

River

Crossings

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MICRA Paddlefish Project Funding

The basinwide MICRA paddlefish tagging project, funded in 1995 by year-end funding from the International Association of Fish and Wildlife Agencies (IAFWA), is in jeopardy. Second year funding for MICRA's project did not "make the cut" this year in qualifying for IAFWA funds.



This was caused, in part, by the need to set aside funds for the anticipated transfer of several fish hatcheries from federal to state ownership. Funding is needed for transfer of these facilities, and this transfer is part of the overall effort to reduce federal costs, reinvent government, and ultimately balance the federal budget.

Another problem was apparently related to misinformation that some of the IAFWA participants had regarding the MICRA project. Reportedly some IAFWA officials had understood that multiple

year funds were already available for MICRA, and that this year's funding request was just an add-on. Consequently, we are now looking for other funding sources.

MICRA's paddlefish tagging project is the largest such effort ever attempted on a freshwater fishery. In 1995 seventeen states participated, and over 5,000 adult paddlefish were tagged in the field, while over 500,000 fingerlings were tagged and released in the Basin by state and federal hatcheries.

A reward system for tag recovery

has been setup including prizes contributed by several commercial vendors. Tag returns are already coming in, and if the project can be conducted over several years the results will rival that of major salmon tagging projects on the west coast. Ultimately, we hope to have very accurate estimates of the impact of harvest and stocking on the Basin's paddlefish populations.

Over the next few months we will be looking at all available sources of funding, including state, federal and private contributions; as well as in-kind contributions from our

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members. Anyone wishing additional information should contact the MICRA office.

Interjurisdictional Rivers Fisheries Resources Act of 1995?

Congressman Steve Gunderson (R/WI) introduced his first Interjurisdictional Rivers Fisheries Resources Act in 1992. In the original bill, Gunderson proposed test funding for MICRA at \$2 million per year over a three year period. The 1992 bill also authorized something called an Interjurisdictional Rivers Council to look at interjurisdictional river problems nationwide.

The recommended testing of MICRA received widespread support, but the idea of the Interjurisdictional Rivers Council was opposed in many quarters, especially by Alaskan Congressmen. Gunderson reintroduced his bill in subsequent Congresses, gradually allowing it to evolve to the point of completely eliminating the idea of the Council.

Gunderson has considered reintroducing a new bill this year; this time just as a simple "authorization" for MICRA, with no funding attached. While such a bill would not help our funding situation, it would provide MICRA with Congressional recognition and authorization, and open up other possible funding sources.

Persons interested in such a bill should make their interests known.

Cooperative Fisheries Management Act (H.R. 2160)

The House Fisheries, Wildlife and Subcommittee of House Resources marked up the Cooperative

Fisheries Management Act on August 3rd. The Subcommittee is chaired by Rep. James Saxton (R/NJ).

The Cooperative Fisheries Management Act (H.R. 2160) would reauthorize the Interjurisdictional Fisheries Act (IFA) and the Anadromous Fisheries Conservation Act (AFCA). The IFA encourages the management of interjurisdictional fisheries, including (1) nearshore fisheries in waters under the jurisdiction of one or more states and the Federal government, (2) fisheries resources that migrate between the waters of several states bordering the Great Lakes, or (3) fisheries for which an interstate management plan exists.

Under the IFA, grants are made to states for research projects

supporting interstate or Federally managed fisheries. State eligibility criteria and funding is designed to create incentives for states to engage in cooperative interstate fishery management. With regard to the IFA, approximately \$4 million was authorized in 1996, \$4.6 million in 1997, and \$5.1 million in 1998.

Source: NOAA Legislative Informer, Sept. 1995, Issue #13

National Broodstock Registry for Paddlefish and Sturgeon

The U.S. National Biological Service, R & D Laboratory and the U.S. Fish and Wildlife Service, Division of Fish Hatcheries has initiated a project to assemble a

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database of information on sturgeon and paddlefish brood stocks. The database, to be



"paddlefish"

known as the National Fish Broodstock Registry - Paddlefish and Sturgeon (NFBR-PS), will summarize information on brood stock origin, breeding history, genetic characterization, and fish performance in diverse fishery management and culture situations.

Information for the NFBR-PS will be assembled from many sources including: 1) survey of federal, state and commercial agencies, 2) published literature, and 3) agency reports. When complete, the database will be a source of



"lake sturgeon"

up-to-date information on specific broodstocks for fisheries personnel throughout the United States. The NFBR-PS will be a permanent database that will be updated as new information becomes available.

Contact: Dr. Harold L. Kincaid, USNBS, Research and Development Laboratory, R.D. #4, Box 63, Wellsboro, PA 16901, (717) 724-3322, ext. 232.

Source: The Sturgeon Quarterly Vol. 3, No. 3, July 1995

ESA Bills/Issues

The Senate has agreed to place a one-year moratorium on any new listings under the Endangered Species Act (ESA), allowing Congress time to review the law.

The Senate's amendment was adopted as part of an amendment to a \$12 billion FY 96 Interior Department spending bill and would "soften" the House's proposal prohibiting the U.S. Fish and Wildlife Service from making any new ESA listings.

Moving closer to "all-out political war," House Republicans on September 7 proposed a bill to scale back the ESA. The bill would overturn the Supreme Court's recent decision in the Sweet Home v. Babbitt case, and make it voluntary, not mandatory, for private landowners to protect the habitat of creatures threatened with extinction.

The House bill, a product of a special task force headed by Rep. Richard Pombo (R/CA), requires the government to compensate landowners for lost property value caused by species protection mandates. It would also provide new financial incentives, such as tax breaks, for property owners who voluntarily protect endangered species and their habitat.

The bill redefines what constitutes "harm" to a species as the result of "direct action" against fauna or flora, rather than the Supreme Court's more inclusive definition, which includes damage to habitat. Under the bill, the government also would be required to balance the benefits of wildlife protection against the social impacts, accounting for jobs that might be lost and resources such as lumber, minerals and crops that might never reach consumers.

Pombo's bill would also create "biodiversity reserves" – 290 million acres of federal land, such as wilderness areas, national parks and wildlife refuges – where endangered species would live and be protected. While endangered species could be protected outside the reserves, the bill would require compensation to private landowners when species protection reduces property values by 20% or more.

The bill also would create incentives for landowners to protect species on their property, such as easements, grants and land exchanges. "What we want to do is establish the protection of ... biodiversity in this country at the same time that we're trying to eliminate the conflicts with private property and the federal government that are occurring under current law", Pombo said.

Calling the bill unacceptable, John Kostyack of the National Wildlife Federation said studies "make it absolutely clear that [the reserves] are not going to be sufficient." The General Accounting Office has reported that 90% of species now listed as endangered or threatened rely on non-federal lands for habitat, he said.

House Resources Committee Chairman Don Young (R/AK) said he hopes to push the bill to the House floor as quickly as possible. Young said that because of its "adverse effect on landowners," the ESA has become unworkable and counterproductive. The new bill would establish "realistic goals," he said. The bill enjoys strong support among Western and Southern Republicans and some Democrats from those regions.

But the Clinton Administration condemned the bill as part of a broader GOP effort to undo decades of environmental programs. Interior Secretary Bruce Babbitt said that, "If Noah had to follow all the rules in this bill, he wouldn't have needed an ark. He could have fit all the animals he was allowed to save in a canoe".

Once Senate action is completed, the differences between the House and Senate versions must be resolved by a conference committee. Meanwhile, House GOPers have vowed to provide no funding for species protection until the ESA has been reworked, "setting the stage for a showdown on the House floor" in October. Other more conservative ESA

proposals are losing momentum with the introduction of the Young/Pombo rewrites.

However, a group of "moderate Republicans" headed by Rep. Wayne Gilchrest (MD) on September 21 introduced a compromise bill that would keep some key features of the ESA. Gilchrest said his bill gives states and private landowners incentives to protect endangered species and allows states to adopt their own species recovery plans. Gilchrest's bill would continue to ban destruction of threatened and endangered species habitat, even on private lands.

The Young- Pombo bill would exempt most privately owned habitat and move some currently protected species off the list.

The Gilchrest bill was unveiled "amid signs" that House Speaker Newt Gingrich (R/GA) wants to ensure the House passes an ESA bill acceptable to moderate and conservative Republicans. According to Gilchrest, Gingrich said he "would not allow a bad bill to hit the House floor."

Endangered Species Coalition's Jim Jontz said Gilchrest's bill "maintains the fundamental provisions" of the existing ESA. Although the coalition finds Gilchrest's bill "more acceptable," it has not endorsed it. Assistant Interior Secretary George Frampton suggested to the House Resources Committee that President Clinton would veto the Young-Pombo bill, but said the administration is interested in proposals like Gilchrest's.

Supporting environmental arguments that endangered species and rain forests should be saved because they contain natural remedies for incurable diseases, Danish drug maker Novo-Nordisk on September 5th filed a regulatory application for a new epilepsy drug called Gabitril. The medicine, which may offer relief for some 50

million epileptics worldwide, comes from betel nuts found in the rain forests of southern Asia.

Scientists have traced the cause of epileptic seizures to an imbalance of nerve impulses in the brain. While drugs are now available to suppress this imbalance, they do so by targeting all neurotransmitters, often causing patients to sleep as much as 11 hours a day. Isolated and extracted from the betel nut, Gabitril singles out and suppresses only one neurotransmitter, restoring the balance of brain impulses with fewer side effects.

