

River Crossings

Volume 5

March/April 1996

Number 2

Hearing Scheduled on MICRA Bill

Congressman Steve Gunderson (R/WI) has announced that a hearing has been scheduled on May 9th by the House Resource Committee on the "Mississippi Interstate Cooperative Resource Agreement Act of 1996" (H.R. 2939).

The Hearing is a major step forward in moving the bill to the



House floor. No funding is provided by the bill, so it is seen as non-partisan. The bill authorizes the Secretary of the Interior to use available funds to assist MICRA in carrying out a three year evaluation of its programs.

Persons interested in additional information about the bill should contact the MICRA office or Ms. Dana Wolfe, Representative Gunderson's Legislative Director at (202) 225-5506 in Washington, D.C.

States Bail Out of Flood Plan

Midwest state and federal agencies poised for widespread floodplain reclamation have bailed out of a precedent setting agreement. Seven Midwestern states (IA, IL, MO, KS, MN, NE and WI) had signed what amounted to a mini-treaty, a non-binding memo of agreement that flood protection would be maintained at then-existing levels,

but with no state taking undue advantage of another by raising dikes and levees at the expense of its neighbors.

The states had essentially agreed to restrict their flood-fighting efforts to the protection of vital public facilities, transportation corridors and human populations. Monies were to be available to encourage flood-prone landowners to sign permanent easements that would allow the Mississippi and Missouri rivers to spill into historic

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backwaters, thereby relieving some threats to cities and vital developments along river banks.

Conservation officials called it a "golden opportunity" to win back a healthier river system. Of secondary importance was to be the buying back of property that unwisely had been located in a floodplain, including buildings and crops. The states wanted to avoid resumption of traditional "levee wars" where one district after another strives to constrict and narrow the river to the detriment of those living on the other side or downstream. This was to be a new and enlightened era of river conservation, with the highest and broadest values leading toward a healthy and less-damaging river system.

However, something apparently was wrong with the agreement's language because landowners, Corps of Engineers officials, and various state officials interpreted it differently. The Illinois Department of Natural Resources (DNR), inundated with fears from river-based groups and citizens that flood-fighting efforts might be stymied by any of these restrictions, was the first to "bail out". Missouri quickly followed suit, and Iowa officials said they may be forced to do the same.

"We were left with no choice," said Ron Kucera of the Missouri DNR. "If Illinois was not going to uphold its end of the bargain on its side of the river, we could not very well do it on our side, leaving our own people without protection." Illinois' reversal came under pressure from river-based politicians and levee districts that feared the agreement tied the hands of property owners, and a smear campaign arose up and down the river.

"People felt they were going to be abandoned by the department in times of emergency," said Carol Knowles, the Illinois DNR's

spokesperson. "The language clearly led people to believe they would not be able to sandbag to protect their property. The DNR decided to cut its public relations losses and abandon even a non-binding, non-enforceable objective. According to Knowles, Illinois already has laws on the books that dictate requirements that levee districts must meet -- "Nothing has changed".

Nothing has changed indeed! When the next flood comes along floodplain dwellers will again expect taxpayers to bail them out of their losses. One thing is certain -- when you live on a floodplain, there will be a next time -- it's just matter of when not if! The 1993 flood cost taxpayer's between \$14 and \$16 billion to compensate floodplain dwellers for their losses. Some of

these same property owners were then again bailed out two years later after the 1995 flood. One has to ask one's self if this kind of continued investment in private floodplain property is in the best public interest.

Of course, the complaints and fears regarding the seven state agreement were voiced by the people living on the floodplain -- those faced with losing their taxpayer subsidy and having to go it alone after the next flood if the agreement held. Most of the rest of us didn't even know the debate was going on!

One such group who receives huge subsidies is the levee and drainage districts: "We're very pleased (with the withdrawal), but we're not very surprised," said John Robb, chair of the Upper

River Crossings

Published by

Mississippi Interstate Cooperative Resource Association
(MICRA)
P.O. Box 774
Bettendorf, IA 52722-0774

MICRA Chairman

Mike Conlin, Illinois Department of Conservation, Springfield

Executive Board

Mike Conlin, Member at Large

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Gary Edwards, U.S. Fish & Wildlife Service, Washington, D.C.

Chris Ungate, Tennessee Valley Authority, Knoxville, TN

MICRA Coordinator/Executive Secretary and Newsletter Editor

Jerry L. Rasmussen, U.S. Fish & Wildlife Service, Bettendorf, IA (319) 359-3029

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Mississippi Flood Control Association. Levee district officials, he said, thought IL Governor Jim Edgar would oppose the plan once he heard their concerns.

This action clears the air, Illinois Lt. Governor Bob Kustra said, "In times of crisis, Illinoisans deserve assurances that the state will do all it can to protect private property - just as we did so valiantly during the Great Flood of '93." "The agreement called that level of assurance into question."

"We're hopeful we can enter into negotiations with the state on navigatable rivers," Mr. Robb said. Levee districts and the state should work together to manage "the Midwest's coastline," he said.

Jack Riessen, Iowa's floodplain management expert, said Illinois may be asked to redraw a more palatable version of the agreement -- "even though I'm not sure it will make any difference." Riessen conceded that many mis-interpretations have arisen. "This agreement was not meant as a great show of force," he said. "It was more to preserve the existing level of protection, so that one side of the river wouldn't do something that would harm the other."

