingdams in the latter part of the 19th Century, we locked the river's channel in one place and prevented the river from naturally rearranging... its habitats. " We were left with whatever habitat existed at that time, and began a very gradual decline in habitat



value as diversity slowly declined."

"In the 1930s, we constructed a series of locks and dams that created a series of reservoirs. This almost instantly reduced habitat diversity, but it did greatly enhance certain types of habitat and the results were initially beneficial for certain species...The environmental consequences of constructing reservoirs on rivers produce an inevitable series of events that have been well-documented throughout the world. Sediment no longer flushes naturally through the system, accumulating in the slow-moving pools behind the dams. The great bathymetric diversity that existing in the natural system gradually disappears as sedimentation turns the river pools into flat, shallow, lakes. Without the natural drawdown effect of droughts that typically occur every 20-30 years, the vegetative succession process that naturally occurs on a river doesn't renew itself, and aquatic vegetation eventually disappears. The shallow, windswept lakes that account for a growing portion of the river's area remain too turbid for vegetation or aquatic insects—the base of the food chain. Without vegetation to reduce wind-fetch, waves pound against islands and gradually destroy them. Eventually, the river's environment—outside the maintained navigation channel—becomes a shallow, turbid, lifeless lake, and the ecosystem collapses. That process, which is inevitable, is gradually playing itself out on the Mississippi River. We don't know if we are five years or 75 years away from the point of collapse, but we know for certain that it is coming."

"It is this profoundly disturbing problem that is at the heart of the current concerns of the

natural resource agencies responsible for managing the Upper Mississippi River. It is not so much the daily movement of towboats on the river that are of concern in talking about the environmental impact of navigation, but the changes we have made to the river to accommodate those boats."

"...At this point, we recognize the economic importance of the navigation system—particularly to the State of Minnesota—so somehow doing away with the navigation structures that are harming the river environment is not an option. But allowing the ecological collapse of this great river is also not an acceptable option. This leaves us with a very large problem that has no apparent solution. But we must find a solution, and that's something all of us must do together..."

Source: Greenwire Vol. 5, No. 52 and letter from Steve Johnson, Minnesota DNR, St. Paul to Al Ames, Maritime Administration, Des Plaines, IL, 12/27/94

Tenn-Tom at Ten

The Tennessee-Tombigbee Waterway Project (Tenn-Tom), the largest public works project in the nation's history, was justified by predictions that it would carry 27.3 million tons of commodities a year. In its first 10 years, it has averaged only 5.7 million tons a year, peaking at 9.9 million tons in 1988 when a drought shut down the

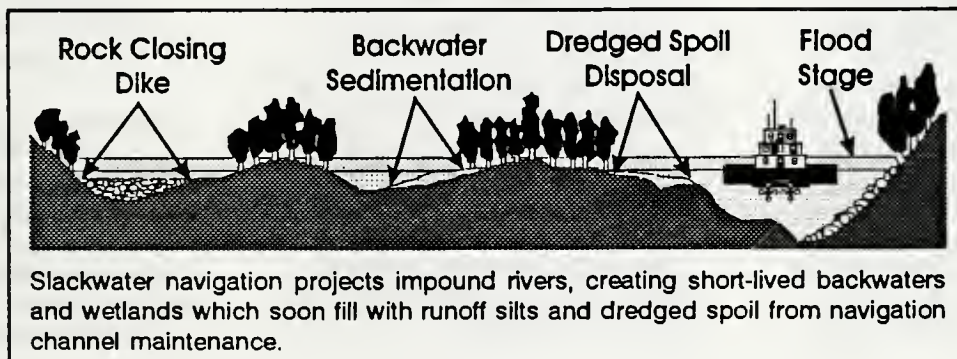
Mississippi River.

Construction began in 1972, working simultaneously at both ends and in the middle. It was a massive undertaking—enough dirt was moved making the cut between the Tennessee River and Bay Springs Lake to build a 16-foot-wide, 3 inch-thick road from the Earth to the Moon. When the channel had been carved and the series of 10 locks and 5 dams were completed (20 months ahead of schedule) total cost of the project reached \$1.9 billion.

By the time the first barges traversed the length of the waterway (January 1985), it already was apparent that the Tenn-Tom was not going to live up to expectations. The Waterway had been pitched in the energy starved late '70s and early '80s as an ideal shortcut for moving coal from the Appalachian coal fields to the Gulf for export. But by the time it opened in 1985, the energy crisis was gone and a recession was underway.

However, the project has enjoyed increasing tourism according to the Tennessee-Tombigbee Waterway Development Association (TTWDA). The TTWDA estimates that about 8 million people visited the waterway for recreation or tourist purposes last year, injecting about \$170 million into local economies. The waterway has also attracted thousands of "transient" boaters, usually large yachts from northern states that use the waterway to get to Florida in the winter and back home in the spring. "That's a bonus to marinas that were built just to take care of local demands," Don Waldon, TTWDA director said.

Pat Robbins
(Public Relations
Director for the
Mobile Corps of



Engineers District) said that all of the recreational developments the Corps plans for the waterway have been completed, and the Corps had advertised for proposals to build a \$10 to \$15 million resort on the waterway in Tishomingo County. One such proposal was withdrawn when investors learned that Tishomingo is a dry county.

According to Waldon, \$1.7 billion in new industrial development has occurred since about 1989," and in recent months, British Steel has announced a \$100 million investment in Mobile and TRICO Steel has announced a \$320 million steel recycling plant in Decatur, AL, both citing the Tenn-Tom as a major reason for the locations.

However, development officials and commercial users now fear that the Alabama sturgeon could do what years of legal wrangling by environmentalists failed to do - shut down the Tennessee-Tombigbee Waterway.



sturgeon

Last year the U.S. Fish and Wildlife Service proposed listing the species on the endangered species list, setting off a firestorm of debate. If the fish, believed to inhabit the Alabama River and possibly southern portions of the Tenn-Tom system, is declared endangered and its habitat ordered protected, waterway supporters say the U.S. Army Corps of Engineers would have to stop dredging around that habitat. They fear the resulting silt buildup would eventually make the channel too shallow for commercial traffic.

In December, Secretary of the Interior Bruce Babbitt refused to place the Alabama sturgeon on the endangered species list, saying there was a lack of scientific

evidence that it was a distinct species. But the U.S. Fish and Wildlife Service continued to search for specimens, a move that angered many Tenn-Tom supporters. In the meantime Congress imposed a six-month moratorium on adding new species to the endangered species list

According to Vicki Boatwright, Assistant Regional Director in the Fish and Wildlife Service's Atlanta office, "On April 18, a fisherman captured a sturgeon near the Claiborne Lock and Dam on the Alabama River." Samples were sent off to two private labs for DNA analysis. While tracking that fish, on May 19 Fish and Wildlife Service biologists captured another specimen. Samples from that fish are being tested also. "At this point, there's nothing happening in terms of proposing the fish for future listing as an endangered species," Boatwright said.

According to Waldon, the threat of an endangered species listing has scared off Tenn-Tom industrial interests because of the possibility of the waterway closing to barge traffic because of the sturgeon. TTWDA estimates that closing the waterway would cost 19,000 jobs. But Boatwright disagrees. She said, even if the Alabama sturgeon is protected on the Alabama River, it shouldn't affect traffic on the Tenn-Tom.

Corps official Pat Robbins said that "...depends on how it is declared and what is designated critical habitat," But Boatwright said her agency has agreed all along that any listing should be compatible with the waterway's use. "We concluded that because we worked with the U.S. Army Corps of Engineers and they said channel dredging and maintenance would have no effect (on fish habitat) and would not be eliminated," she said, "We concurred."