Scientists are also beginning to market Amazon rain forest fruits "remarkably" high in vitamins and protein, along with scores of others that offer exotic flavors. Three acerola cherries weighing a half ounce contain more vitamin C than a pound of oranges, and the protein-rich acai, a purple berry, contains more iron than spinach.

Wim Groenveld, the founder of the Institute for Mankind, Agriculture and Ecology in Brazil, has identified and studied some 48 fruits that occur naturally in the Amazon. Groenveld believes that by planting fruit trees in concentrated areas, a small farm of eight acres could produce an income of \$4,200 a year for a family. That is more than triple the minimum wage that many earn and would reflect a far more efficient use of land that is often used for subsistence crops or burned.

In the U.S., about 200 timber companies are working with the federal government to develop habitat conservation plans (HCPs) as a way of complying with the ESA. Under an HCP, which must pass muster with the U.S. Fish and Wildlife Service, a company outlines its plans for environmentally sensitive timber harvesting for up to a 100-year time span. In return, companies are given relief from some strict ESA regulations.

The plans usually call for leaving more live trees along streams and wetlands and more dead trees and slash on the ground. HCPs may also include artificial habitat creation. Jay Guttsweller of Weyerhaeuser believes HCPs are an attractive alternative to struggling with the ESA. If a plan is approved, a company can be confident it can harvest its land as planned without the fear of additional environmental restrictions later. "Regulatory certainty is a very important, fundamental underpinning for us", Guttsweller said.

Companies are continuing to adopt HCPs despite congressional efforts to weaken the ESA. Some firms may use the plans to show the public that they are good stewards of the land. Other firms complain that ESA compliance is so restrictive that "they are all but forced to adopt costly and burdensome conservation plans."

Many environmental groups are encouraged by HCPs because they elicit long-term environmental commitments from major landowners. While Charlie Reins of the Sierra Club views the plans positively, he is concerned that some HCPs could prove inadequate and the USFWS may not have adequate resources to monitor compliance.

Meanwhile back in Congress, there is "a mound of Republican bills aimed at rolling back, cutting or outright dismantling many of the environmental laws crafted over the last 25 years," but many may not make it through both the House and Senate this year. President Clinton, "citing the moratorium on additions to the endangered species list" and other environmental concerns, has threatened to veto a number of them, and "it is doubtful the Republicans could override a veto."

These bills also face an uncertain future because a number of Republican lawmakers are working

to moderate their party's position and find middle ground on environmental issues. Rep. H. James Saxton (R/NJ) believes support for environmental protection is expanding: "I think we can look at a growing base of support built around a Republican-Democrat coalition." Bill Roberts of the Environmental Defense Fund said "There is an ever-growing fissure between moderate Republicans and the very conservative wing. On environmental issues the Republican leadership is working with a razor-thin majority".

Source: Greenwire Vol. 5, Nos. 68, 70, 91, 97, 100, 102 and 103

Farm Subsidies/Wetlands Issues

According to the non-profit organization known as the "Environmental Working Group", 26.8% of all federal payments to farmers, or \$29.2 billion of \$108.9 billion released between 1985 and 1994, went to just 2% of American farmers, most of which were large, corporate firms. The report, just released, analyzed 112 million federal payments made to farmers from 1985-1994, using computerized payment records provided by the Agriculture Department.

The group urged Congress to redirect farm payments for price supports and conservation programs to smaller farms: "Instead of paying billions of dollars to a few thousand corporations, joint ventures and big-time farmers, Congress should invest in health care, education and environmental needs in rural ... America generally."

But Bryce Neidig of the Nebraska Farm Bureau Federation defends the subsidies: "If we want to protect the environment and control production, we can't do it unless we include the large producers. They control large

amounts of land and huge amounts of production".

In South Dakota the Wildlife Federation believes that state's farmers should get property-tax exemptions for wetlands on their lands. At its recent annual meeting, the 4,000 member group



supported the idea that farmers should receive a direct financial benefit from preserving wetlands, but it didn't propose how local governments should replace the money lost through an exemption. Federation Executive Director Roger Pries later suggested that duck hunters who benefit from wetlands should pay for the tax breaks.

In Iowa the US Soil Conservation Service (SCS) classified six acres of Charles Gunn's farm a wetland in 1991, limiting its use to hay harvesting once a drainage ditch was installed by a local district agency. Gunn appealed, only to have the off-limits area increased to 14 acres and its use further restricted. By 1994, after further appeals, Gunn had been assessed \$25,848 for the ditch and 28 acres of his property had been restricted. The Natural Resource Conservation Service (NRCS formerly the SCS), citing Gunn's suit, will not comment on his case.

An NRCS effort to map wetlands throughout all of Iowa caused a "near revolt" earlier this year. The effort had been halted by the Bush Administration in the early 1990s with only one-third of the mapping complete. When the project resumed this past January, some already inventoried areas were re-examined using new standards, "but mainly the agency was trying to complete mapping," according to Iowa Assistant Conservationist

Dennis Pate.

Farmers, however, believed the move was a government attempt "to gain jurisdiction over more land." Their angry reaction prompted lawmakers to halt the project again. Now, unless a farmer needs a wetlands determination for a special project, "no new decisions will be made until a federal farm bill is written."

Attempting to put more flexibility into wetlands decisions, a Clinton Administration proposal would allow field officers to judge what effect a farmer's "planned disturbance of a wetland" would have. If only a "minimal effect" would occur, "no special requirements would apply." Where the changes would have an impact, the proposal allows for "more options for offsetting those effects"



Senate Agriculture Committee Chairman Richard Lugar (R/IN) supports something called a seven-year "Freedom to Farm Act," a major rewrite of federal farm programs being pushed by his House counterpart, Pat Roberts (R/KS). Farmers are now subsidized to keep millions of acres out of production and required to grow specific crops on their remaining fields to qualify for further Agriculture Department subsidies. But under Roberts's bill, subsidies to farmers next year would be cut by 15%, and by 2002 they would be cut by 40%. "Only a few strings would be attached, like continued requirements to meet some environmental rules."

Few environmental groups have closely examined the plan. But Kenneth Cook, a farm policy expert

at the Environmental Working Group, said that cultivating millions of acres that now lie fallow could further pollute rivers and streams with fertilizer and chemical runoff.

Source: Greenwire Vol. 5, Nos. 50, 85, 93, 95

Lower Mississippi River Bottomlands/Levees

A "sweeping" proposal to merge a chain of government holdings and private lands into a 250 square mile swath of restored wildlife habitat in Tennessee was submitted this month to the North American Wetlands Conservation Council by the Tennessee Wildlife Resources Agency (TWRA).

The Mississippi Alluvial Valley (MAV) Habitat Project hopes to receive a \$1.5 million federal grant to help fund the project, which would offer landowners incentives to plant trees, restore wetlands and manage woodlands to benefit wildlife in Lower Mississippi River bottomlands located in western Lauderdale County and a small portion of southwestern Dyer County.

TWRA officials said the plan could serve as a model for other states. Joe Hopper of the TWRA called the project "a large undertaking," but said that the Mississippi bottomlands are "probably one of the easiest places to try to do something like this." Tony Parks of Anderson-Tully Co., which owns forest land in the area and helped to draft the plan, said the proposal's strength is that it works with landowners on a voluntary basis: "We look at the private landowner as the integral component to the success of this program".

However, while the MAV project is designed to restore bottomland hardwoods and wetlands along the lower Mississippi, the U.S. Army, Corps of Engineers has plans to

destroy them in order to raise flood protection levees. In response, a coalition of eight environmental groups on August 15th issued a formal warning that it would file a suit against the Corps unless they reevaluate the impacts of their plan. The same day, the Corps said it had received approval of a new, environmental-friendly plan for the levees, but environmental groups are still critical.

The Corps' initial plans to prevent flooding in Louisiana, Arkansas and Mississippi included digging up 11,400 acres of bottomland hardwoods for soil to use in construction. Environmental groups were not opposing the levees themselves, only plans to save money in construction costs by using nearby wetlands soils.



New Corps plans would use more environmentally sensitive planning and get the necessary soil by dredging the Mississippi River. Only some 4,100 acres of wetlands would be affected, and they would be replanted, said Corps spokesman Mike Logue.

But Sierra Club Legal Defense Fund's Melissa Samet questioned the accuracy of the Corps' figures and said a new environmental impact statement would still be needed on the impact of dredging. The Louisiana legislature this year passed a resolution supporting a supplemental environmental impact statement.

Source: Greenwire Vol. 5, Nos. 76 and 77

Wetlands and Flood Control

Recent studies at a 5.7 acre experimental plot of reclaimed wetlands in Wadsworth, IL show that wetlands can reduce pollutants from a 410-acre northern Illinois watershed by up to 99%. Taken with other results from marshes on the site, "the findings made possible a startling calculation: only 1.37% to 5.47% of the total watershed needs to be in wetlands to accommodate the runoff".

"The realization was a eureka moment" for Donald Hey, a hydrologist with the Des Plaines River Wetlands Restoration Project. Hey estimated that the Mississippi River could have been kept in its banks in the 1993 floods if 3% of the upper watershed – about 13 million acres – were restored to 3 ft. deep marshes. Hey said, "From a flood-control standpoint it works out, and from a water-quality standpoint it works out."