So the beat seems to go on -- did we learn anything from the 1993 flood? One could argue that we did in that we have seen buyouts of some flood prone property, and some lands have been placed in greenspace and floodways to provide for flood conveyance and storage space. However, for the most part, based on the failure of this non-binding agreement to hold, and the fact that vast reaches of river have been releveed at public expense, it would seem that most people have forgotten about the flood, and "humpty dumpty" will once again be perched on his levee waiting for the river to knock him

off when the next flood comes along. What will it cost us next time?

Sources: Chicago Tribune by line article by John Husar (2/29/96) and Rock Island Argus by line article by Katie Schallert (2/22/96).

Missouri Seeks to Regulate Flood Plains

Farmers who want to build higher levees along Missouri's big rivers are opposing an attempt to impose minimal state regulations on construction in floodprone areas. A bill in Missouri's House creating an office of floodplain management in the State Emergency Management Agency (SEMA) is the first step in complying with new federal disaster laws.

"This is a new direction," Rep. Gary Wiggins, (D/New Cambria), said. "It is imperative that the state of Missouri start managing its flood plains." But Paul LePage of Jefferson City, president of the Association of Levee and Drainage Districts, said flood plains are already regulated by several agencies, including the U.S. Army Corps of Engineers. "Anything to be done on the flood plain or along the river should be done by the Corps," LePage said.

The Corps pays 80% of the cost of repairing levees damaged in floods. LePage said the coffers of

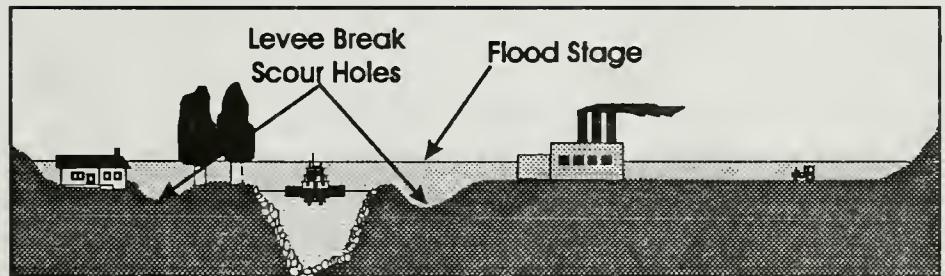
levee districts are depleted after paying their share for repairs after the 1993 and 1995 floods, "but if we could raise the money to raise levees on the" upstream ends, "they should be built higher than the river ever was."

No MO state agency now watches over local implementation of federal flood laws. Unless Wiggins' bill passes, SEMA director Jerry Uhlmann said, Missouri could be penalized by reduced federal aid during future floods. "We are the only state in the Midwest with nothing in legislation as far as floodplain management," Uhlmann said. "The rules have changed, and I think we need to address these issues."

Wiggins' bill would take the following steps to assert state power over flood control:

- Bar the use of state money to construct public buildings in flood prone areas;
- Require real estate appraisers and salespeople to disclose whether a building is in an area likely to flood;
- Create a statewide mapping system to identify levees and how high water must rise before water washes over;
- Require that levee districts get state approval before constructing or modifying a levee.

Still, Uhlmann said, levee districts will be free to add to their levees so that most small floods would not be a threat. "We're not



Levees increase flood heights and cause catastrophic damages when they fail (higher levees = greater potential disaster). Taxpayers pay the tab for the levees, the flood fighting, and the damages.

taking such a bold stand that we are going to redo floodplain management."

Source: Columbia Daily Tribune
2/7/96

Willamette River Restoration

The Willamette River in Oregon was once a complicated braid of side channels, wetlands and sloughs that flooded regularly, spilling nutrient-rich silt on the valley floor. The side channels and wetlands provided valuable habitat for salmon, ducks and other fish and wildlife.

River Network would like to buy land back from willing sellers to restore some of these historic wetlands that diffused and absorbed Willamette Valley floodwaters. The mainstem channel between Eugene and Albany once included about 190 miles of waterway. As side channels and wetlands were diked and drained for farmland and urban development, the waterway was reduced to 100 miles. About 40% of the Willamette Valley's wetlands have been lost.

"We've got to give the river back to itself to some extent, give it room to roam," Phil Wallin, Director of River Network said. "We've got to bring back the wetlands and the woodlands to smooth out the peak of the flood when it does come."

According to a recent River Network study, if 50,000 acres of wetlands were restored throughout the Basin, it could slow the peak of a major flood by as much as six hours and reduce the river's flow by 18%. Wetlands restoration wouldn't stop a major flood, but it would prevent smaller ones and take some of the punch out of the big ones, the study said. The study was done by Portland engineer Kevin Coulton and Philip Williams Associates, a San Francisco consulting firm. It took two years to complete and was based on U.S. Army, Corps of Engineers' data.

Applied to the Flood of 1996, wetlands restoration could have reduced flood crests by 1.9 ft. The Corps of Engineers estimates that every foot taken off a flood in an urban area reduces damages by \$50 million.

Restoring wetlands is cheaper as well as less damaging to the environment than dams. In the 1960's, the Corps of Engineers bought \$8 million worth of wetlands conservation easements along the Charles River in Massachusetts and achieved the same amount of flood protection as building a \$100 million dam.