Source: By-line article by Marty Russell in the Northeast Mississippi Daily Journal, 6/3/95

White River Diversion

It is estimated that ground water can only sustain 7% of the total water needs of Arkansas's Prairie and Arkansas counties. A project to meet water needs of the area calls for an additional 12,000 acres of reservoirs (28,000 total acres), creation of 218 miles of new canals and 156 miles of pipeline, and utilization of 290 miles of new stream channels. Numerous channel structures including gates and weirs would provide control. A 1,800 cfs pumping station on the White River would drive the system.

While the need for water to support the area's agricultural industry is real, concerns include the precedent being set by diversion of a significant portion of White River flow, larval fish entrapment and entrainment, accumulation of heavy metals, introduction of zebra mussels into new areas, fish migration, alteration of species composition, transfer of genetic stocks across watersheds and alteration of stream flow regimes and habitat.

Dewatering of streams in this area is already a problem, so an upside to the project is that it could possibly prevent total dewatering of local streams. Obviously input is needed to help identify problems associated with this project and to suggest alternatives that would be less environmentally harmful.

Source: Arkansas River Conservation Committee Newsletter, July 16, 1995

Big Sunflower River Mussels Threatened

According to a June 21 letter from the American Fisheries Society/Freshwater Mollusk Subcommittee (AFS/FMS) to Colonel Stanley Phemambucq, Vicksburg District Engineer, a proposed Army Corps of Engineers dredging project

(designed to reduce floodplain flooding) on the Big Sunflower River (BSR) in Mississippi would significantly impact the river's rich freshwater mussel resources.

The AFS/FMS made the following points:

1. Maintenance dredging, such as proposed by the project, has done little to mitigate flooding in other areas. In fact, dredging tends to encourage head cuts, increase bank sloughing and increase erosion upstream of dredged river reaches.

2. The alleged loss of BSR channel design capacity attributed (by the Corps) to vegetation growth and sediment accumulation, is likely more a reflection of 30 years of land use manipulation and watershed changes. The primary land use in the BSR drainage is agricultural (e.g., cotton, soybeans, and catfish), many of which have been converted to agriculture over the past 33 years. This has led to construction of numerous farm ditches and drains designed to rapidly move water from farms to stream and river channels. Increased flows in the BSR are likely a reflection of these changes (i.e. deforestation, stream alterations and other surface channel manipulations by local farmers), rather than significant sediment deposition in the channel. The high densities of freshwater mussels in the BSR's main stem support this alternative explanation, since these organisms are highly sensitive and susceptible to sediment aggradation, and significant sediment deposition would have reduced their densities.

3. The \$50 million maintenance cost to benefit relatively few riparian landowners seems unjustified. The purchase of affected agriculture lands, or compensation to landowners (e.g., the annual interest on \$50 million), may be viable alternatives and

more permanent solutions than the proposed dredging project.

4. An estimated 8-10 million mussels will be eliminated by the project.

5. Proposed mussel mitigation measures are small in scale compared to the anticipated basin-wide damage to mussel communities. They are also experimental in nature, with no assurance of success, and therefore not a replacement for the massive destruction of mussel habitat.

6. The zebra mussel, widespread in the lower Mississippi River and in other rivers supporting commercial navigation, is currently being spread upstream by infested commercial barges and recreational boats. There is no evidence of zebra mussels moving upstream in tributaries on their own. Without commercial navigation or numerous recreational boaters to transport adults upstream, a river will not become significantly infested. Proposed dredging of the BSR by dredge barges, likely coming from zebra mussel infested waters, will promote boat traffic far upstream from the Yazoo River, and allow the zebra mussel to penetrate upriver reaches that likely would, otherwise, remain unavailable to infestation. River boaters and all users of raw river water will, consequently, be subject to the economic costs of zebra mussel infestations on their boats, motors, intake pipes, and other equipment directly exposed to BSR water. This is a potentially costly result from the proposed channel dredging.

7. The mussel resources of the BSR, with at least 31 species, is an important national resource, economically valuable, renewable, and residing in one of the remaining U.S. rivers likely not subject to invasion by zebra mussels.

In conclusion the AFS/FMS questions the spending of \$50 million to dredge the BSR and destroy much of its mussel resource and habitat, while at the same time spending millions of dollars elsewhere to conserve and protect mussel species already endangered, or likely to become so because of the zebra mussel.

"The conservation of aquatic ecosystems and biological diversity are national priorities that should not be disregarded for local projects of uncertain economic and unacceptable ecological value, when less destructive and more cost beneficial alternatives may be available. The limited reduction of seasonal flooding in the BSR does not justify the high direct and indirect costs of this federally funded project."

Contact: Dr. Richard J. Neves, Chairman, American Fisheries Society, Freshwater Mollusk Subcommittee, 5410 Grosvenor Lane, Suite 110, Bethesda, MD 20814-2199

Zebra Mussels as Water Filters

Researchers in Milwaukee, WI, are looking for ways to turn zebra mussels into cheap and efficient filters for municipal water treatment plants. In a laboratory experiment, three units roughly the shape and size of inverted vacuum bottles were attached end to end to form a filter. Each was packed with zebra mussels. The test demonstrated that zebra mussel filters can reduce the amount of *Cryptosporidium* injected into harbor water by more than 95%.

The zebra mussels also were found to have reduced coliform bacteria by 69%.



zebra mussel

almost every other kind of bacteria in the water by 75%, and to have strained virtually all the particulate matter out of the water. Zebra mussels have been used in Europe, especially the Netherlands, for clearing murky lakes and ponds. The Dutch grow the zebra mussels on racks and lower them into the water.

In a full-scale filter that Kaster envisions for a municipal water plant, the zebra mussels would be housed in a large, dome-like structure covering the intake pipe. Kaster projects the cost of building and installing one filter at \$100,000.

Kaster, who plans to seek a grant from the American Water Works Association said he already has set up an experimental zebra mussel filter at an undisclosed Wisconsin waste-water treatment plant.

Source: WaterWorld 11(4), June 1995

Barnyard Filter Strips

A 1993 study of barnyard filter strips in eastern Wisconsin has shown that fewer than half remain functional 10 years after installation. The study raises important questions about farmer attitudes toward barnyard waste management systems and the need for strategies to ensure that such systems are maintained over an extended period of time.

The study says that "dismangement" or the deliberate misuse or destructure of part of a manure management system, was the primary cause of their failure. This situation was found at 11, or 46%, of the observed failed filter strips. The primary types of dismanagement were overloading caused by broken out retaining walls and the pasturing of filter strips. The study also found that wood walls generally appeared to

be a poor design for barnyard manure management systems.

Of the systems that included wood walls, the wood in over 70% of these systems was either broken or rotted. Damaged wood walls generally had not been repaired and treated wood appeared to be unreliable for a 10-year period. The study also found sieve walls were generally not successful designs because they plugged up during rain events and farmers reported getting fed up with the constant attention they required after rain storms.

Filter strips with spreaders or similar structures that served to evenly distribute runoff across the filter strip also had a relatively high functional success rate.

Rock Anderson, field specialist conducting the study, said systems difficult to operate and manage don't get managed and have a poor chance of being effective for their functional life-span. Anderson recommended a follow-up study of systems consisting of more durable, concrete walls.



In general, well designed and well installed systems seem to do a good job of removing solids from runoff. Whether or not nitrogen is removed is a question that needs to be answered by more technical analyses. If most of the phosphorus is contained in the solids, then the filters are probably doing a reasonable job on phosphorus retention.