According to Nancy Philippi, a private consultant who co-wrote a paper with Hey in the *Journal of Restoration Ecology*, there is already 13 million acres of idle agricultural land in the Basin, which means the idea of distributing wetlands throughout the watershed "is not impossible, unreasonable or even expensive".

Source: Greenwire Vol. 5, No. 70

Midwest Ground Water Contamination

Tap water in the Midwest's Corn Belt is dangerously contaminated with agricultural weed killers, posing serious health risks, according to a study just released by the Environmental Working Group (EWG). Tap water from 28 of 29 cities and towns in the Midwest, Maryland and Louisiana was found to contain weed killers.

In some cases, up to nine different weed killers were found in the tap water in people's homes. The research focused on two of the most common farm herbicides, atrazine and cyanazine, millions of pounds of which are used every year to control pests on corn and sorghum fields in the Midwest.

Researchers collected samples every three days from bathroom, kitchen and office faucets. The samples showed the presence of at least one weed killer in all but one city: Memphis, TN, where water comes from deep wells.

The worst violations were found in Danville, IL, where 94% of cyanazine samples and 84% of atrazine samples were above USEPA guidelines from May to July. Large concentrations of herbicides were also found in New Orleans and nearly every surface drinking water source in the Mississippi River Basin. The group argued that infants and children are "particularly at risk," and charged that "this is no time to weaken health standards for pesticides or contaminants ... as Congress is moving to do".

Water wells in farming areas also have more nitrate contamination than previously believed, according to a new study by the U.S. Geological Survey. The study of pollution from fertilizers and other nutrients found that 9% of 3,351 home wells tested exceeded safe nitrate levels set by the USEPA. The figure is higher than the 2.4% contamination found in a 1990 EPA survey that included wells outside of farming areas.

The greatest nitrate concentrations in underground water were found in parts of the Northeast, Midwest and West Coast, while concentrations tended to be lower in Southeastern states. Since nitrates can take a long time to work their way into underground water supplies, the impact of heavy fertilizer use may not be seen for four or five decades, the report

said. Current efforts to reduce fertilizer use may also take a long time to show results. Fertilizers and manure add nitrates to water, and excess nitrates can cause fatal oxygen deprivation in infants.

Lynn Goldman, EPA assistant administrator for pesticides, called the findings of their study "significant" and said consumers should check with local water utilities "to make sure standards for toxic pollutants are being met." Agricultural groups and other critics say the EPA report is "unnecessarily alarming" because it measured levels only in the summer, when herbicides are most frequently used. The USEPA standards, on the other hand, are based on a running annual average to ensure that a person's total lifetime exposure does not exceed a safe level.

Source: Greenwire Vol. 5, Nos. 77 and 88

Iowa/Missouri North Carolina Hog Laws

A new Iowa law regulating big hog lot operations was signed by Gov. Terry Branstad (R) on May 31. The law increases minimum distance between new livestock confinements and their neighbors, and details manure management plans as a condition of being permitted to build a large livestock confinement. At the same time, it makes it harder for neighbors of large hog operations to successfully sue for bad odors or other nuisances created by livestock.

Branstad called the bill a "good compromise," and said it should "spur expansion by Iowa hog producers who have been reluctant to invest in the absence of a clear state policy"

"Bowling to a groundswell of grass-roots pressure," an Iowa state advisory committee voted on September 13 to tighten

regulations on manure management at large hog farms. A The committee, "representing primarily the livestock industry," urged that hog farms with as few as 1,300 animals be required to file manure management plans. Harold Trask, a farmer representing the pork industry on the panel, said the changes were "a proactive stance to raise hogs in an environmentally friendly manner." The Iowa Environmental Protection Commission approved the Committee's recommendation on September 22. Critics had complained that some pork producers are skirting existing rules by building hog lots that hold just under 5,000 hogs, the threshold at which operators were required to apply for construction permits. The panel also voted to make manure management plans open to the public.



In neighboring Missouri, the state Clean Water Commission on September 13 adopted standards to regulate hog-farm waste lagoons. But environmental groups say the rules "still fail to protect" the public's drinking water.

The commission approved a requirement that engineers approve the design of waste lagoons and that storm water runoff from farm fields be monitored. It also approved a limit on the rate at which lagoon waste can be applied to farm fields as fertilizer, but it did not adopt a proposal to prohibit facilities with more than 17,500 hogs in watersheds of public drinking water supplies.

It also rejected ground water monitoring and the posting of bonds to cover lagoon cleanup costs if a company goes out of business. Ken Midkiff of the Sierra Club's Ozark Chapter said the standards "assure a bare minimum level of protection" for the public.

Meanwhile in North Carolina, the state Division of Environmental Management (DEM) on August 15 issued a formal notice of violation to OceanView Farms Ltd., which spilled 25 million gallons of hog waste into the New River on June 21. The agency said that the announcement was the "first step" in the disciplinary process and would be followed by a "financial penalty" within a week.

OceanView has been charged with a number of violations, including improper management of a waste lagoon and failure to keep certain records. Bill Johnson, VP of Coastal AG-Development, Oceanview's managing partner, disagreed with the DEM's characterization of the farm's compliance: "We believe we did comply with the waste management plan as well as weather permitted. We intend to work with DEM to satisfy their concerns regarding the lagoon and the irrigation fields".

North Carolina pork producers recommended on August 14 that the state begin at least twice-a-year inspections at animal waste facilities after the "rash" of hog-waste spills in the past few months. The NC Pork Producers Association unanimously agreed that the state's 3,600 hog, chicken and other animal farms "need to be scrutinized".

Source: Greenwire Vol. 5, Nos. 25, 77, 96, 97 and 103

Yellowstone National Park Or Mine Waste Dump?

On August 25 President Clinton issued a two-year mining

moratorium on 19,100 acres around Yellowstone National Park. But before the moratorium was filed in the Federal Register, Crown Butte Mines, the Toronto-based company planning the New World Gold Mine outside the park, filed 38 additional mining claims in the area. The new mining claims cover about 4,000 acres, according to the Department of the Interior.



Crown Butte officials said the claims had been in the works for some time, and were "staked legally and appropriately ... and in no way conflict" with President Clinton's injunction. "Resource-law experts" said the company's new claims could strengthen its legal position if the federal government tries block the opening of the New World Mine.

Environmentalists "blasted" the new claims as a "sneak attack" on Clinton's mining moratorium. Greater Yellowstone Coalition's (GYC) Mike Clark, said, "Crown Butte is thumbing its nose at the President and the wishes of the American public." Clinton Administration officials declined comment, "although several said privately they were irked by Crown Butte's move and said the Interior Department would review the claims to see if they are valid".

According to a recent report by the GYC, Crown Butte Mines intends to remove twice as much gold as it has indicated publicly, and that this would require full-scale mining into a watershed that flows into Yellowstone. A statement earlier this year by former Crown Butte geologist Allan Kirk said the region

around the proposed mine site "is a very good place to go exploring for additional deposits." A Crown Butte mining plan refers to "Stage II" that would come about if additional gold reserves were found after the mine began operations.

But Crown Butte geologist Dan McLaughlin said the company would pursue extra deposits only if they were within the proposed site at Henderson Mountain, rather than expand operations into the Miller Creek drainage, which feeds Yellowstone's Soda Butte Creek.

Crown Butte officials said that President Clinton's decision to impose a moratorium on new mining claims on federal lands around Yellowstone National Park has no impact on its proposed mine. Crown Butte President Joseph Baylis also said the company owns claims in the area that could serve as alternative sites for a mine tailings pond if its original proposal for a waste rock dump is rejected.



A working draft environmental impact statement for the proposed mine "dismisses any off-site disposal of mine wastes as 'not reasonable'" because of the projected cost to the mining company. However, GYC's Brad Kuehl, pointed out that the document fails to consider the multimillion-dollar bonding requirements that would accompany a "massive mill tailings pond" near the mine. That could make the estimated \$32.5 million cost of off-site disposal seem "much more economically feasible," he said.

Environmental groups, the National Park Service and the USEPA favor off-site waste disposal "as a way to minimize the danger of acid runoff contaminating watersheds in the area." Sen. Max Baucus (D/MT) "has said that if off-site disposal is not economic, the mine should not be built." Mike DeSilva of the State Lands Department said the conclusions of the final draft EIS, expected late this year or early next, "could be far different" from those in the working document.

Presentations to the World Heritage Committee (WHC), an offshoot of the United Nations, highlighted the ongoing dispute over the mine's impact on water flows in the area. The international experts visited the mine site on September 7-9 to evaluate the impact the mine might have on Yellowstone National Park, a UN designated World Heritage site.

Ken Pierce, a retired USGS geologist, told the WHC that the proposed diversion of Fisher Creek around the proposed mine tailings dump could pose serious erosion problems for the tailings-holding structure, eventually causing runoff over its top. Grant Meyer, a geologist at Middlebury College in Vermont who has researched sediment flows around Yellowstone for seven years, concurred with Pierce and said that floods of sediment could breach the dam more seriously than Crown Butte has suggested.

But Crown Butte hydrologist Doug Parker said the company would be pleased if additional sedimentation occurred: "It would in the long term only help to protect the impoundment".

State and federal officials are drafting an environmental impact statement for the proposed mine, but it won't be released until after September, sources say.

The National Park Service has released a report estimating that the fair market value of the New

World gold mine lease was less than \$50 million, "considerably lower" than previous estimates. The findings "suggest that a federal coal-lease swap could be arranged for the buyout [of the lease] that would avoid a direct expenditure of federal funds." Given the risks of acid mine drainage into Yellowstone Park, the report said "the buyout option is an alternative that merits serious consideration."