Some farmers in the Willamette River Valley are interested in River Network's proposal, however, others are very skeptical. "By and large there's been an adversarial

feeling, but I think there's been a swing on both sides", said Larry Lyons, a local farmer.

River Network bought several thousand acres from farmers along the Missouri River in the Midwest after flooding in 1993 and sold it to the government for a wildlife refuge. Wallin figures it could take 10 years to achieve the wetlands restoration he envisions in the Willamette Valley through a combination of private fund raising and government financing. "There is land that...was taken from the river. Maybe the best and highest use is to let it go back to the river", Wallin said. "But you don't want to use a bulldozer...to force a situation. You want to use a handshake."

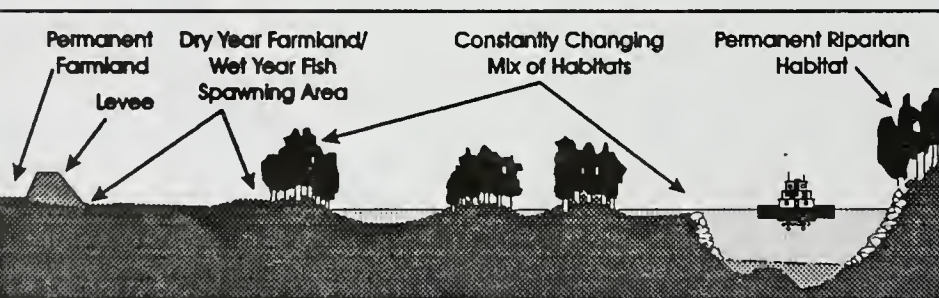
Source: Columbian, Vancouver, WA, 3/14/96.

Floods May Help Salmon

"The floods of '96, destructive as they were, may turn out to be one of the best things that has happened for wild salmon and steelhead in a long time," reports the *Portland Oregonian*. The Northwest's floods may bring "short-term disaster" as salmon-spawning streams, especially those near heavily logged areas, were alternatively scoured by rushing water and uprooted vegetation and "smothered" by mudslides.

But the floods may result in long-term benefits of healthier watersheds, says Doug DeHart, Oregon's fisheries chief. Deposits of wood, rock and mud will eventually make streams more complex by creating a variety of habitat in which fish can spawn and mature. "But that will be true only if people resist the temptation to clean up all of the mess."

Oregon Governor John Kitzhaber (D) urged citizens to check with



Floodplains managed to maintain natural features and provide for dry year farming or production of alternate crops between setback levees also increase flood protection and reduce taxpayer costs.

the state before cleaning up streams: "As we clean up ... I'd like for everyone to be aware of a tremendous opportunity to actually help our fisheries and make a difference to the future of our salmon".

Source: Greenwire Vol. 5, No. 196

Grand Canyon Flooding

On April 23 Interior Secretary Bruce Babbitt opened up the gates at the Colorado River's Glen Canyon Dam in an attempt to try to recreate the spring flood that used to sweep through the Grand Canyon each year. It was the first time the government has ever opened the floodgates of one of its dams to repair some of the damage done to river canyons that have been denied their natural flow for many years.

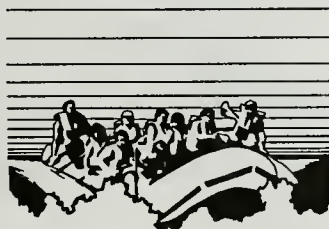
The week-long flood, "nearly 15 years and \$60 million in the planning," will send more than 117 billion gallons of water through the canyon, raising the river by 12 ft. in places. Scientists hope the flood will rebuild beaches and restore "slack backwaters that are the biological heart of the canyon."

Babbitt said the flood represents "a new beginning in river management. We are at last coming to grips with the American landscape." Dave Wegner of the Bureau of Reclamation said the flood is "a major test of whether man can do something right with dams rather than always doing something wrong with dams".

Some 200 researchers were scattered along 290 miles of the river to see how well sand and nutrients -- needed to nourish plant and animal life -- move to replenish the Grand Canyon's eroded beaches and sandbars. The dam reduced annual sediment flow to 10% of the 65 million tons that used to move

downstream. With fewer floods, backwaters became cold and stagnant, destroying spawning areas of native fish.

The \$4.5 million flood, which could be repeated every decade, "is designed to agitate the sediment" at the river's bottom and help endangered fish like the humpback chub recover. But some fear that the floods could undermine some of what they perceive to be positive changes that have taken place over the last 30 years. Non-native tamarisk trees now line the river's banks, providing habitat for the endangered southwestern willow flycatcher, which in turn draw peregrine falcons that may eventually move off the endangered species list. Within three months, scientists will know whether the birds have found new places to settle along the river. A final study on the flood's effects is due in December.



Some doubt the flood will be big enough to rebuild beaches and habitat. At 45,000 cubic feet per second (cfs) the flood "would hardly have raised eyebrows" before the dam was erected in 1963. The river's normal spring flow then was about 120,000 cfs, while floods reached 300,000 cfs. "This is a pretty wimpy flood," Utah State University's Jack Schmidt said. "Other wildlife biologists worried that a bigger flood would wash away too many vulnerable species.

The "biggest critics" of the experiment are river guides who fear that Glen Canyon's renowned non-native trout fishery is "being sacrificed". Nine tribes are also worried that rising water could

damage 470 cultural and religious sites along the river".