Regarding filter strip configuration, Anderson noted, "The length of the

strips is more important than the width in determining their degree of function. Even with careful construction, the prevalent flow pattern is a shallow, meandering through the area. Adequate length is important to ensure that adequate contact exists. Extra width is seldom valuable in adding to an adequate contact time."

Anderson said that the study's results should not be interpreted as an indictment of the practice. "Any conservation practice can be mismanaged," he said. "While I found that a majority of the [filter strips] were nonfunctional at the time of the study, my conclusions were that filter strips work when maintained according to recommendations."

Source: *Keeping Current*, University of Wisconsin, Extension Services.

Contact: Rock Anderson, Wisconsin Department of Agriculture, 1011 North Lindale Dr., Appleton, WI 54914, (414) 734-2061.

Grazing Issues

A coalition of ranchers and grazing interests (Public Lands Council, American Farm Bureau Federation, National Cattleman's Association, American Sheep Industry Association, Association of Natural Grasslands, state affiliates and individual ranchers) filed suit in federal court in Cheyenne, WY on July 27 to block the Interior Department from implementing an overhaul of grazing regulations on federal lands in Western states.

Scheduled to go into effect on August 21, the Interior Department's plan would establish advisory councils from "diverse interests," require regional "ecological health standards" and "encourage" ranchers to practice "more stringent conservation." The

new rules do not include the higher grazing fees, originally supported by the Clinton Administration.

The rancher's coalition said they have no choice but to sue the Interior Department in order to save the Western communities, wildlife, homes, and businesses of thousands of ranchers who would be put out of business by the regulations.

On a related issue over 50 conservation organizations and individuals are asking the Forest Service (USFS) to conduct a comprehensive environmental study of the effects of cattle grazing on the West's national forests. The Southwest Center for Biological Diversity (SWCBD) and the Oregon Natural Resources Council led the coalition in sending a letter on July 24 to USFS Chief Jack Ward Thomas.

The letter details scientific studies showing that livestock grazing is a "major factor in creating dense stands of trees highly vulnerable to disease and catastrophic wildfires". Studies have been done for specific areas in the past, but the groups are asking that the USFS look at grazing effects throughout the West.

The USFS expects environmental groups to appeal every grazing lease on Western forest lands that the agency will renew this year. Currently, agency officials are compiling environmental assessments for about 800 grazing permits throughout the West. Those assessments must be completed by December, when the current permits expire.

In Idaho, ranchers seeking to lease state lands for grazing now find themselves bidding against enviros who want to preserve the range. However, even though environmentalists have been offering more money for the

leases, ranchers keep winning.

Jon Marvel, an architect who leads the Idaho Watersheds Project, has outbid ranchers in public auctions four times. But each time the Idaho Land Board has overturned the auction's result, "arguing that Idaho has an economic interest in aiding ranchers." Critics say that officials are "violating a public trust in bypassing the higher bids." A lower court ruled in favor of the Land Board, but the matter is now pending in the state supreme court.

Grazing disputes are also before courts in Oregon and Arizona. Similar court battles forced Oklahoma to begin competitive



bidding for leases in 1982. "Since then, endowment money has nearly doubled, with no apparent ill effects on ranching." Keith Kuhlman, director of real estate management for Oklahoma's Commission of the Land Office said, "We heard a lot of the same things - There will be rampant bankruptcies and so forth, but we never really saw that."

"Few issues on the Clinton administration's environmental agenda have proved as troublesome or as politically explosive as public lands grazing." Although grazing affects "relatively few" people in the west - only 29,000 ranchers using 270 million acres of federal land - "it has become a metaphor for the

administration's broader natural resources agenda and a rallying cry" for Clinton opponents in a region that could prove "critical" for his re-election.

Sen. Pete Domenici (R/NM) and Rep. Wes Cooley (R/OR), sponsors of the Livestock Grazing Act, say if their bill is not implemented by August 21, they will seek to block Interior's grazing plan.

Bills in the Senate (S. 1031 Thomas, R/WY) and House (H.R. 2032 Hansen, R/UT) would transfer lands administered by the Bureau of Land Management (BLM) to the states. The legislation would offer states an "all-or-nothing" opportunity to take control of BLM

lands within their borders, and allow a ten-year period for the transfer. Opponents of the measure fear that states not having the resources to manage such large tracts of land would end up selling them and that the measure would end up giving away the public's land to wealthy corporations. Those ranchers holding grazing permits would likely have "the right of first refusal" if the lands were offered for sale.

Source: Greenwire Vol. 5, No. 24, 56, 58, 60, 61, and 62

Pasture Pump Keeps Cattle out of Clinch River

Virginia Farmers and the Nature Conservancy are keeping cows out of Clinch River habitat by utilizing a novel device which allows cattle to water themselves without getting into the stream. Fred Kiser, a farmer in the watershed and a director of the local Soil and Water Conservation District, with funding from The Nature Conservancy and the state of Virginia, has installed a pasture pump to water his grazing cattle. The pasture pump lets livestock pump their own water

from the creek into a trough away from the streambank.

Requiring no electricity, the pump relies on the pressure of the cow's head against a lever to begin operation. Each push of the head yields about a pint of water.

With the help from the Virginia Department of Conservation and Recreation and the U.S. Fish and Wildlife Service, The Nature Conservancy is helping farmers establish alternate water sources for cattle. It also restores native vegetation to streambanks in Virginia's Clinch and Powell river drainage and funds the building of fences to keep cattle out of streams.

The Nature Conservancy has targeted the watersheds of the Clinch and Powell rivers as part of an ambitious ecosystem conservation program called, "Last Great Places: An Alliance for People and the Environment." The Clinch Valley Bioreserve encompasses the watersheds of the Clinch, Powell, and Holston rivers, extending more than 2,200 square miles across seven southwest Virginia counties and into Tennessee.

Kiser described what happened to his creek when his cattle watered in it directly: "The whole bank had been eroded down...over a period of time they just tramped down the whole side of the stream and the creek bank." That erosion not only dirtied the cattle's drinking water, but also fouled the runoff flowing into a nearby cave system and ultimately into the Powell River, a critical part of the Clinch Valley Bioreserve. Kiser pointed out, "What's occurring in all these little streams is important farther on down."

The Clinch and Powell rivers are the last remaining undammed and unspoiled headwaters of the Tennessee River system. Their watershed is, according to the Conservancy, the most

ecologically diverse region of Virginia and contains hundreds of rare species. The Virginia Chapter of The Nature Conservancy is currently enacting a comprehensive conservation strategy for the region that includes land acquisition, research, economic development, and community needs.

Contact: Bili Kittrell, Clinch Valley Bioreserve Project, 102 South Court Street, Abington, VA 24210, (703) 676-2209.

Hog Waste

A yet-to-be-released study on the disposal of hog manure shows that hog farmers in six of the seven biggest pork-producing states were fined 78 times for waste spills from 1992 through 1994. Chris Novak, National Pork Producers Council (NPPC) director of environmental services said, the results from the study will be used to educate pork producers about "common problems" associated with disposing of hog manure.

The study looked at 15 states altogether. North Carolina registered 43 penalties, while 17 producers in Iowa were fined. In the wake of recent spills in those two states, new attention has focused on the safety of hog disposal facilities, such as huge manure storage lagoons.