"Yellowstone cutthroat trout"

Phil Cloues, the mineral economist who compiled the report, estimated the market value of the New World mine by using Crown Butte's production data and federally approved appraisal standards for land acquisitions. However, Crown Butte President Joe Baylis said the report's methodology was "flawed" and that the projected lease value was "outrageously low." "The fact is, in the industry, no one sells a royalty on a property that has a known ore reserve," Baylis said. However, Baylis declined to name a price for the mine, saying that any talk of a buyout was "meaningless" until federal or state agencies made a formal offer.

Under a bill introduced on June 14 Rep. Bill Richardson (D/NM) proposed that the headwaters of the Yellowstone River become a national recreation area where mining is prohibited. The bill would effectively block the New World mine. Richardson's legislation proposes a 24,000-acre Yellowstone Headwaters National Recreation Area in Montana's Gallatin and Custer National forests. It would require a management plan for natural resources there and prohibit "any federal permit for mining or related activity until previous mining-related environmental damage on the

lands is brought under control."

Richardson, the ranking Democrat on the House National Parks, Forests and Lands Subcommittee, said 30 members of Congress have agreed to co-sponsor his bill, including two Republicans. But "no representative from Wyoming, Idaho or Montana has yet signed on". Rep. Pat Williams (D/MT), who has expressed concern about the mine but opposes the bill, said House Republicans won't give the bill a "second glance" given the lack of local support.

Source: Greenwire Vol. 5, Nos. 34, 39, 62, 65, 69, 94 and 98

New Coal Mining Bill

Rep. Barbara Cubin (R/WY) on September 21 introduced a bill that would assure qualified states independent oversight for enforcing the Surface Mining Control and Reclamation Act (SMCRA), which sets environmental and other standards for the nation's coal mines.

Cubin says her bill would revive the original intent of SMCRA – allowing states to enforce the law without federal interference. The federal Office of Surface Mining (OSM) has "ignored the careful balance of authority" between states and the feds by issuing violations to coal mine operators "anytime OSM disagrees with a state's view of the program requirements," Cubin said. "This practice has victimized coal mine operators," she adds.

Cubin's justification for the reform legislation has been questioned as being "not grounded in fact" and affecting other states "far more" than Wyoming. In Wyoming, federal inspectors have issued two violations in the past three years; whereas, in West Virginia, federal agents issued 74. Rep. Nick Rahall (D/WV) has criticized Cubin's bill, and says federal enforcers play an important role in his state. OSM Director Robert

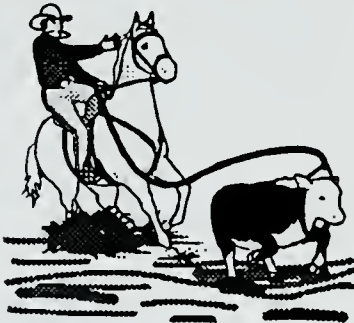
Uram says the bill would give OSM only one enforcement tool for repeated violators: putting state programs under complete federal control.

Source: Greenwire Vol. 5, No. 103

Grazing Issues

On August 4th Bill Richardson (D/NM) "torpedoed" a grazing reform bill favored by the livestock industry, allowing Interior Secretary Bruce Babbitt's grazing reform plan, "despised" by ranchers, to take effect as planned on August 21. While the regulations will not increase the fees ranchers pay to graze livestock on public lands, they will increase ranchers' responsibility to protect the ecological health of federal lands and boost federal enforcement authority.

The House Resources Subcommittee on National Parks, Forests and Lands was meeting on August 4 to vote on a GOP-backed grazing bill when Richardson raised a parliamentary objection, forcing subcommittee Chairman Jim Hansen (R/UT) to adjourn the meeting. Richardson said he stopped the meeting because he felt such "controversial" legislation should not be "rushed" through Congress on the eve of the August recess.



But the industry was "outraged" and Hansen said "this is going to create a firestorm in the West." Hansen plans to ask Babbitt to postpone implementation of the regulations, but Babbitt has already

given Congress six months to pass a bill, and it has failed to do so. Hansen said he will move the bill, sponsored by Wes Cooley (R/OR), in September. That bill would raise grazing fees from their current level of \$1.61 per animal-unit-month to about \$2.10.

Meanwhile in the Senate, support for Pete Domenici's (R/NM) original bill has diminished because it is tainted by charges that it is "anti-recreation" and "anti-multiple use." A coalition of hunters, anglers and environmentalists have joined forces to push for changes in both the House and Senate. Pressure from the coalition – which includes the North American Pronghorn Association, Trout Unlimited, Wyoming Snowmobile Association, and the Wyoming Outdoor Council – has been "so intense" that Domenici has agreed that his bill needs to be changed.

The Senate had already changed the title of the Domenici bill from the Livestock Grazing Act to the Public Rangelands Management Act to avoid criticism that it was written solely for the livestock industry. And the House has adopted an amendment that ensures grazing permittees may not interfere with hunters' or anglers' access to public lands.

Domenici, however, is now going back to the drawing board and opening a new dialogue with environmentalists and sportsmen's groups to try to reach a compromise. In district meetings with interest groups and others in New Mexico, Domenici pledged to change the bill to reaffirm his support for multiple use management and maintained that he had no intention of making grazing the dominant use of public lands.

Domenici also said he would take a closer look at several issues of concern to environmentalists, including the bill's limitations on what actions land managers can take in response to resource

conditions, the make-up of Resource Advisory Councils, the extent of public participation in grazing management decisions, and suggestions to give the Bureau of Land Management and the Forest Service specific authority to review the compatibility of lands for grazing. To give staff time to rework the bill to accommodate these and other concerns, there will be no Senate action for six weeks, Domenici said. He intends to ask the House to delay action as well.

Concerned that Domenici "overreacted," Sen. Craig Thomas (R/WY), who co-sponsored the bill, said that the opposition is coming more from traditional anti-grazing environmental groups and less from the Republican-leaning hunting and fishing organizations.

Wyoming Snowmobile Association's Kenny Volkner said, "There's been concerns about [the bill], but there really hasn't been enough information about it to cause a stir." There are also signs that the larger coalition of hunters and environmentalists may be too tenuous to sustain the kind of effort those who would kill the bill need to succeed.

Action on major grazing legislation is not expected now until late winter or next spring.

Source: Source: Greenwire Vol. 5, Nos. 69 and 98; and Land Letter, September 1, 1995

Western Land Wars

Hearings began on July 28 in the Justice Department's lawsuit against Nye County, NV, a case which is "being touted nationwide as an important fight" over state sovereignty. The suit, filed on March 8, challenges a 1993 resolution by the Nye County Commission claiming that the state of Nevada rather than the federal government owns federal lands within state borders.

Lawyers representing the county argued that the federal government violated the Constitution's "equal footing" clause – which gives new states equality with the original 13 states – because Nevada had to cede nearly 88% of its land to the feds while other states retain total control within their boundaries.

Justice Department attorney Peter Cobalamin argued that the equal footing clause applies to political equality, not economic or property rights. He also said that if Nye County prevailed, there would be "enormous consequences" nationwide: "The county is asking this court to redraw the map of the United States and rewrite 150 years of American history."

The federal government filed a motion in early August asking that Nevada be named as a co-defendant in the suit against Nye County. Nevada state officials have said that they do not agree with Nye County's position in the case.



Gov. Bob Miller (D) has said he thinks it would be costly for the state to take over management of public lands. The motion to bring Nevada into the suit may place the state in a perplexing position, said Senior Deputy Attorney General Wayne Howle, because Nevada's arguments could echo those of the plaintiff. A response to the motion from presiding U.S. District Judge Lloyd George is expected to take a few weeks.

Source: Greenwire Vol. 5, 65, 85

Roads Bill

Utah Rep. Jim Hansen (R) on July 20 introduced a bill to "make it easier for rural counties to claim rights of way for roads over federal land." The bill is a response to a recent proposal by Interior Secretary Bruce Babbitt that Hansen says will "close up access in the rural West."



The debate stems from an 1866 statute granting local counties the right-of-way over federal lands. While that law was repealed in 1976, the Bureau of Land Management must still consider 5,000 claims for right-of-way, including many primitive roads through wilderness study areas.

Hansen said "We must resolve this issue once and for all ... our counties must know what their legal rights are on these roads." Babbitt's proposal would not recognize many of the primitive routes as valid roads and would prohibit future access. Hansen's bill would allow counties "to take bulldozers in to maintain them."

Hansen's bill gives individuals and state or local governments ten years to file a petition for a right-of-way and allow the federal government two years to respond. If the feds fail to respond, the right-of-way would be granted. If an agency objects to a request, the bill requires the federal government to file a federal suit and show why the claim should not be granted.

The Southern Utah Wilderness Alliance's Scott Groene called the bill "extraordinarily extreme," noting

that it allows "anyone with a 32-cent stamp" to claim a right-of-way on public land and forces the government to conduct an expensive and time-consuming study on its validity.