Source: Greenwire Vol. 5, No. 221

Wetlands Hold Promise for Raising Endangered Fish

Biologists involved in the recovery of endangered Colorado River fish collected twenty-eight 4 to 5 month old endangered razorback suckers in a Utah wetland last fall -- more than researchers have found in any previous study. The scientists presented their findings at an annual "Upper Colorado River Basin Researchers Meeting," held near Page, AZ, in January.

Although old adult razorbacks exist in the Green River, the discovery of these young fish in a wetland on the Ouray National Wildlife Refuge has proved that razorbacks can survive beyond the critical stage in the wild. "Most fish die during the first few months of life," said U.S. Fish and Wildlife Service biologist Tim Modde. "If they get past that stage, they have a much better probability of survival."

The last time biologists found wild razorbacks of that age was in 1965, when eight were collected after Flaming Gorge Dam had been completed. Construction of dams and subsequent introductions of non-native species are the primary reasons these fish now are endangered. "This new finding doesn't mean recovery is at hand, but it has taken a major step forward," Modde said. It also demonstrates the need to make similar wetlands available to other young endangered fish, he explained.

Today an estimated 500 adult razorbacks live in the river basin. Native to the Green, Colorado, Gunnison, Yampa and White rivers, razorback suckers began to disappear once Flaming Gorge and other dams were built. Along the

Green River, construction of the Flaming Gorge Dam harnessed the river's seasonal flows. Spring and early summer wetlands that once served as the razorback's rearing and feeding grounds vanished. In addition, introductions of non-native fish such as carp, northern pike, fathead minnows and red shiners increased the number of razorback predators.

Biologists with the Recovery Program are trying to improve endangered fish habitat by allowing the basin's rivers to flood by increasing flows from the dams and by creating openings in downstream dikes, levees and diversions to re-establish the seasonal wetlands that once enabled razorbacks to flourish. "We're fairly optimistic that we'll be able to restore a sufficient amount of habitat to recover the species," said Pat Nelson, who coordinates the flood plain restoration work for the Recovery Program.

This approach also could inadvertently improve conditions for many other wildlife species. John Hamill, who directs the multi-agency Recovery Program agrees, "These areas are rich and productive, and to the extent that we can restore them for endangered fish, many other species will benefit." While the river basin encompasses 871 river miles, Recovery Program officials are not trying to reclaim all natural wetlands that once existed. A survey of the Green and Colorado river drainages identified 135 sites in the Green River drainage and 158 throughout the Colorado River drainage that possibly could

provide good habitat.

Similar floodplain wetland restorations would likely benefit many of the Mississippi River Basin's large floodplain rivers. Many of our endangered floodplain fishes adapted to periodic floodplain inundations by developing or evolving reproductive strategies that took advantage of seasonal and ephemeral wetlands that were created and destroyed by seasonal and periodic flood events. By locking our rivers into a "straight jacket" of levees and revetments, we have destroyed

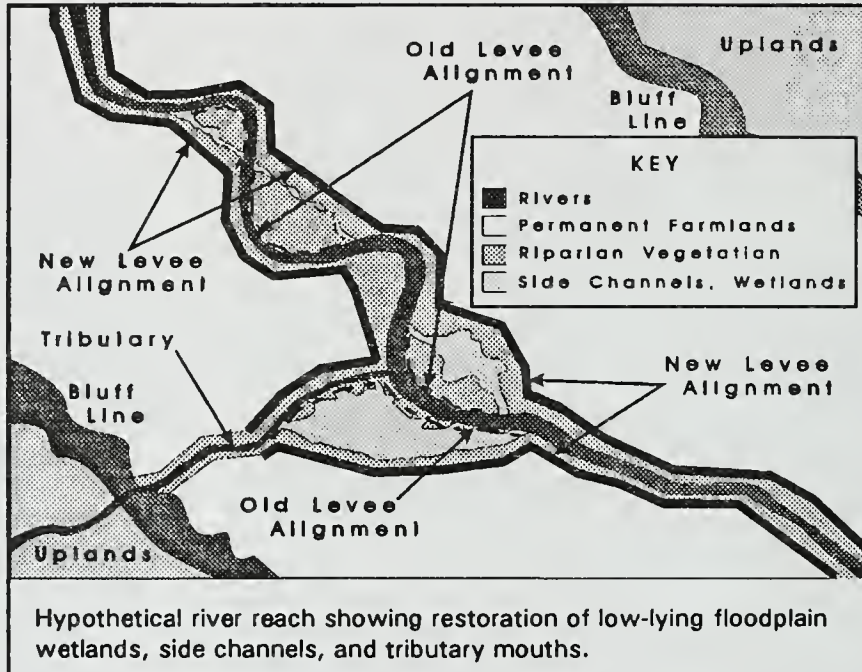
Colorado River Floodplain Habitat Restoration Program

The Colorado River Floodplain Habitat Restoration Program is an adaptive management program with adjustments made annually based on previous results. Program participants present preliminary results each November, with Work Group members given the opportunity to provide input and recommendations regarding the following year's Program scope and direction.

The Program's goal is "to restore or enhance natural floodplain functions that support recovery of endangered fishes in the upper Colorado River basin." The Program is focusing initially on razorback suckers, based on the assumption that razorbacks require floodplain habitats to complete their life cycle. Bonytail and Colorado squawfish will be addressed after positive responses in razorback populations have been achieved.