On July 10 some 20 water-quality officials began a "blitz" inspection of hog-waste lagoons on North Carolina's 2,500 hog farms. Governor Jim Hunt (D) on July 5 ordered stepped up inspections after three waste lagoons broke in three weeks. The state's largest hog-waste spill occurred on June 21 at Oceanview Farms in Haw Branch, spilling 25 million gallons and killing fish in the New River. The spill, the worst of its kind in North Carolina history, was caused by the collapse of a dike surrounding an eight-acre hog-waste lagoon. "Knee-deep

red, soupy waste rushed over roads and tobacco and soybean fields...until the waste lagoon, which is 12 feet deep and held waste from more than 10,000 hogs, was virtually empty." The spill also killed fish and threatened shellfish beds downstream.

The North Carolina state legislature on July 11 ratified a bill that would require new hog farms to be located at least 1,500 ft. from residences and 2,500 ft. from schools and churches. A related measure, which would require training and certification for operators who apply hog waste to fields, has passed the Senate and been approved by the state House Rules Committee.

In Iowa, a 1.5 million gallon hog-waste spill has "reignited a fiery debate over the environmental impact of large-scale hog facilities." On July 15, a manure storage system near Blairsburg, IA developed a leak, spilling waste into the Iowa River, clouding the water with "a thick, dank foam for several days" and killing thousands of fish.

Officials with the state Dept. of Natural Resources attributed the spill to faulty construction of a waste lagoon. Hog farmer Carroll Nearmyer said, "The DNR needs to do a better job of cracking down on hog factories. These facilities are ruining the environment and deserve more than a slap on the wrist".

Despite the spill, lawmakers said on July 21 that "it was doubtful many changes would be made to laws drafted this year relating to large-scale livestock production." Brent Halling, president of the Iowa Pork Producers Assn., argued that guidelines adopted this spring by the Iowa legislature would have prevented the accident, but the rules haven't yet been implemented.

Sen. Charles Grassley (R/IA) on July 26 said the federal

government may have to change tax and antitrust laws to "restrain the growth" of large pork operations in Iowa, North Carolina and elsewhere. He said that when the Clean Water Act is revised later this year, hog farmers will be subject to the same water quality standards as everyone else.

Greenwire Vol. 5, Nos. 40, 51, 59 and 62

Ecological Restoration In the Platte River Basin

Agricultural development, gravel mining, and sandpit housing developments have collectively decreased the Platte River ecosystems biological diversity, degraded the river channel, lowered the water table, and generally made the land drier. In the 1980s, the Prairie Plains Resource Institute (PPRI) planted a series of small, private grassland restorations as part of a greenway now known as the Lincoln Creek Parkway project.

PPRI, an educational land trust located in Aurora, Nebraska, was founded to do prairie preservation, restoration, and environmental education. The Lincoln Creek Parkway Project included planting six small sites--most of them less than an acre--with more than 70 grass and forb species.

A decade later, PPRI, in cooperation with the Platte River Whooping Crane Habitat Maintenance Trust and The Nature Conservancy (TNC) Platte/Rainwater Basin Project Office, supported by the U.S. Fish and Wildlife Service and an EPA 319 water quality funding grant, engaged in a project to plant more than 300 acres of Platte Valley land to high-diversity grassland.

As PPRI's early plantings mature, so does the technical experience of the planters. PPRI has developed nine objectives related to grasslands restoration and

techniques: (1) developing a mobile seed harvester, (2) testing methods of seedbed preparation, (3) determining the efficacy and cost of wetlands creation or enhancement, (4) establishing seasonal routines for monitoring and for harvesting seeds, (5) securing seed cleaning equipment, (6) founding a greenhouse for seedlings propagation, (7) maintaining a series of plantings with increased quantities each year, (8) documenting each project, and (9) engaging and training volunteers and other citizens. They are now being tested in the larger Platte River project.

TNC's goals are to (1) convert 150 acres of cornfields now dependent on agricultural chemicals to native grasslands; (2) compare a low-diversity mix of six commercial grass species with a restoration based on PPRI's high diversity nontraditional plantings (splitting



the acreage 50-50); (3) discontinue irrigation permanently, and use recyclable windmills to enhance water quantity; (4) enhance the quantity of groundwater and surface runoff by enjoining the use of agricultural chemicals; (5) slow runoff and enhance water retention by restoring the grasses and mechanically enhancing the historic slough channel; (6)

manage the grasslands through grazing; and (7) begin long-term research on soils and soil organisms, water quality, and ecological dynamics of the restoration site.

Although these efforts are small, says William S. Whitney of the PPRI, "The way forward is to keep going on. It's to show that if a few hundred acres can be restored; why, then, so can thousands." Over the years, agriculture and commerce, urban sprawl, and a string of dams upriver have all made claims on the grasslands. An integrated corridor planning paradigm is needed, Whitney says, to outline acceptable land uses and work with the rural economic development process, while we proceed on an even greater scale with grasslands restoration.

Contact: William S. Whitney, Prairie Plains Resource Institute, 1307 L Street, Aurora, NE 68818, (402) 694-5535.

Source: NonPoint Source News-Notes, June 1995, Issue #41

Cars Helping Trout

According to an article in *Keeping Current*, a newsletter published by the University of Wisconsin Extension Water Resources Coordinating Council, Ken Vance's new car dealership in Eau Claire, Wisconsin, is gaining national attention for the stormwater best management practices incorporated into its design.

The dealership sits within the Lowes Creek watershed and serves as a Wisconsin Priority Watershed Demonstration Project designed to improve water quality in the nearby creek. Vance's car lot demonstrates a number of on-site stormwater management practices, including clean water diversion, roof and paved area runoff infiltration beds, grassy drainage swales, and zinc-free roofing. The objectives of most of

these practices are to maximize storm water infiltration while keeping water that does run off to Lowes Creek as cool and clean as possible for the stream's trout.

Vance invited a group of 20 car dealerships from across the nation to tour his site. As a result, four other dealers from three states decided to incorporate storm water management ideas into their new designs.

Contact: Ron Struss, Geology Department, UW-Eau Claire, Eau Claire, WI 54702, (715) 836-5513, E-mail: ron.struss@twisplan.uwex.edu

Salvaged Native Plants Thrive in Riparian Areas

Vegetative buffers along streams and wetlands in Thurston County, WA, are home to thousands of salvaged native plants. The plants, displaced from areas scheduled for development, are salvaged by county residents and replanted on sites where water quality has been compromised. The program, a pilot project funded by the Puget Sound Water Quality Authority, involved 106 people and nearly a thousand plants its first year.

Plants were taken from a golf course, a timber harvest site, and a construction site. Salvage sites were found through the county planning office, where applications for planned construction projects are filed. Permission to salvage the plants was the first step. Then the cuttings were made, and the plants overwintered in holding beds at a Master Gardener demonstration site for replanting in new locations the following spring.

The riparian area of a salmon run is home to some of the plants, which will keep sediments and pollution from a nearby freeway out of the stream. Other plants ended up as part of a wetland buffer to filter runoff from neighboring pastures, and a

residence was landscaped with the remaining native plants. The residence, selected as a demonstration project to encourage inhabitants to use native plants in landscaping, received hazelnut, vine maple, red flowering current, and bald hip roses.

Fifteen local organizations collaborated to sponsor the Native Plant Salvage Project. About 330 volunteers attended training to learn to identify, salvage, and use native plants successfully and responsibly in their landscapes. Attractive native plants protect water quality, improve wildlife habitat, and reduce landscape maintenance cost and effort.