Source: Greenwire Vol. 5, No. 60

Zebra Mussel Distribution Update

Upper Mississippi: Zebra mussels have infested virtually every lock and dam in the upper Mississippi River as well as several power generation plants. No sightings were reported during the past year, but the Corps of Engineers report increased densities at the sites first reported in

December 1994. The Illinois River showed decreases in zebra mussel biomass measured at four sites last October. Biologists from the Illinois Natural History Survey attributed this to poor water quality. In Minnesota, several boats pulled from the Minnesota and St. Croix rivers were found to have zebra mussels attached to the hulls. However, neither river is considered by the Minnesota DNR to be infested at this time.



Lower Mississippi: Zebra mussels first appeared in the lower Mississippi River in 1992. In 1993, they were found in Bayou Teche about one mile from its confluence with the Atchafalaya River. This year they were found in Bayou Courtableau, part of the Atchafalaya River Basin in Louisiana. The Louisiana Sea Grant and the U.S. Fish and Wildlife Service confirmed that several power stations and waterworks plants in and near New Orleans have reported zebra mussel infestations. The southern-most sighting was at Venice, Louisiana, Mississippi River Mile 10.

Arkansas/White/Red: No significant changes in zebra mussel distribution have been reported this year in this drainage. In 1992, small numbers of zebra mussels were observed at a majority of lock and dams on the Arkansas River. The farthest point west for zebra mussels in the Arkansas River continues to be in eastern Oklahoma at Webbers Falls Lock and Dam. In the Verdigris River, a tributary of the Arkansas River in eastern Oklahoma, zebra mussels were found at River Mile 6.4 in 1993 and River Mile 26.6 in 1994.

Ohio: In 1993, many new zebra mussel populations were reported from West Virginia in the upper reaches of the Ohio. Zebra mussels moved into the headwaters of the Ohio River in Pennsylvania at Emsworth Lock and Dam, just west of Pittsburgh in the latter part of 1994 and early in 1995. The Corps of Engineers found zebra mussels in the Allegheny River at Lock 4, near Natrona, and Lock 7, near Kittanning, Pennsylvania. Zebra mussels were also found in the Monongahela River at Lock and Dam No. 2, near Braddock, Pennsylvania. As for the lower Ohio River, several reports from different sources concur that zebra mussels are persisting in increasing numbers there.

Mid-Atlantic: In the mid-Atlantic drainage, zebra mussels continue to inhabit the Mohawk River and the Hudson River from Albany to Haverstraw, New York. In 1994, the Vermont DEC reported zebra mussels from several locations in the middle and upper portions of Lake Champlain. Zebra mussel colonies had been previously found only in the lower portion of the lake where populations are reported as dense in 1995.

Tennessee: The Cumberland River continues to support zebra mussels. Nashville is the farthest upstream sighting recorded. In the past year, the Tennessee Valley

Authority reported finding veligers at all monitoring stations downstream from River Mile 260 in the Tennessee River. Moderate numbers of adult zebra mussels have been found at all nine Tennessee River Locks up to River Mile 602, near Knoxville.

California: Since the initial finding of zebra mussels on a boat at a California agricultural inspection station in 1993, five additional boats with zebra mussels attached to their hulls have been detected at three different inspection stations. The second finding of zebra mussels occurred in California last November. Forty specimens were removed from a boat on a flatbed trailer being shipped from Toledo, Ohio to San Diego. Their condition was listed as "live" at the time of collection according to the California Department of Water Resources. The third occurrence took place this past March when "live" adults were found in the starboard intake of a 40-ft yacht. The origin of this boat was Michigan, and like the last boat, its destination was San Diego. These first three finds were all reported from the Needles Inspection Station. The next occurrence was reported from the Yermo Inspection Station in May 1995. This boat also came from Michigan but had been out of the water for over a year. The most recent two boats were detected at the Truckee Inspection Station in June 1995. The origin of both boats was Michigan and both had been drydocked for long periods so there were no live mussels. Given these instances, it would appear that overland transport of zebra mussels on or in boats from thousands of miles away poses a real threat to uninfested waters.

Great Lakes: The most significant change in the spread of zebra mussel has been in the inland lakes of the Great Lakes states, especially Michigan. In 1993 there were 10 inland Michigan lakes with zebra mussels. As of July 1995, 29 of Michigan's inland lakes have

been infested. Illinois, Indiana, New York, Ohio, and Wisconsin have also reported zebra mussels in their inland lakes.

Inland lakes:

Illinois: Heidecke Lake in Grundy County
Indiana: Kuhn Lake, Lake Syracuse, Lake Tippicanoe, and Lake Wawassee all in Kosciusko County; and Wolf Lake in Lake County.
Michigan: Lake Paw Paw - Berrien County; Christiana Lake and Eagle Lake in Cass County; Lake Charlevoix and Walloon Lake in Charlevoix County; Burt Lake in Cheboygan County; Crooked Lake, Paradise Lake and Pickeral Lake in Emmet County; Clark Lake and Vineyard Lake in Jackson County; Gull Lake in Kalamazoo County; Devil's Lake and Wampler's Lake in Lenawee County; Arcadia Lake in Manistee County, Muskegon Lake and White Lake in Muskegon County; Cass Lake, Elizabeth Lake, Kent Lake, Loon Lake, Orchard Lake, Sylvan/Otter Lake, and Walled Lake in Oakland County; Lake St. Helen and Houghton Lake in Roscommon County; Portage Lake and Whitemore Lake in Washtenaw County; and Belleville Lake in Wayne County.
New York: Cayuga Lake in Cayuga County; Conesus Lake in Livingston County; Hlnckley Reservoir and Oneida Lake in Oneida County; Cross Lake and Onondaga Lake in Onondaga County; Canandaigua Lake in Ontario County; Seneca Lake in Seneca County; and Keuka Lake in Yates County.
Ohio: Circleville Twin Quarries and Hargus Creek Lake in Pickaway County; M. J. Kerwin Reservoir in Portage County; White Star Park Quarry in Sandusky County; and Killdeer Reservoir in Wyandot County.
Vermont: Lake Champlain.
Wisconsin: Silver Lake in Kenosha County; Racine Quarry in Racine County; Lake Elkhart in Sheboygan County; and Lake Okauchee in Waukesha County.

Contact: Charles Boydston or Amy Benson, National Biological Service, Southeastern Biological Science Center, 7920 NW 71st Street, Gainesville, FL 32653, (904) 378-8181 or FAX: (904) 378-4956

EPA Administrator Browner Speaks Out On Congress/ Environmental Issues

EPA Administrator Carol Browner, told the American Fisheries Society at their 125th Annual Meeting in Tampa, FL (August 28th) that "40% of our rivers, lakes, and streams are still not suitable for fishing or swimming". In fact, Browner said, "Fisheries around the world are in crisis."

"Last year, here in the U.S.", she said, "we had 2300 beach closures because of contaminated waters. And today, EPA is releasing a report that shows that nearly every state in the union has been forced to issue warnings advising the public to avoid or limit eating fish they catch in their local lakes ... (and) ... rivers."

Eight states have issued statewide advisories and 1250 additional water bodies in other states also carry warnings. "In Florida", she said, "every inch of coastline carries a warning, plus 80 inland water bodies and the entire Everglades. Across this country, our fish are contaminated with mercury, with PCB's, with the pesticide chlordane, with dioxin and DDT and dozens of other chemicals", she said. "Warnings of chemical contamination cover 4% of all our river miles; 14% of our total lake acreage, including all of the Great Lakes; and a large portion of the nation's coastal areas – a 20% increase over the previous year."

"The EPA report", Browner said, "clearly demonstrates that the current Congressional effort to roll back public health and environmental protection is

seriously misguided." Last month she said the House passed a budget that would cut enforcement of environmental laws by 50%. In May, Browner said the House of Representatives passed an extreme rewrite of the Clean Water Act. "A bill that systematically undermines each and every one of the tools we have used to clean up our water over the past two decades", she said. According to Browner the bill would:

- remove more than half of the nation's wetlands from federal jurisdiction;
- all but eliminate EPA's ability to ensure that raw sewage is kept off beaches and out of rivers, lakes, and streams;
- restrict EPA from addressing the



nationwide problems of polluted stormwater and polluted runoff;

- cause improvements in sewage treatment and drinking water treatment across the country to be delayed or abandoned;
- prohibit EPA from issuing effluent guidelines that would eliminate 580 million pounds of industrial pollutants from our rivers, lakes and streams each year.
- require EPA to keep its Great Lakes office open, but take away its authority to implement the water quality standards that actually protect the lakes;

- cut funding for environmental research;
- slash funding for monitoring water quality;
- eliminate EPA's research program for the Gulf of Mexico;
- eliminate all funding for the Environmental Technology Initiative.
- force EPA to lay off hundreds of scientists;
- abolish the National Biological Service that takes inventory of plant and animal species; and
- cut NOAA's budget for fisheries management and data collection.

"Twenty-five years ago," Browner said, "President Nixon declared that '1970 will be known as the year of the beginning, in which we really begin to move on the problems of clean air and clean water and open spaces for the future generations of Americans'." "Let's make sure that 1995 is not the end of that effort," Browner said.

She concluded with a plea to "Let us continue to work together – scientists and citizens – Democrats and Republicans – industry and communities – to protect our health, our natural resources, and our economy – so that all of us, our children and our grandchildren can enjoy a healthy and a prosperous life."

Louisiana Pollution and River Lawsuit

Two environmental groups on September 21 said that they plan to sue the USEPA for failing to protect Louisiana's rivers and streams and allowing miles of waterways to become unsafe for fishing or swimming.