Based on the assumption of inadequate recruitment, the Program will restore habitat function for larvae and juveniles, but habitat restoration is expected also to benefit razorback adults and spawning.

The Green River is highest priority, where the last riverine population of razorbacks exist. As floodplain habitats are restored along the Green River, monitoring will follow, to evaluate results. While monitoring/evaluation is conducted along the Green, restoration efforts will be directed toward the Colorado and



most of the off-channel habitats and eliminated the reproductive strategy of many of our native floodplain river fishes.

Acquisition of low lying areas as part of an overall flood protection strategy would create space for conveyance and storage of flood waters, as well as allow for development of the floodplain wetlands needed by many of our threatened and endangered fishes.

Contact: Connie Young, (303) 236-2985, ext. 227

Gunnison Rivers, to prepare those areas for razorback reintroductions.

The most floodable sites will be targeted. Although there are numerous terraces that are relatively floodable, ways to enhance floodability of these sites are limited. Floodability of depressions, however, can be easily enhanced by breaching a portion of the (natural or man-made) levee. Therefore, the Program will target restoration of floodplain depressions.

In each case the following items are addressed:

- Land Ownership - For each candidate restoration site, the landowner (Federal, Tribal, State, or private) is contacted for permission to restore the habitat.
- Contaminants Screening - Each candidate restoration site is screened for contaminants. Federal mandates require that contaminants surveys be conducted on properties in which the government wishes to acquire an interest. Also, the Program does not wish to restore habitats that cannot sustain endangered fishes.
- Floodability Assessments - Candidate restoration sites that can be made to fall within the 1, 2, 5, and 10-year floodplain (via excavation or levee removal) will be higher priority than less floodable sites.
- Environmental Compliance - 404 Permits, Section 7, EA, Utah Stream Alteration Permits, cultural archeological resources clearances, NEPA Categorical Exclusion Checklists, MOW's, etc., are necessary prior to site restoration.

Once pre-restoration activities have been completed, excavation and/or construction to reconnect floodplain habitat to the main channel gets underway. After sites have been restored, evaluation of results provide information to complete the feedback loop for adaptive

management:

- Site-specific evaluations look at a small area (i.e., the site and its immediate surroundings) to see if it is being used by endangered fishes;
- Reach-specific evaluations look at effects of restoration on a section of river that includes several sites (e.g., Levee Removal Strategy evaluation);
- Basin-wide evaluation monitors and evaluates effects of restoration activities on status/ trends in species abundance and ecosystem parameters.

Sites will continue to be restored until:

- It is demonstrated that endangered fish populations are responding positively, and that self-sustaining populations are achievable; or
- It becomes obvious that endangered species are not responding positively, likely because of nonnative fishes.

In the case of the Green River, restoration of 10 to 20 sites (1996-1997) between Dinosaur National Monument and Sand Wash may be adequate to elicit a population response. In the Gunnison and Colorado Rivers, an initial 5 to 10 sites will be restored, in conjunction with razorback reintroductions (1997-1998). Easements will be needed for privately-owned sites.

Contact: Connie Young (303) 236-2985, ext. 227

Logging Practices and Flooding

"The effects of past logging practices on mountain streams are far more extensive and enduring than previously believed, federal researchers have declared in a study that reviews" some four decades of data from Oregon's Willamette National Forest.

Gordon Grant, a U.S. Forest Service (USFS) hydrologist, and

Julia Jones of Oregon State University determined that clearcutting and road-building increased peak flows in streams by 20-50%, "a finding that establishes a long-disputed link between logging and swollen streams." The effects diminished but were still apparent 25 years after clearcutting, according to the study, which will be published in the April issue of American Geophysical Union's Water Resources Research. "We are noting there are long-term legacies from past practices that continue into the future," Grant said.

"Perhaps the most significant finding of the research is the apparent synergy between logging roads and clearcutting": The roads "rapidly inject flows of rain and snowmelt running off clear-cuts into streams." Because of insufficient past records, the study doesn't speak to major events like the floods of February 1996.

If the study -- which comes out of "two of the nation's most prestigious centers of forestry research" -- is widely accepted, it could bolster USFS efforts to obliterate old logging roads and discourage clearcutting. But the timber industry and the Oregon Department of Forestry dispute the findings. Weyerhaeuser's Kate Sullivan said the study's conclusions "far overreach the data that is presented".

Source: Greenwire Vol. 5, No. 209

Allegany Logging Plan Dropped

"In a move that further bolstered his standing with environmental groups," New York Governor George Pataki (R) on February 11th killed a state plan that for the first time would have allowed commercial logging in the 67,000 acre Allegany State Park.

Describing the park as "a unique asset," Pataki outlined a revised plan that would halt all logging until a 10-year study of the park's ecology is completed. Pataki said "This continuous stretch of mature forest is irreplaceable and must be protected."

Enviros had collected 100,000 signatures petitioning against the original plan, and several groups were prepared to take the state to court to stop the logging proposal. Some environmental leaders said the shift in plans was the latest example of a sharp change in course in the Pataki administration's environmental policies.

Richard Brodsky, chairman of the state Assembly's Environmental Conservation Committee, remained wary of Pataki's about-face, saying the announcement did not specify whether the ban on commercial logging included the state's own sale of timber it might extract from the park. And he said Pataki did not mention where he stood on plans to develop oil and mineral resources beneath the park, the rights to which remain in private hands.