Contact: Gina Suomy or Kit Paulsen, Native Salvage Project, 6128 Capitol Blvd, Olympia, WA 98501, (360) 786-5445

Source: Nonpoint Source News-Notes, June 1995, Issue #41

Forest Lands Swap and EcoTimber

According to The Hancock Timber Resource Group its proposal to allow recreation on lands it plans to exchange for logging rights in the White Mountain National Forest "could revolutionize how America's public lands are managed." Under the proposal, Hancock would open its lands for public recreational use for White Mountain logging rights equal in value to the costs of recreational use of their lands as well as profits lost by not developing it. Hancock says the deal would allow the U.S. Forest Service to disperse mounting recreational demand. "Timbering in the White Mountains would be less costly, while Hancock's lands would be harvested sensitively", Hancock says.

Enviros say the proposal could serve as a model to help protect 26 million acres of "largely private"

forest land across northern Maine, New Hampshire, Vermont and New York. But Stephen Blackmer, Chairman of the Northern Forest Alliance, says it "depends totally on the details." "It's not a concept I'd rule out, because it could be a good idea. But I could also see it as an unmitigated disaster if handled improperly", Blackmer says. The proposal still needs congressional approval.

At the same time Weyerhaeuser Company, in "one of the largest swaps of federal land in the South," would give about 150,000 acres of its land in Arkansas and Oklahoma to the federal government in exchange for 50,000 acres of national forest land under a bill offered by Sen. Dale Bumpers (D/AR). Proponents agree the "3-for-1 trade" would provide more recreational opportunities for the public and better wildlife habitat. The "biggest part" of the trade would give the U.S. Forest Service about 100,000 acres next to the Broken Bow Reservoir in McCurtain County, OK and add 30,000 acres to the Ouachita National Forest in Arkansas. The U.S. Fish and Wildlife Service would receive 25,000 "ecologically sensitive" acres in the Pond Creek area near Ashdown, AR.

The Arkansas and Oklahoma Wildlife federations have endorsed the plan, but "many" enviros oppose it, charging that "Weyerhaeuser wants to dump sterile tree plantations in exchange for mature forests that could be clear cut." John Buenau, land exchange manager for Weyerhaeuser, said that if the swap doesn't go through, the company will sell the land.

"One-time laggard" Weyerhaeuser is now among the timber industry's most profitable players and has won applause from some greens "for going beyond legal obligations to cut pollution and reduce damage to the lands it logs." New technologies, such as lasers that

scan logs to find high-value boards and modern paper plants that consume fewer resources, have boosted efficiency, raising the company's revenues 8.9% to \$10.4 billion in 1994.

At its paper mills, Weyerhaeuser plans to meet US EPA rules to eliminate most chlorines by 1996 – two years earlier than required. The company also is "learning to log following the contours of the land," in order to plan "designer clear-cuts" that are less threatening to salmon runs.

In the meantime U.S. lumber importers, distributors and wholesalers increasingly are seeking out wood products that have been harvested under an ecologically approved forest plan, "part of the growing 'green' market for environmentally correct products." These forest products, which generally are certified by independent non-profit organizations, are "quite competitive" in price. Major U.S. wholesale forest product buyers like Home Depot and Wal-Mart buy these goods and "take advantage of the marketing cache of a 'green' label."

EcoTimber International of San Francisco is a recognized "leader" among several dozen or more U.S. companies that sell ecologically correct lumber and forest products. According to Jason Grant, EcoTimber marketing VP, "We deliberately say that we buy from well-managed forests around the world rather than from sustained-yield operations, because sustained-yield is a goal rather than a fact of life. What is important is the commitment to building a market for forest operations that are leading the pack in terms of ecology and socially responsible forestry."

"Manufacturers also are playing an important role in driving the demand for ecologically correct wood products," in part through groups like the Woodworkers

Alliance for Rainforest Protection, which publishes a list of "good wood" suppliers around the country.

Source: Greenwire Vol. 5, Nos. 30, 35 and 53

Corps Explores Plans for Snake River Dam Removal

The US Army Corps of Engineers is considering proposals to breach or tear down portions of four lower Snake River hydroelectric dams to ease juvenile salmon migrations. The proposals come in the wake of a National Marine Fisheries Service opinion issued in March, calling for changes to dam operations to reverse the decline of three threatened and endangered species of Snake River salmon.

Corps proposals for the dams focus on three options: (1) increasing drawdowns of reservoirs, including removing portions of dams; (2) screening turbine intakes and barging or trucking salmon downstream; or (3) installing new mechanical systems for collecting fish and bypassing dams. The most extreme drawdown proposal is to return year-round natural river conditions, tearing out parts of 100-foot dams and eliminating them as power producers.

"We think dramatic changes are needed," said Bob Doppelt of the Pacific Rivers Council. But Bruce Lovelin of the Columbia River Alliance, which represents commercial river users, says that drawdowns would be extremely costly and do not guarantee that any more fish would be saved than under other options. Currently, no decision has been made and the Corps is studying each option.

Source: Greenwire Vol. 5, No. 61

Tribes Release Salmon-Recovery Proposal

On June 15 four Northwest Indian tribes released "an ambitious plan" to halt the decline of all Columbia Basin fish stocks within seven years and restore salmon runs to the level of five million adults returning past the Bonneville Dam in 25 years. The proposal, which seeks to increase fish numbers beyond merely saving endangered runs from extinction, "aims higher than the salmon recovery plans that the state and federal governments have announced".

The National Marine Fisheries Service (NMFS) by law must adopt a recovery plan to save the

endangered Snake River salmon, which is protected under the Endangered Species Act. Tribal leaders from the Yakamas in



chinook salmon

Washington, the Umatillas and Warm Springs in Oregon and the Nez Perce in Idaho blame federal mismanagement for bringing the salmon "to the brink of extinction".

Specifically, the four tribes' plan would: (1) limit the withdrawal of water from the rivers and halt the destruction of wetlands; (2) change the dams' operations to alter flows and draw down of reservoirs; (3) eliminate sources of toxins; (4) supplement natural runs with genetically identical hatchery fish; (5) reintroduce salmon into streams where they have become extinct; and (6) end barging of salmon past dams during migration.

The plan, presented to Congress and the White House, would cost \$195 to \$325 million. The tribes'

proposal would cost less than the NMFS plan, estimated at \$310 to \$620 million a year, and more than the \$190 to \$250 million per year plan proposed by the Northwest Power Planning Council.

Treaty fishing rights and the threat of a tribal lawsuit "with billions of dollars in potential consequences" could give the Indians "potent leverage for their high-priced proposal." "Underscoring the implied threat of litigation," Ted Strong, executive director of the commission representing the four tribes, said they have added up over \$4 billion in damages from violations of their fishing rights under 1855 treaties. They say that while their fishing rights have been upheld in previous cases, such rights will be meaningless if the fish go extinct.

Source: Greenwire Vol. 5, No. 35

Court Ruling Affirms Reach of Species Act

The Supreme Court on June 29 upheld the federal government's position that the Endangered Species Act (ESA) provides authority to regulate species' habitat, even if that habitat is on private land. The 6-3 decision reversed an appeals court ruling in the Babbitt v. Sweet Home case brought by timber interests in response to the Interior Department's attempt to protect northern spotted owl habitat. The plan barred logging on habitat on both federal and private lands.

"The Supreme Court affirmed the common-sense interpretation of the law," said Interior Secretary Bruce Babbitt. "At the same time, it makes it all the more fundamentally important that we work to make this law more flexible and user-friendly to landowners." Steve Quarles, an attorney with the law firm who argued the case on behalf of Sweet Homes, predicted Congress would step in and change the law. "Just as we

believe the 1973 Congress never intended by one word to turn the Secretary of the Interior into a national zoning czar, we don't believe this Congress will sanction such an outcome."