The Sierra Club Legal Defense Fund and Louisiana Environmental Action Network allege that for 16 years the EPA has failed to identify what waterways are "environmentally impaired" and "establish restrictions on the pollutants that can be introduced into them on a daily basis." The

lawsuit, which will be filed once a federally required 60-day notice expires, calls on the EPA to take control or force the state Department of Environmental Quality to comply with the Clean Water Act.

Louisiana Department of Natural Resources officials have reported that in addition to Industrial outfalls, abandoned oil wells are also a problem. They have plugged 10 abandoned oil wells, but are concerned that there may be 10,000 more within the state posing groundwater dangers. When left unplugged, the wells can act as conduits for contaminants to reach drinking water supplies.

On another matter, a government plan to store billions of gallons of crude oil in vast salt caverns as insurance against a future Arab oil embargo has become "an expensive headache" in Louisiana and Texas. One southern Louisiana cavern is leaking water into the stored crude oil and, if left alone long enough, could "release a flood of oil and pollute miles of swampy coastline" in fishing grounds along the Gulf of Mexico,

Under the strategic petroleum reserve program, the federal government has stockpiled about 25 billion gallons of crude oil in Texas and Louisiana caverns at a cost of \$4.5 billion. The Energy Department plans to pump out about three billion gallons over the next two years, funding the operation by selling 10% of the oil at a \$100 million loss. The oil was bought in the 1970s, when prices were high.

Engineers are digging refrigeration wells to freeze water that has been seeping into the mine and enlarging the crack. Geologists found a sink-hole near the site in 1992 that tipped them off to the water leaks.

Source: Greenwire Vol. 5, Nos. 71 and 103

"Dead Zone" Expands In Gulf

The "dead zone," an area of the Gulf of Mexico that contains too little oxygen to sustain fish or marine life, has grown to 7,032 mi², the largest it has been in the 10 years scientists have studied the phenomena.

The low oxygen condition off the coast of Louisiana is caused by polluted runoff from farms and sewage treatment plants along the Mississippi and Atchafalaya rivers. The nutrient laden water spurs the growth of phytoplankton, which in turn depletes the oxygen supply of the water as they decompose.

In partial response, the Secretary of Commerce announced on August 3rd a \$53 million disaster assistance package to be distributed among three primary commercial fishery regions, including the Gulf.

The Gulf of Mexico region will receive \$15 million for fishermen who have sustained heavy uninsured losses due to Mississippi River flooding. Part of the money will be spent for equipment lost or damaged by uncharted seabed obstructions resulting from the flood. While other monies can be used to offset losses caused by the "dead zone" which has damaged fisheries and contributed to the fishing disaster.

Source: Land Letter, Sept. 1, 1995 and NOAA Legislative Informer, Sept. 1995/Issue #13

Arkansas Mercury Levels

Some 23% of Arkansas' lakes and streams are so contaminated with mercury that many large fish are unsafe to eat, according to a two-year study released in August by the Arkansas Mercury Task Force. The task force, formed in 1993 to identify mercury levels above federal safety limits, sampled fish and sediment from 170 lakes and streams.

The group is now trying to find the source of contamination and treat affected lakes and reservoirs. It also plans to test 5,000 Arkansas residents at risk for mercury poisoning. Forty other states have issued mercury advisories for fish flesh, including Alaska, which has found high contamination as far north as the Arctic Circle.

Source: Greenwire Vol. 5, No. 76

Great Lakes Contaminants

A study being conducted by Helen Daly, Director of the Oswego, NY-based Center for Neurobehavioral Effects of Environmental Toxins, reports that newborn babies' "habituation" response is being affected by toxins found in Great Lakes fish. Daly reported her findings on September 23 at an International Joint Commission Meeting on the health of the Great Lakes.

The study gives rise "for the first time to the notion that human behavior itself" may be affected by "relatively small" amounts of toxins, like PCBs, dioxin and other pollutants. From 1991 to 1994, researchers observed hundreds of newborns whose mother had "regularly" eaten fish from the Great Lakes. The study found there was a "clearly and predictably" diminishing ability to adjust to imitants such as lights, rattles, bells and pokes. Babies of mothers who ate fish occasionally neither improved or declined and babies of mothers who ate no fish quickly learned to adjust.

Daly said she would not predict how the changes in the habituation response will affect the lives of the babies, but she said an earlier study along Lake Michigan found physical changes caused by the toxins increased with time.

A USEPA opinion survey of 2,000 people released on September 23 reports that 79% of residents of Great Lakes states are "personally

concerned" about the lakes' environment and want more done to protect it. Less than 2% want decreases in human health and environmental protection measures.

Source: Greenwire Vol. 5, No. 104

Climate Change

The Intergovernmental Panel on Climate Change (IPCC) has said for the first time that human activities have helped cause a 1° F rise in surface temperatures over the past century. The IPCC's findings are based on new computer simulations believed to be more accurate than previous models.

The draft conclusions from the IPCC, a panel of scientists who advise the world's governments on climate change, said the warming trend "is unlikely to be entirely due to natural causes and that a pattern of climatic response to human activities is identifiable in the climatological record."

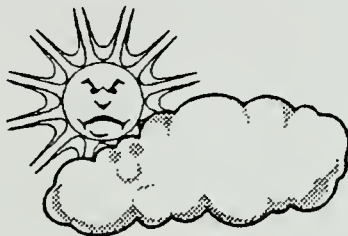
The report also found that the trend will continue in the future. If no attempt is made to reduce greenhouse gas emissions, the draft predicts that average global temperatures will rise between 1.44 and 6.3° F by the year 2100, a figure that represents only 50-70% of the eventual warming; and regardless of what action is taken, average surface temperatures will increase by 1-3.6° F.

The report also predicts that while a warmer world may offer some benefits, there will be many adverse effects, including extreme weather, rising seas, loss of ecosystems that cannot adapt rapidly, and an increase in some tropical diseases.

The draft's wording may change during the final round of review, but scientists who authored the chapter on which the summary draft is based say they don't

expect any substantial changes. The chapter on causes of climatic warming was written by Benjamin Santer of the Lawrence Livermore Laboratory, Tim Barnett of the Scripps Institution of Oceanography and Ebby Anyamba, a Kenyan at the NASA Goddard Space Flight Center.

According to an article by Amal Kumar Naj in the Wall Street Journal, "Weather scientists confirmed many people's impression that a consistent pattern of annual rainfall is increasingly being replaced by one-day downpours, possibly due to global warming". According to the study, published in NATURE, the fraction of total summer rain that has come from heavy downpours grew 2-3% since 1911.



National Oceanic and Atmospheric Administration (NOAA) scientists analyzed rainfall and temperature records from the past 30 to 80 years at 647 sites in the U.S., China, Australia and Soviet Union.

Some climatologists theorize that as carbon dioxide levels increase, the atmosphere will retain more water vapor, leading to more intense levels of rain and snowfall. According NOAA's Thomas Karl, "One of the projections of a warmer world is that precipitation intensity will increase, and that seems to be what we are observing in the United States".

The trend is "most notably" pronounced in the U.S., where scientists found the number of "light" and "moderate" rainfall events had declined sharply while "extreme" downpours had increased "substantially". Within

the U.S., the effect was greatest between the Rocky Mountains and the Appalachians.

Karl said annual average U.S. rainfall levels of 35-40 inches have not changed, but one-day downpours of two inches or more have become more common in the last 20 years. Before, they would have occurred once or twice a year, but in recent years an extra rainfall of that size has occurred every two years.

The NOAA study also found that temperature changes have gotten smaller in the U.S. since 1911, in the former Soviet Union since 1935, and in China since 1952. Karl said that the finding is consistent with computer simulations of greenhouse gas induced climate change.

Researchers also said that while the earth as a whole is getting warmer, nights appear to be warming faster than days. Nearly all of the 0.8 degree increase in average U.S. temperatures is a result of warmer nights, not warmer days.

Source: Greenwire Vol. 5, Nos. 92 and 100

Frogs/Pesticides

"Despite its reputation as a safe, environmentally friendly weedkiller," Monsanto's widely used Roundup herbicide could be killing Australia's frogs, according to new research funded by the West Australian Department of Environmental Protection.

The study, conducted by Curtin University biologists Joseph Bidwell and John Gorrie, found that in the laboratory, Roundup and its "chemical cousins" can be deadly to three species of tree and ground frogs common to western and southern Australia. The two said the problem was not with glyphosphate, such herbicides active ingredient, but with the

detergent used to spread the herbicide and help it penetrate the weeds.

Robert Humphries of the Water Resources Council of Western Australia and Ken Appla of the Museum of Western Australia, whose organizations were also involved in the study, said the chemicals were "extremely toxic to



tadpoles and marginally toxic to adult frogs, even with a slight over application." Monsanto Australia Ltd.'s Nicholas Tydens disagreed: "We have investigated every claim about ... Roundup affecting aquatic organisms. All the evidence to date shows there is no adverse effect."

The Commonwealth National Registration Authority (NRA) for Agriculture and Veterinary Chemicals recently asked the Commonwealth Environmental Protection Agency to review the study. According to NRA's Greg Hooper, the authority recommended that NRA consider "warning statements and further regulatory action" for the herbicides.

Source: Greenwire Vol. 5, No. 96

Russia Life Expectancy

Life expectancy in Russia has "plummeted again this year, and scientists and public health officials say they cannot explain the continuing steep decline." But "frustrated by explanations that just don't add up," scientists are looking more closely at the "history of Soviet ecological abuse" for answers.