Source: Greenwire Vol. 5, No. 190

Clear Cutting in Tennessee

Calling the Tennessee Division of Forestry "a pawn of the paper and pulp industry rather than a good steward of public lands," Jackson, Tennessee-based Citizens for Common Sense on March 21st displayed photographs of clear-cuts and streams muddied by erosion in state forests. The group condemned clear-cutting of state forests, called for selective timber harvests and said the forest division should be moved out of the Department of Agriculture to the Department of Environment and Conservation.

The citizen group also revealed a November 1995 letter from TN Agriculture Commissioner Dan Wheeler to TN Governor Don Sundquist (R) as evidence that the forestry division supports clear-cutting. In the letter, Wheeler wrote: "The state forest system is well-disposed to demonstrate this important management practice even though the technique may be 'aesthetically' displeasing."

After hearing the latest charges, Wheeler denied the pulp industry dictates TN forest management policy and said he felt the Department was "extremely careful in the way we've managed the state forest system".

Source: Greenwire Vol. 5, No. 220

Pennsylvania Wetlands Policy May Cause Flooding

Six weeks after Pennsylvania suffered through its worst flooding in 20 years, the state Department of Environmental Protection (DEP) is set to implement a new wetland policy "that scientists say will increase the likelihood of similar deluges."

Starting on March 4, the state allowed individuals owning land in subdivisions approved prior to 1991 to fill in small (< 1/2 acre) wetlands without extensive environmental evaluations or without providing replacements. The agency will also exempt farmland that was converted from wetlands prior to December 1985.

To make up for wetland losses, the DEP has established a fund to create replacement wetlands. The DEP will charge a fee ranging from \$500 to \$7,500 and use it towards a wetland replacement fund. Landowners will not be allowed to fill more than 40% of their individual lots.

Ken Reisinger of DEP's wetlands

division said the rule is not for developers because it only affects individuals building their own house and driveway. Developers stuck with "useless" land will be able to sell off lots to individual owners who are willing to pay the fee and fill wetlands, but Reisinger says "the permit requires them to avoid wetlands when they can".

Peter Kostmayer of PA Citizens' Alliance argued that the new rules would lead to a massive development and net loss of wetlands. Kostmayer a former US EPA regional administrator and other enviros asked DEP to release documents detailing how it arrived at the new policies, since a large amount of public comment opposed the changes. They also asked for copies of analyses of how much wetlands would be lost under the policies. DEP Secretary James Seif said that some documents were readily available, but that the cumulative impact of the new policies was "unknowable at the moment."

Source: Greenwire Vol. 5, No. 183 and 187

Freshwater Ecosystems in Danger

Many of the dams, irrigation and flood-control systems built in the 20th century to regulate freshwater ecosystems will come to be regretted, according to a new study by Janet Abramavitz of the Washington, DC-based Worldwatch Institute.

The study asserts that the billions of dollars spent on such projects have succeeded in increasing the frequency and severity of floods on many rivers like the Rhine and Mississippi. Flood-control projects also tend to gloss over the need to maintain water quantity and quality.

Fisheries located in these freshwater ecosystems are under threat from pollution and water

diversions, creating high extinction rates. Currently, some 20% of the world's known freshwater fish species are extinct or imperiled; in North America and Europe, that figure is closer to 40%. In addition, many vital wetlands areas -- which serve as fisheries and naturally purify water -- have also been converted to other uses, the report said.

"The lessons learned from mistakes" on similar rivers are being ignored by developers of similar projects, such as the Three Gorges Dam in China, the Hidrovia plan in South America and the Mekong River Project in SE Asia, the report said.

Worldwatch recommends that governments admit that many "glamorous" development projects actually reduce economic benefits in the long run. Governments should also take an ecosystem-based approach to managing freshwater areas, and consider the idea of restoring a rivers' natural flows. For example, removing two dams on the Elwha River in WA would cost \$100 million, but would yield \$3 billion to \$6 billion annually from fishing, recreation and other uses.

Source: Greenwire Vol. 5, No. 220

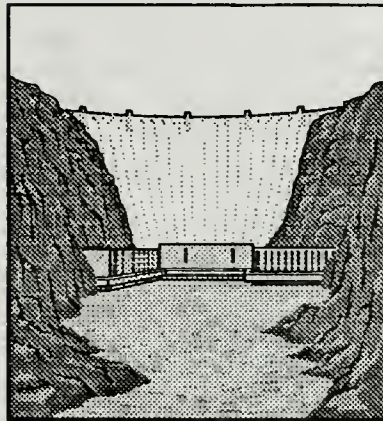
Elwha Dam Removal Faces Fight

"The single most effective step to restore depleted Northwest salmon runs is to tear down two dams" on the Elwha River in Washington state, Interior Secretary Bruce Babbitt said. His remarks were made in a March 20th interview to promote the Clinton Administration's plan to spend \$111 million to remove the dams and restore the river.

"As a realistic matter, we cannot expect Congress to give us \$111 million this year. What we would like is to get a clear statement of

purpose from the Congress against which we can accumulate the money over the next three years", Babbitt said. But the Administration plan, which is included in President Clinton's FY97 budget request, "is likely to have a rough run through Congress". Sen. Slade Gorton (R/WA), who chairs the Senate Appropriations Interior Subcommittee, has indicated he supports a cheaper plan to buy the aging dams and install fish-passage systems.