The case hinged on interpretation of the word "harm" as used in the Act. The ESA prohibits the "taking" of listed species and defines "take" as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect." In 1975, the Interior Department promulgated a regulation defining "harm" as including "significant habitat modification or degradation [that] actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering."

Writing for the majority, Justice John Paul Stevens ruled that the "ordinary definition" of the word "naturally encompasses habitat modification that results in actual injury or death to members of an endangered or threatened species." Joined by Justices Anthony Kennedy, David Souter, Sandra Day O'Connor, Ruth Bader Ginsburg and Steven Breyer, Stevens continued, "Given Congress' clear expression of the ESA's broad purpose to protect endangered and threatened wildlife, the Secretary's definition of 'harm' is reasonable."

In dissent, Justice Antonin Scalia, joined by Justice Clarence Thomas and Chief Justice William Rehnquist, said the Interior Department's regulation "imposes unfairness to the point of financial ruin-not just upon the rich, but upon the simplest farmer who finds his land conscripted to national zoological use."

All sides endorse the notion of incentive-based programs to encourage landowners to protect species and their habitats, but that is where the agreement stops. It's less a question of whether the ESA should be regulating private land, than it is a question of how they're

going to do it. A landowner should not have the right to drive a species to extinction.

The court cited the broad latitude that the statute gives to the Interior Department and deferred to the executive branch's interpretation of the law. Except in cases of clear violation of statutory intent, the court has been reluctant to second-guess executive interpretations, though it often leaves the door open for Congress to clarify its intent and amend the law.

Sen. Slade Gorton (R/WA) introduced a bill, S. 768, backed by the timber and other resource industries, earlier this year that would codify a more restrictive definition of "harm," which would not include general habitat destruction. Members of Congress quickly adopted the case to support their position on reauthorization. Sen. Dirk Kempthorne (R/ID), chairman of a Senate panel with jurisdiction over the act, is drafting his own bill, which hill aides and Interior Department staffers said would be closer than the Gorton bill to the administration's position on reform.

Richard Pombo (R/CA), chairman of the House ESA Task-force, and House Resources Chairman Don Young (R/AK) are also drafting a reauthorization bill. Rep. Gerry Studds (D/MA), a strong supporter of the act, pledged to do "everything I can to see that the provisions of the ESA that recognize the importance of habitat protection remain in the law."

Time may be running out for reform of the act this year. Kempthorne's bill may not be introduced until after the August recess, leaving just a few months to hold hearings and mark ups. An aide to Kempthorne predicted the Senate would act on a reform before year's end, but he doubted the house would take action before next year. Most observers believe money bills and other business

could crowd the ESA off the agenda this year.

On June 12 the White House announced regulatory reforms that it said will "mean most homeowners 'will never have to worry about endangered species or wetlands requirements.'" The changes affect the ESA and areas classified as wetlands. One change involves the Army Corps of Engineers' procedure to issue permits to homeowners who want to alter property that contains a wetland. The procedure would reduce the waiting period of 120 days for getting a permit to 16 days and would be available to homeowners whose alterations affect wetlands up to one-half acre in size.

The Interior Department also will propose eliminating some restrictions imposed by the ESA on single-family private homes on five or fewer acres of land and on five-acre sections of larger private lots owned by individuals or businesses. Under the plan, activities like cutting down trees that might harm a "threatened" species would be permitted.

Source: Land Letter, Vol. 14, No. 19 and Greenwire Vol. 5, No. 51

Jobs Increase Under Forest Plan

According to a report by state employment economists (June 16), Oregon and Washington have added about 4,600 jobs in the forest-products industry since President Clinton took office. There has been a gradual increase in timber- and paper-industry jobs over the past two years, "though they remain nearly 20,000 jobs below peak industry employment levels in 1988," the officials said.

Sen. Patrick Leahy (D/VT), ranking Democrat on the Senate Agriculture Committee, said the findings show industry leaders are misleading the public by claiming

80,000 Northwest timber jobs could be lost if logging is not accelerated on public lands. Sen. Slade Gorton (R/WA) estimates that the Northwest region, including northern California and northern Idaho, has lost about 30,000 jobs since 1988, according to his press secretary, Heidi Kelly.

Dennis Fusco, chief economist for the Washington State Employment Security Department said "We went through a serious retrenchment within that industry, and in the past couple of years there has in fact been some stability".

Source: Greenwire Vol. 5, No. 35

Extinction Rate Predictor

University of Tennessee researchers have calculated extinction rates for "extinction centers" (areas rich in endemic species that live there and no place else). The scientists found that extinction rates in such areas are 100 to 1,000 times as high as the pre-human "background" extinction rate – a figure that is "about one-tenth the rate of the most pessimistic global estimates."

Previously, extinction-rate calculations have relied on the species-area curve, a theory that holds that rates of human-induced habitat loss will produce predictable extinction rates. For example, if an island's habitat is reduced by 90%, half of the species there will vanish. But other scientists have critiqued the approach, saying it serves as a "rough guide" and could be off by a factor of 10.

Drawing on fossil evidence, University of Tennessee researchers calculated the background rate of past extinctions and found that each year, only one in a million species should become extinct. The researchers then calculated extinction rates over the last 100 years for several endemic species – birds on Pacific islands,

mammals in Australia and the Caribbean, reptiles on islands in the Indian and Atlantic Oceans, and clams in the Mississippi River drainage.

Comparing those figures, the researchers observed extinction rates were 100 to 1,000 times higher than the background rates. And if all threatened species in those areas went extinct, the extinction rates would increase tenfold, researchers calculated.

To determine if their approach or the species-area curve more accurately predicted extinction rates, the University of Tennessee researchers also compared data for extinct and soon-to-be extinct bird species in parts of Southeast Asia with differing deforestation rates. According to the University of Tennessee's Stuart Pimm, the scientists found that the species-area curve method failed to predict the correct extinction rates. "If you do that for all the species present, you get the wrong answer. You have to do it for only the species that are found there," Pimm said.

Pimm believes that with this new calibration of the area-species curve, he and his team have developed a tool for predicting future species losses among endemics. But because scientists know little about the distribution of endemics, researchers say it will be difficult to direct conservation efforts to the most-needed areas. The study appears in the current issue of SCIENCE.

Source: Greenwire Vol. 5, No. 59

Missouri Pallid Sturgeon Plan Available

"An Action Plan for Pallid Sturgeon in Missouri" contains proposed Missouri Department of Conservation actions during the next 10 years that it is hoped will lead to recovery of endangered pallid sturgeon to a self-sustaining

level in Missouri.

The 11 page document, completed in July 1995, is available free of charge from Kim Graham, Missouri Department of Conservation, 1110 Colleege Avenue, Columbia, MO 65201.

International Sturgeon Symposium Proceedings

The Second International Sturgeon Symposium was held in Russia on 6-11 September 1993. Participants representing 18 countries focused on various aspects of sturgeons including their life history, ecology, fisheries, aquaculture and caviar production.

Over 40 papers submitted for the Proceedings reported on general problems of sturgeon biology, hormonal regulation of metabolism, tolerance to environmental impacts, genetics, population dynamics, distribution and resources of rare and endangered species, status of sturgeon culture in various countries, feeding and nutrition, etc. The Proceedings were edited by A.D. Gershanovich and T.I.J. Smith. Published by VNIRO Publishing, Moscow, the Proceedings are 370 pages in length, including 84 tables and 140 figures.



lake sturgeon

Contact: Publishing and Editorial Division, Russian Federal Research Institute of Fisheries and Oceanography (VNIRO), 17, V. Krasnoselskaya, Moscow, 107140, Russian Federation. Price of the book outside the Russian Federation is \$35. Payment should be made to account N 890-0086 009 of Moscow Industrial Bank, Sokolniki Branch, Moscow with the bank of New-York,

New-York, In favour of VNIRO 070262/001.