The preliminary findings are "not reassuring." In 1990, 383 of every 10,000 children born in Russia died of congenital abnormalities; in 1994, that rate reached 436 per 10,000, according to the Russian Ministry of Health. "Those are just numbers for defects serious enough to kill." More recently, the Russian Labor Ministry released figures showing that if the trend continues, nearly 50% of Russia's youth will not survive to the retirement age of 55 for women and 60 for men.

Aleksandr Chuchalin, a member of the Russian Academy of Sciences, has begun to examine the link between such birth defects and radiation from nuclear waste dumps and test sites. "Obviously, it's not enough any more to say that our life style accounts for these numbers. No life style could account for all of this", Chuchalin said.

Source: Greenwire Vol. 5, No. 66

Arkansas Begins Enforcing Ban on Gravel Mining

Arkansas pollution inspectors on September 18 began enforcing a new state ban on gravel mining in threatened streams and rivers, after the expiration of a three-month grace period. Two of four known gravel mining operations shut down hours before inspections began, but no violations were found.

Mining has eroded stream banks and widened the streams. "Extraordinary resource waters" now protected from mining include rivers and creeks that have scenic, scientific and recreational value. Gravel mining in unprotected streams remains legal, although it requires a permit from the Army Corps of Engineers.

Source: Greenwire Vol. 5, No. 100

Environmental Bill of Rights

More than one million Americans have signed an Environmental Bill of Rights petition to be sent to Congress, according to a coalition of environmental groups led by the Sierra Club and the Public Interest Research Groups (PIRG). The organizations held news events in more than 60 U.S. cities to announce their progress with the petition, which "asserts every American's right to a safe and healthy environment and demands that the Congress stop its rollback of critical environmental programs."

According to Gene Karpinski, Executive Director of U.S. PIRG, "This tremendous outpouring of public support for the Environmental Bill of Rights should send a loud and clear wakeup call to Congress: stop the rollback and save the environment." The groups will take the petitions to Washington, DC in October for delivery to House Speaker Newt Gingrich (R/GA), Senate Majority Leader Bob Dole (R/KS) and other members of Congress.

Source: Greenwire Vol. 5, No. 101

Environmental Regs Trigger Innovations/Reduce Costs

Two business professors report in a recent issue of the "Harvard Business Review" that properly designed environmental standards can trigger innovations that make products less expensive and companies more competitive. Currently, emphasizing the "static costs" of regulation, all sides have acted in ways that "drive up costs and slow down progress on environmental issues." But by focusing on "resource productivity," society can gain environmental improvement and competitiveness at the same time.

Study authors Michael Porter of the Harvard Business School and

Claas van der Linde of Switzerland's St. Gallen University working with the Management Institute for Environment and Business (MEB) in Washington, DC studied six industries, and concluded that the data "clearly show" the costs of environmental regs "can be minimized, if not eliminated, through innovation that delivers other competitive benefits."

For example, of 181 waste prevention activities studied, only one resulted in a net cost increase. Of 70 activities with documented changes in product yield, 68 reported increases. Of 38 initiatives with detailed payback information, nearly two-thirds recouped their initial investments in six months or less. The article delves into the details of many case studies.

"If such opportunities exist, wouldn't companies pursue them naturally and wouldn't regulation be unnecessary?" the authors ask. "In fact, in the real world, managers often have highly incomplete information and limited time and attention." Companies are still "inexperienced" in handling environmental issues "creatively," and consumers are "unaware" that resource inefficiency leads to higher prices. Moreover, the current system of environmental regulation often deters innovative solutions, they write. By imposing strict deadlines, regulators have forced industries to lock in existing technologies. And in the "adversarial" political struggle over regs, companies spend "enormous amounts of resources" that could be devoted to innovation and cleanup.

The authors argue that regulations are needed, but that they can best promote resource productivity such as employing phase-in periods; using market incentives; harmonizing regulations in associated fields and developing them in sync with other countries; and requiring industry participation

in setting standards.

"How an industry responds to environmental problems may, in fact, be a leading indicator of its overall competitiveness." A "truly" competitive industry is more likely to view regulations as a "challenge," while an uncompetitive industry may be tempted to fight rules. General managers must be involved in environmental strategies if innovation is to play a role.

Source: Greenwire Vol. 5, No. 89

Colorado River Endangered Fish Ponds

Ponds are being constructed on the Upper Colorado River in Colorado (near Grand Junction and Craig) and in Utah (near Big Water and Ouray) to serve as endangered fish "refuge" ponds. The ponds will be used to maintain various genetic strains of endangered razorback suckers for adult brood stock, stocking and research.

John Hamill, a U.S. Fish and Wildlife Service biologist who directs the Recovery Program said, "We need to have adequate facilities in more than one location. Then if an accident occurs at one site, we still have a backup population of fish in another." Endangered fish currently are held in ponds on the Horseshoe Canyon State Wildlife Area near Fruita, CO, the Ouray National Wildlife Refuge near Vernal, UT; and the Valley City National Fish Hatchery in ND.

Under current plans four one-acre ponds will be built at the Craig facility to hold razorback suckers from the Green River. Eight acres of leased ponds in Grand Valley will hold upper Colorado River razorbacks. Four one-acre ponds will be excavated at the Big Water site. Called the Wahweap facility, this site will hold a backup population of upper Colorado River razorbacks as well as other endangered fish. Water supplies

will be improved and four more ponds will be added at the Ouray, UT hatchery.

Razorback sucker numbers have dropped dramatically in recent years with only about 500 wild adult razorbacks left upstream of Lake Powell. Researchers believe the primary reason for the fishes' decline is lack of suitable habitat, caused primarily by dams, which have blocked fish migration paths and altered river flows; and non-native fish, which are believed to compete with and prey upon endangered fish.

Conservation groups have expressed concerns that endangered fish would be harmed if non-native bluegill, black crappie and largemouth bass are allowed to be stocked in ponds in the 10- to 50-year flood plain of the upper Colorado River basin. State of Colorado and Fish and Wildlife Service officials are currently trying to resolve these issues.

The Colorado Division of Wildlife had previously agreed to offer to remove non-native fish from private ponds in the zero- to 10-year flood plain. Designed to offset potential impacts of such stocking, this would be a voluntary program involving only those landowners who were willing to participate. Once non-native fish were removed, the proposed procedures would allow for restocking the ponds with trout. Trout are not considered a threat to endangered fish and could continue to be stocked anywhere in the upper Colorado River Basin.

First drafted in early 1994, the stocking procedures are aimed at resolving conflicts between the stocking of non-native fish and recovery of native, now-endangered, Colorado squawfish, razorback suckers, humpback chubs and bonytail chubs. Two previous versions of the stocking procedures were sent to angler groups, environmental organizations, aquaculture

representatives and other interested individuals.

Contact: Connie Young, U.S. Fish and Wildlife Service, Box 25486, Denver Federal Center, Denver, CO 80225, (303) 236-2985, ext. 227

Cooperative Salmon Management

The governors of Washington and Oregon on September 15 joined Indian tribal leaders, environmental groups, and timber and fishing representatives to launch a new group to improve habitat for Northwest salmon.

The group, "For the Sake of the Salmon," will encourage local efforts in OR and WA to restore spawning streams and watersheds, offer technical advice, and help overcome bureaucratic barriers, according to Executive Director Bill Bradbury. The organization, which was started with a \$125,000 grant from the National Marine Fisheries Service, will also develop incentives for private landowners to protect watersheds, design a system to measure the effectiveness of recovery efforts, and teach the public about restoring salmon runs.



"chinook salmon"

Washington Gov. Mike Lowry (D) and Oregon Gov. John Kitzhaber (D) signed the group's charter and stressed that salmon have economic and cultural importance to the region. Northwest Indian Fisheries Commission's Billy Frank, who signed the charter, said the group provides practical ways to help restore the salmon and a forum for people to talk out their differences.

In the meantime, Congress may create a new northwest regional

fish and wildlife agency to oversee restoration of endangered salmon and other species that cross state lines. According to Idaho Sen. Larry Craig (R) no specific legislation has been drawn up, but plans are being considered.

The regional agency might replace or be modeled after the Northwest Power Planning Council (NPPC), with two representatives from each state overseeing species recovery projects. Craig said that current NPPC plans to save salmon are "too strident and would do economic harm to the region." He plans to cap spending on endangered salmon at about \$300 million.

But Charles Ray of Idaho Rivers United, criticizes Craig's plan: "We've already got a regional body with state representation, and that's called the Northwest Power Planning Council. The reason it's been so ineffective is because people like Larry Craig have sabotaged everything they've done."

If a regional compact took over salmon restoration work, the National Marine Fisheries Service could continue to provide expertise and conduct studies, according to Craig.

Source: Greenwire Vol. 5, No. 66 and 97

Coded Wire Tags and Law Enforcement

A paper recently presented in Nashville, TN at the 49th Annual Conference of Fish & Wildlife Agencies described the use of coded wire tags in law enforcement.

The coded wire tagging system, currently being used for the MICRA paddlefish tagging project, was originally developed to mark small pacific salmon in a manner that minimizes effects on the fish while providing positive identification.

The tags, small enough to be used in tiny salmon fry, are etched with a binary code that can provide more than 250,000 unique identifications on a 1.0 mm tag. The tags, made from medical grade stainless steel, are specially treated to hold a magnetic charge which provides the means of locating or detecting it in the target organism.