Gorton said the Administration's idea would not result in broad, regional salmon recovery and would consume more than a fifth of total salmon-recovery funds. Farming, power and transportation



interests view dam removal with "suspicion". But Sen. Patty Murray (D/WA), who backs the Administration plan, "said the government will be faced with millions of dollars more in litigation costs from Native American tribes if it doesn't act now" to restore the Elwha.

Greenwire Vol. 5, No. 218

Destroy Dam or Build Ladders

The PacifiCorp utility must either spend \$26 million to equip its hydroelectric Condit Dam on Washington's White Salmon River with fish ladders or demolish it to make salmon passage feasible,

the Federal Energy Regulatory Commission (FERC) said. FERC's ruling came in a draft environmental impact statement prepared as part of PacifiCorp's application to relicense the dam, which is among the first dams in the Northwest to go through that process.

FERC agreed with enviros that dam removal "holds the most promise" for restoring salmon and steelhead in the river, which has been as designated wild and scenic. FERC stopped short of ordering the dam removed, however, saying it would be too expensive, and instead offered the fish ladder as an alternative.

PacifiCorp's Terry Flores questioned the proposal, saying the ladders would cost "at least" \$30 million and would make the dam unprofitable. Company officials plan to ask FERC to consider alternatives, such as trucking the fish around the dam. But Katherine Ransel, a lawyer for American Rivers in Seattle, disagreed with the FERC that high cost and silt buildup preclude removal of the dam, saying the demolition would cost \$10 million. "If we can't do it here, where can we do it?", Ransel said.

Source: Greenwire Vol. 5, No. 188

Platte River Pact Reached

Nebraska Governor Ben Nelson (D) on March 15th announced a tentative compromise on setting aside Platte River flows for fish and wildlife habitat. Nelson called the deal a "win-win" solution that would avoid a costly legal battle while retaining adequate flows for wildlife. The pact stems from a 1993 request by the state Game and Parks Commission for reserving unappropriated flows from the Platte that angered irrigators and utilities.

The pact, reached by negotiators

from the Parks Commission and 31 irrigator groups and utilities, calls for about a 40% reduction in the flows requested by the Parks Commission, but grants assurances that alternatives in protecting river and wet meadow habitat will be pursued. The pact also puts off, for at least three years, requests for flows to maintain wet meadows near the river.

Enviros, however, have "panned" the proposal. At a recent National Audubon Society's conference, NE Audubon Society's Dave Sands urged participants to write to the Parks Commission opposing the compromise. John Cavanaugh of the Platte River Whooping Crane Habitat Trust said the pact ignored evidence about the needs of fish and wildlife and was reached without enough input from enviros and Commission staff. Nelson acknowledged that wildlife groups might feel slighted, but said they were involved in initial negotiations.

Source: Greenwire Vol. 5, No. 217

Missouri Sues the Corps

The State of Missouri and a non-profit trade association, MO-ARK, filed suit on March 12th in federal district court in Kansas City to overturn the Corps of Engineers' (COE) 1996 Annual Operating Plan for the Missouri River reservoirs.

The plaintiffs oppose a provision in the plan that would shorten the navigation season by two weeks if the amount of water stored in the main stem reservoirs on July 1 dropped to 52 million acre feet (MAF) rather than the 41 MAF described in the Master Water Control Manual. They contend there would be both environmental and economic damage and that such a major change requires some kind of

environmental evaluation.

According to a COE news release, every plan since 1991 contained a similar provision. The navigation season was shortened by four weeks in 1990 and five weeks in both 1991 and 1992 when storage levels were greater than 41 MAF. "The Corps' Missouri River Division has broad flexibility to manage the releases from the dams and this adjustment is well within our authority," said Bob Mahoney, Chief Counsel.

During the six years of drought over most of the Missouri River basin in the late 1980s and early 1990s, the Reservoir Control Center (RCC) staff refined their knowledge of the river. The current Master Manual does not provide for high enough flows in the winter during the dry times to avoid problems caused by river ice. Intakes for municipal drinking water and cooling water for powerplants along the river can be left high and dry. Also, it is necessary to release more water in the spring to encourage two shore birds protected by the Endangered Species Act to nest higher on the Rivers' islands and sandbars. The higher flows are needed to avoid being locked into a low release from mid-May to mid-August.

These two lessons demonstrate that it is necessary to institute water conservation measures earlier in a drought than originally envisioned so there is still water to meet the needs of all authorized purposes, but at reduced levels. The chances of the storage level on July 1 being 52 MAF are extraordinarily remote, according to Dave Wooster, acting chief of the RCC. Current storage is 60.3 MAF. With normal runoff this spring and early summer, the forecast for storage on July 1 is approximately 64 MAF. There is a 10% chance it could be as low as 60 MAF and a 10% chance it could be as high as 68 MAF. Even if runoff was

only half of normal, as in 1988, the July 1 storage would be greater than 52 MAF. No court date has been set.

Contact: US Army Corps of Engineers, Missouri River Division, Public Affairs Office, 12565 West Center Road, Omaha, Nebraska 68144-3869

Yellowstone Mine Update

The 9th U.S. Circuit Court of Appeals recently upheld a ruling which found Crown Butte Mines Inc. liable for Clean Water Act violations associated with some of its decades-old mine works at the Henderson Mountain site, despite the fact that the company never operated them. The site is close to Crown Butte's proposed New World Mine near Yellowstone National Park.