Clinton vs Gingrich

According to a combined CNN, USA TODAY and Gallup poll, 55% of Americans say they approve of the way President Clinton is handling environmental issues, while only 25% approve of House Speaker Newt Gingrich's (R/GA) environmental policies.

Researchers interviewed 1,005 adults from 6/5-6; the margin of error is +/-3%

What do you think of Clinton's handling of the environment?

Approve	55%
Disapprove	31%
No Opinion	14%

What do you think of Gingrich's handling of the environment?

Approve	25%
Disapprove	42%
No Opinion	33%

Source: Greenwire Vol. 5, No. 30

Voting Against Enviro Laws Could be Costly

Most voters in AR, NE, NV, ND and VA would find voting to repeal major parts of the Clean Air, Clean Water and Safe Drinking Water acts – endangering public health and safety – a convincing reason to oppose that candidate in the next election. Voters in those states said they would be even more strongly opposed to a candidate if he or she took large campaign contributions from polluters before voting to weaken enviro laws.

A regulatory-reform bill that would repeal parts of major enviro laws provoked opposition from most voters surveyed in AR, NE, NV, ND, VA and DE.

The Environmental Information

Center, which is coordinating major enviro groups' work against reg-reform and property-rights bills in Congress, commissioned the Mellman Group to conduct polls of 500 registered voters in AR, NE, NV, ND, VA and DE from 6/3-12. Responses to the following questions (recorded in %) have a +/- 4.4% margin of error.

How convincing are the following reasons to vote against a candidate for U.S. Senate:

1. Candidate voted to endanger health and safety by repealing major parts of Clean Air, Clean Water and Safe Drinking Water acts?

	AR	NE	NV	ND	VA
Very	43	41	52	47	43
Somewhat	24	27	18	20	26
Not too	13	12	11	12	11
Not at all	9	9	9	8	11
Don't know	11	11	11	12	10

2. Candidate accepted tens of thousands of dollars from corporate polluters and then voted to weaken public-health and enviro laws?

	AR	NE	NV	ND	VA
Very	62	64	62	63	52
Somewhat	16	16	17	13	19
Not too	9	6	7	5	9
Not at all	6	6	8	7	10
Don't know	7	8	6	11	9

3. If Reg-Reform Bill would repeal major parts of the Clean Air, Clean Water and Safe Drinking Water acts, your opinion:

	AR	DE	NE	NV	ND	VA
Strongly Favor	12	13	13	12	13	10
Favor	8	7	14	7	10	7
Lean in Favor	2	1	2	1	3	2
Un-decided	22	23	30	20	26	24
Lean Oppose	4	3	2	4	2	2
Oppose	11	11	16	13	15	15
Strongly Oppose	42	42	23	43	32	39

Meetings of Interest

September 10-20: Karst Waters & Environmental Impacts, Antalya, Turkey. Contact: A. Ivan Johnson, Karst Symposium '95 Co-Chair, A. Ivan Johnson, Inc., 7474 Upham Court, Arvada, CO 80003.

September 14-16: Society for Ecological Restoration, Seattle, Washington. Restoration of ecosystem function and landscape patterns and processes will be addressed as well as the politics of restoration.

September 18-20: Versatility of Wetlands in the Agricultural Landscape, Tampa, FL. Contact: Kerry L. Curtis, Manager of Customer Services, Am. Water Resources Assoc., 950 Hemdon Parkway, Suite 300, Hemdon, VA 22070-5528. (703) 904-1225. FAX: 904-1228.

September 28-30: Watersheds '95 Expo, Bellevue, Washington. Contact Andrea Lindsay, U.S. Environmental Protection Agency WD-125, 1200 Sixth Ave., Seattle, WA 98101, (800) 424-4EPA.

October 16-18: The Conservation and Management of Freshwater Mussels II: Initiatives for the Future, Embassy Suites Hotel, St. Louis, MO. Contact: Alan Buchanan, Missouri Dept. of Conservation, (314) 882-9880.

October 22-24: States Rights "Summit on Federalism", Cincinnati, OH. The conference, announced by Governor Ben Nelson (D/NE), would "identify and prioritize proposals," and will include legislators, governors and state government organizations.

October 23-27: WFTEC '98: The Water Environment Federation's 68th Annual Conference and Exposition, Miami, FL. Contact: Water Environment Federation, 601 Wythe Street, Alexandria, VA 22314-1994. (800) 666-0206.

October 25-28: 1995 Natural Areas Conference, "Exploring the Power of Collaboration", Fayetteville, AR. Contact: Shellie Melson, University of Arkansas, Division of Continuing Education,

#2 University Center, Fayetteville, AR 72701.

October 28: Symposium on The Bottomland Hardwoods of the Mississippi Alluvial Valley: Characteristics and Management of Natural Function, Structure, and Composition, Fayetteville, AR. Contact: Scott C. Yaich, U.S. Fish and Wildlife Service, Wildlife and Habitat Management Office, P.O. Box 396, St. Charles, AR 72140, (501) 282-3213, FAX (501) 282-3391

December 4-8: Second Annual Acid Mine Drainage Workshop, Cincinnati, OH. Contact: Lisa Grayson, Terrene Institute, 1717 K Street NW, Suite 801, Washington, DC 20006. (202) 833-8317, Fax: (202) 296-4071.

23-26 February 1996: AFS Southern Division Midyear Meeting, Adam's Mark Riverview Plaza, Mobile, AL. Contact: Patricia Mazik, Chair, Program Committee SFCL, Rt. 3, Box 86, Marion, AL 36756 (334/683-6175).

Congressional Action Pertinent to the Mississippi River Basin

Agriculture

H.R. 67 (Bereuter, R/NE) extends the **Conservation Reserve Program** for 10 years and the **Wetlands Reserve Program** for 5 years.

S. 854 (Lugar, R/IN) forms the basis of the conservation title of the 1995 Farm bill, including recommendations for the **Conservation Reserve Program, Wetlands Reserve Program, Conservation Incentive and Cost Share programs.** Senate Agriculture Committee held a hearing June 5.

S. 935 (Sarbanes, D/MD) amends

the Food Security Act of 1985 to establish a program to promote the development of riparian forest buffers in conservation priority areas.

Fish & Wildlife

S. 191 (Hutchison, R/TX) and H.R. 490 (Smith, R/TX) amends the **Endangered Species Act** imposing a moratorium on new listings and critical habitat designations. Senate Environment Committee panel held a hearing July 13 on reauthorization of the **Endangered Species Act.**

S. 455 (Kempthorne, R/ID) clarifies consultation procedures

under the **Endangered Species Act** on management of federal lands.

S. 503 (Hutchison, R/TX) freezes **Endangered Species Act** listings and critical habitat designations. Approved by Senate Environment panel on March 14.

S. 851 (Johnston, D/LA) amends the **Clean Water Act** to reform the wetlands regulatory program.

H.R. 1714 (Dooley, D/CA) amends the **Endangered Species Act** to require expeditious review of species being considered for listing under the act or currently listed under the act.

Forests

S. 647 (Lott, R/MS) amends the **Forest and Rangeland Renewable Resources Planning Act of 1974** to require that major changes to forest management plans be phased in over time to minimize impact to communities.

H.R. 1089 (Cromeans, R/OH) ensures that acquisition of lands for inclusion in the National Forest System does not result in a loss of tax revenue to the affected county.