Tests with various other species of fish, marine worms, crustaceans, turtles and other animals indicate that coded wire tags are suitable for permanently marking a wide range of organisms and tissues. The system, more than 20 years old, has resulted in hundreds of thousands of tag recoveries on the Pacific Coast alone. More than 40 million Pacific Coast salmon are tagged each year.

Law enforcement officials of the Washington Department of Fisheries (WDF), and the National Marine Fisheries Service (NMFS) began using coded wire tags as a law enforcement tool to mark salt water clams in 1988. WDF and NMFS officials used the tags as a means to determine if clams harvested in accordance with Indian Treaty rights (for tribal consumption) from sewage fouled beaches were being illegally sold for public consumption.

In that instance, clam diggers were known to be sacking and then stashing clams along the beach for later retrieval. After locating the stashes, WDF and NMFS officials covertly implanted coded wire tags into less than one hundred clams scattered among thousands of others that were sacked. The diggers were subsequently observed loading a pick-up truck and were followed to fish buying establishments in three Puget Sound area cities.

Following the issuance of warrants, searches for tags were conducted that required pouring thousands of pounds of clams through a 4-inch Tube Detector. When passing

through the detector (designed for salmon heads), a tag's magnetic charge triggers a "beep" and a flash from a red bulb. Since untagged clams are simultaneously passing through the tube, it is then necessary to pause to drop individual clams through the detector to isolate a tag. Other ferromagnetic particles can cause a positive signal so it is necessary to dissect the tags for positive identification.

Searches of three establishments resulted in recovering 20 tagged clams (a ratio of about one tag in every 3000 clams passed through the detector). The sacks containing the tagged clams were falsely labeled with certification that they were from a clean beach. This initial effort resulted in 27 convictions and the confiscation of tons of clams and a pick-up-truck. The technique continues to be used.

In New Mexico U.S. Fish and Wildlife Service special agents working in cooperation with the State suspected that live-trapped cougars, legally sold out-of-state, were being returned as illegal quarry in "canned" hunts (unknowing hunters were paying to kill captive animals). As a result, coded wire tags were sealed with epoxy in hollows beneath specific claws of the live "deported"

cougars. These tags could later be recovered in the field or in various stages of taxidermy without special equipment since their precise location was known.

In Alberta, Canada fish and wildlife officials use coded wire tags extensively for law enforcement. In a recent example, following the tagging of a walleye discovered in an illegal gillnet, the fish was traced to a restaurant. The owner was fined \$17,000 and made a public apology in a local newspaper. The fisherman was sentenced to 90 days in jail. Illicit traffic in bear claws, eagle feathers and bear galls has also been traced through the covert use of coded wire tags.

Contact: Frank Haw, Northwest Marine Technology, 2401 Bristol Court S.W., Olympia, WA 98502 (360) 754-4568.

International Recreational Fisheries Symposium

A Symposium on the social, economic and management aspects of recreational fisheries will be held in Dublin, Ireland on June 11-14, 1996.

The Symposium sponsored by the European Inland Fisheries and

Advisory Commission (EIFAC) will bring together international experts in the field of recreational fisheries to exchange information among countries with a view to:

- Identifying factors which influence, enhance and inhibit the present use and future development of recreational fisheries;
- Developing strategic guidelines for the effective management of recreational fisheries; and
- Formulating a code of good practice for fishermen taking part in recreational fishing.

The Symposium will examine all aspects of recreational fishing in inland waters. In accordance with the following themes:

- Current status and trends in recreational fisheries;
- Interactions between recreational fisheries and other sectors;
- Criteria for the management of recreational fisheries;
- Socio-economic aspects of recreational fisheries;
- Priorities for research and development including education and training; and
- The future of recreational fisheries over the next decade.

Contact: Dr Phil Hickley, National Rivers Authority, 550 Streetsbrook Road, Solihull B91 1QT, United Kingdom, Tel: 0121 711 5813 or FAX 0121 711 5824.

Meetings of Interest

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 '96: 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

November 5-9: 31st Annual Conference & Symposia of the American Water Resources

Association, Wyndham Greenspoint Hotel, Houston, TX. Contact: John S. Grounds III, Halff Assoc., Inc., 3701 Kirby, Suite 1290, Houston, TX 77098, (713) 523-7161 or FAX (713) 523-4373.

November 14-16: 11th Annual Midwest Environmental Roundtable, Lake Geneva, WI. "Achieving Environmental Goals Through Partnerships," organized by the Bureau of Land Management, U.S. Fish & Wildlife Service and USEPA. Contact: Bill Franz, (312) 886-7500.

November 27-30: Zebra Mussel Workshop '95, New Orleans, LA, sponsored by the Corps of

Engineers and a host of other agencies. Contact: Larry Sanders, (601) 634-2976.

December 4-6: 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.

December 5-6: Louisiana Coastal Hypoxia Management Conference, Radisson Hotel, Kenner, LA.

February 23-26: 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).

March 5-7: Sixth International Zebra Mussel and Other Aquatic Nuisance Species Conference, Dearborn, MI, hosted by Michigan Sea Grant, (800) 868-8776.

June 11-14: Symposium on Social, Economic and Management Aspects of Recreational Fisheries, Dublin, Ireland. Contact: Dr Phil Hickley, National Rivers Authority, 550 Streetsbrook Road, Solihull B91 1QT, United Kingdom, Tel: 0121 711 5813 or FAX 0121 711 5824.

Congressional Action Pertinent to the Mississippi River Basin

Agriculture

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.**

S. 935 (Sarbanes, D/MD) amends the Food Security Act of 1985 to establish a program to promote development of riparian forest buffers in conservation priority areas.

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

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.

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.

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

S.1152 Conrad Burns (R/MT) amends the **Endangered Species Act of 1973 with common sense amendments** to strengthen the act, enhance wildlife conservation and management, augment funding, and protect fishing, hunting, and trapping.

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.

H.R. 2160 (James Saxton (R/NJ)) entitled "**Cooperative Fisheries Management Act of 1995.**" Reauthorizes the Interjurisdictional Fisheries Act.

H.R. 2217 Pete Geren (D/TX) entitled the "**Common Sense Amendments for An Endangered Species 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 (Cremeans, 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.

Government Affairs

S. 169 (Grassley, R/IA) curbs the practice of imposing unfunded

federal mandates on states and local governments.

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

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

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.

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

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.

S. 506 (Craig, R/ID) amends the Mining Law of 1872 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

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. 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.

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.

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.

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

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. 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.

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.

H.R. 1112 (Brewster, R/OK) and S. 978 (Nickles, R/OK) transfers the Tishomingo National Wildlife Refuge to the state of Oklahoma.

H.R. 1675 (Young, R/Ak) improves management and establishes purposes of the National Wildlife Refuge System.

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.

S. 605 establishes a uniform system for protecting property rights and compensating landowners adversely affected by regulations.

H.R. 9 (Archer, R/TX) creates jobs, enhances wages, strengthens

private property rights and reduces the power of the federal government.

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.

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.

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. 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**.

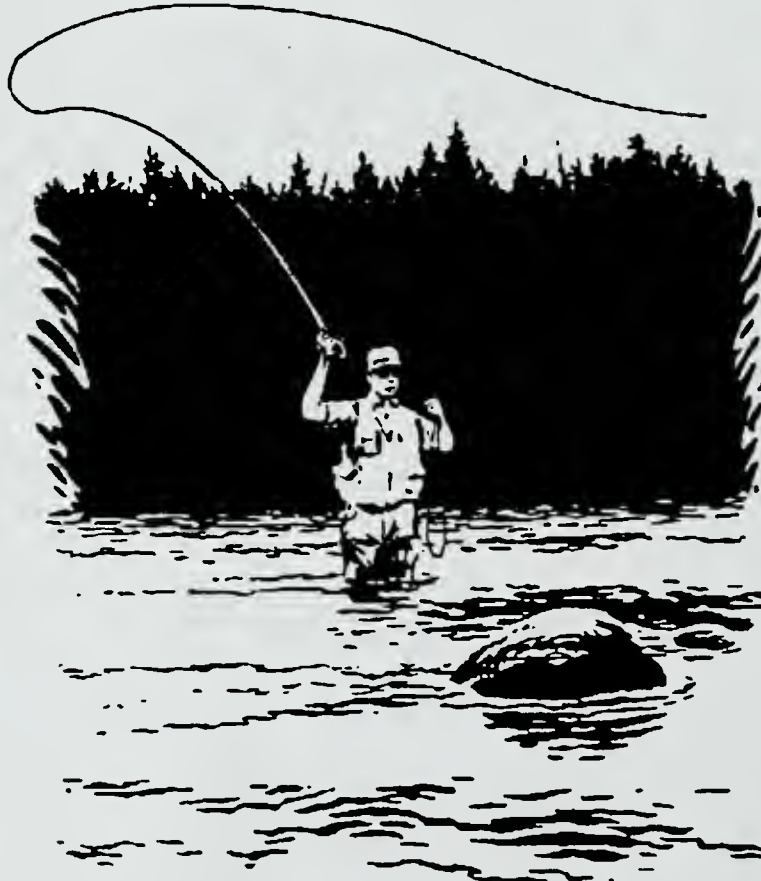
H.R. 1132 (Oberstar, D/MN) amends the **Clean Water Act** providing for improved non-point source pollution control.

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.

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; and NOAA Legislative Informer, September 1995, Issue #13



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