H.R. 1439 (Metcalf, R/WA) amends the **National Forest Management Act of 1976** to require that the timber sale program conducted by the Forest Service on forest system lands be financed only by receipts from the sale of timber under the program.

Senate Energy Committee held a hearing June 8 on the reorganization of the Forest Service and forest management issues.

Government Affairs

S. 169 (Grassley, R/IA) curbs the practice of imposing unfunded federal mandates on states and local governments.

HJ. Res. 27 (Franks, R/NJ) proposes a Constitutional amendment barring federal unfunded mandates to the states.

The House passed **H.R. 926** by a 415-15 vote. H.R. 926 is aimed at improving regulatory flexibility.

H.R. 1022 (Walker, R/PA) passed by a 286-141 vote on February 28. H.R. 1022 establishes risk assessment and cost benefit analysis procedures for major rules.

S. 1001 (Glenn, D/OH) reforms the regulatory process, providing for cost-benefit analysis risk assessment of major rules, and calls for a review of existing rules.

Grazing

A Senate Energy Committee panel on June 22 concluded hearings on **S. 852** to provide for uniform management of livestock grazing on federal land.

House Resources Committee panel on July 11 held a hearing on **H.R. 1713** to provide for uniform management of livestock grazing on federal land.

Mining

S. 504 (Bumpers, D/AR) amends the Mining Law of 1872, imposing a royalty on mineral operations and reforming the process for mineral development. Senate hearing held on March 30.

S. 506 (Craig, R/ID) amends the Mining Law of 1872 to imposing a royalty on mineral operations and reforming the process for mineral development.

S. 639 (Campbell, R/CO) amends and reforms the Mining Law of 1872 providing for the disposition of locatable minerals on federal lands.

Parks

H.R. 260 (Hefley, R/CO) provides for a plan and management review of the National Park System, and reforms the process for considering additions to the system. Approved for full committee action by House Resources panel on March 29.

H.R. 1280 (Hefley, R/CO) establishes guidelines for determination of National Heritage Areas.

H.R. 1301 (Vento, D/MN) establishes the National Heritage Area Partnership Program.

H.R. 1449 (Roberts, R/KA) provides for establishment of the Tallgrass Prairie National Preserve in Kansas.

S. 964 (Johnston, D/LA) amends the Land and Water Conservation Fund Act of 1965 giving the Interior Secretary authority to collect entrance fees at National Parks for direct use on priority park maintenance and repair projects.

H.R. 1846 (Richardson, D/NM) establishes the Yellowstone Headwaters National Recreation Area within Montana's Gallatin and Custer National Forests

Public Lands

S. 93 (Hatfield, R/OR) amends the Federal Land Policy and Management Act providing for ecosystem management on public lands.

H.R. 91 (Sensenbrenner, R/WI) prohibits land or water acquisition for the National Wildlife Refuge System if wildlife refuge revenue sharing payments have not been made for the preceding year.

H.R. 25 (Orton, D/UT) a resolution requesting that the Interior Secretary withdraw proposed regulations concerning right of way granted under section 2477 of the revised statutes.

S. 193 (Campbell, D/CO) establishes a forage fee formula on Agriculture and Interior department lands.

S. 449 (Simon, D/IL) establishes the Midewin National Tallgrass Prairie in Illinois.

S. 518 (Thomas, R/WY) limits federal acquisitions in states where 25% or more of the land is owned by the United States.

S. 629 (Thomas, R/WY) prohibits requiring environmental assessments for grazing permit renewal under the **National Environmental Policy Act**.

S. 636 (Daschle, D/SD) requires the Agriculture Secretary to issue new term grazing permits on National Forest System lands to

replace expired or expiring grazing permits.

S. 852 (Domenici, R/NM) and H.R. 1713 (Cooley, R/OR) provides for the uniform management of livestock grazing on federal lands.

S. 1013 (Conrad, D/ND) authorizes the Interior Secretary to acquire land for the purpose of exchange for privately held land for use as wildlife and wetland protection areas.

S. 1031 (Thomas, R/WY) and H.R. 2032 (Hansen, R/UT) transfers lands administered by the Bureau of Land Management to the states.

House Resources Committee on May 17 approved **H.R. 1077**, authorizing the Bureau of Land Management.

Senate Energy panel on oversight and investigations concluded hearings June 7 on how the Departments of Energy and Interior and the Forest Service are implementing requirements of the **National Environmental Policy Act**, focusing on problems with environmental impact statements.

H.R. 1375 (Cooley, R/OR) provides for extension of expiring term grazing permits for lands within the National Forest System.

Recreation

H.R. 104 (Emerson, R/MO) rescinds fees required for use of public recreation areas at lakes and reservoirs under jurisdiction of the Army Corps of Engineers.

Refuges

H.R. 1112 (Brewster, R/OK) and S. 976 (Nickles, R/OK) transfers the Tishomingo National Wildlife Refuge to the state of Oklahoma. House national parks panel held a hearing May 16.

H.R. 1675 (Young, R/Ak)

Improves management and establishes purposes of the National Wildlife Refuge System. House Resources panel held a hearing May 25.

Rivers

H.R. 1260 (Johnson, D/SD) ensures equity in and increased recreation and economic benefits from the Missouri River system.

Takings

S. 135 (Hatch, R/UT) establishes a uniform federal process for protecting private property rights.

S. 145 (Gramm, R/TX) provides for protection of private property rights.

H.R. 9 (Archer, R/TX) creates jobs, enhances wages, strengthens private property rights and reduces the power of the federal government.

On February 16, the House Judiciary Committee approved **H.R. 925, the Private Property Protection Act, and H.R. 926 the Regulatory Relief Act.**

H.R. 971 (Wyden, D/OR) ensures that homeowners have access to information and opportunities to comment on actions that may decrease home values, and establishes a compensation program for development that produces pollution or otherwise impacts home values.

Senate Judiciary Committee held a hearing April 6 on **S. 605**, establishing a uniform system for protecting property rights and compensating landowners adversely affected by regulations. Senate Environment Committee on June 27 and July 12 held oversight hearings on **S. 605 and H.R. 9.**

House Resources Committee private property rights task-force held a hearing June 13 on general property rights issues.

Water and Wetlands

S. 49 (Stevens, R/AK) amends the **Clean Water Act** providing for exemptions to wetlands regulations and protection of property rights in Alaska.

H.R. 198 (Smith, R/MI) amends the Food Security Act of 1985 permitting conversion of wetlands smaller than one acre in size.

H.R. 226 (Dingell, D/MI) amends the Safe Drinking Water Act assuring the safety of public water systems.

H.R. 961 (Shuster, R/PA) reforms and reauthorizes the **Clean Water Act**. House Transportation Committee on April 6 approved for floor action.

H.R. 1132 (Oberstar, D/MN) amends the **Clean Water Act** providing for improved non-point source pollution control.

H.R. 1262 (Pallone, D/NJ) amends the **Clean Water Act** improving enforcement and compliance programs.

H.R. 1268 (English, R/PA) establishes a comprehensive program for conserving and managing wetlands.

S. 626 (Hatfield, R/OR) amends the Watershed Protection and Flood Prevention Act establishing a technical assistance and grant program for waterways restoration.

S. 639 (Warner, R/VA) authorizes civil works programs for the Army Corps of Engineers which preserves the navigation of channels and harbors and provides for flood control and storm damage reduction.

H.R. 1438 (Lowey, D/NY) amends the **Clean Water Act** to provide funding to the states for estuary conservation.

Source: Land Letter, Vol. 14, No. 17 and 20.

Mississippi Interstate Cooperative Resource Association
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