The decision supports an October 1995 lower court ruling that Crown Butte and its parent companies, Crown Butte Resources Ltd. and Noranda Minerals Corp., had a responsibility to clean up site wastes since they were located on their property. Civil penalties for the violations, to be determined in the upcoming trial, could run to \$135 million, the Sierra Club Legal Defense Fund said. The fine is based on daily charges of \$75,000 assessed against companies who fail to obtain Clean Water Act permits and specify a monitoring and cleanup program.

Wyoming state Sen. Hank Coe (R) has said he plans to sponsor

legislation to help control the effects of the proposed mine on Wyoming communities. One plan outlined under the mine's draft environmental impact statement calls for trucking mine tailings to a proposed storage site in Wyoming. Coe's bill would amend the state's Industrial Siting Act to apply to facilities located outside of Wyoming but that store waste in the state, a change which would require Crown Butte officials to develop a plan with local authorities to mitigate the mine's impact on area communities. Dennis Hemmer of the Wyoming Department of Environmental Quality said, "One of the issues throughout has been the fact that the mine is located in Montana but the impacts are in Wyoming".

In the meantime, the UN delegation's September 1995 visit to the mine site (reported in the Sept./Oct. issue of *"River Crossings"*) "has spurred outrage among some Westerners who accuse the international body of meddling in domestic policy." Department of the Interior Assistant Secretary George Frampton who invited the UN Environmental, Scientific and Cultural Organization's World Heritage Committee to evaluate the proposed site has been "blasted" by Sen. Alan Simpson (R/WY) and Rep. Barbara Cubin (R/WY).

After its visit, the UN committee declared Yellowstone "in danger" under a 1972 World Heritage Treaty signed by the U.S. Simpson called the visit "a terrible intrusion", while Cubin questioned whether Frampton wants "foreigners to determine our environmental requirements." "Doesn't he know that the United States has the strictest environmental regulations on the planet?", Cubin said. The UN Committee, however, has no legal authority over the site and can only list and de-list.

Source: Greenwire Vol. 5, No. 183, 189, and 206

Mississippi River Coliforms Reach High Levels

Concentrations of fecal coliform bacteria in much of the Mississippi River from Minneapolis-St. Paul to the Gulf of Mexico exceed federal limits set to protect swimmers and other river users, according to a new study by the U.S. Geological Survey (USGS). The USGS began the \$7 million, five-year study in 1987 by taking samples of river water from St. Louis to the Gulf, and expanded it in 1990 to test the river upstream to Minneapolis. The study is the largest ever done on Mississippi River water quality.

The USGS said that while the river looks cleaner than it did 20 years ago, it is still carrying dissolved contaminants and bacteria generated by municipal, agricultural, industrial and natural sources. While the bacteria from human and animal wastes survive briefly in river water, they are present at high levels in many areas due to poor sewage treatment, the study said.

In addition, the study found concentrations of PCBs in Lake Pepin sediments -- the widest part of the Upper Mississippi -- suggesting that the Twin Cities region has been the greatest PCB contributor on the upper river. USGS chief hydrologist Bob Hirsch said the study represents a "report card" for cleanup efforts on the river and all its tributaries. But he added that "because this is the first evaluation ever attempted on this scale, it's hard to talk about trends or what areas show improvement or failure."

Source: Greenwire Vol. 5, No. 221

Fish and Wildlife Service Launches Clean Waterways Campaign

As part of a major effort to clean up the Nation's waterways, the U.S. Fish and Wildlife Service (FWS) has announced a series of grants to state conservation agencies encouraging recreational boaters to bring boat sewage to shore. Under provisions of the Clean Vessel Act (CVA), the FWS is awarding \$9.4 million in grants to 33 states for projects nationwide to provide pumpout and dump stations for disposal of boat waste in an environmentally safe manner.



Last year, some 77 million boaters who owned more than 16 million boats plied U.S. waters according to the latest statistics gathered by the National Marine Manufacturers Association, a partner in this endeavor. When simply dumped overboard, boat sewage poses a serious threat to U.S. oceans, rivers, and lakes.

Bacteria found in boat sewage not only pollutes water but also contaminates shellfish and depletes the water's oxygen levels, causing stress to fish and other aquatic animals. A 1995 study of boat sewage on San Francisco Bay conducted by the California Regional Water Quality Control Board concluded that one person discharging raw sewage into the bay has the same effect as 10,000 or more people whose waste is processed through a sewage plant before discharge.

"Since the act was passed in 1992, pumpout facilities have increased from about 1,000 to 2,500," Robert Pacific, FWS CVA

Administrator, said. "The authors of this legislation recognized that boaters would use accessible and affordable pumpout facilities rather than dump boat sewage overboard." Pacific also said the FWS is working closely with boating and fishing groups to get the boating public involved in using pumpout stations. For example, the FWS and the American Sportfishing Association's Sportfishing Promotion Council have established a toll-free telephone number (1-800-ASK-FISH) that boaters anywhere in the country can call to find out the location of pumpout facilities.

Another partner, Boat/U.S. Clean Water Trust, has produced numerous educational materials as well as a sourcebook to help disseminate CVA information. The States Organization of Boating Access (SOBA), has sponsored CVA workshops for states. Pumpout manufacturers are directly participating in the program and have agreed to display the new internationally recognized pumpout logo on their equipment and to include educational information packages with that equipment. The FWS has produced a multi-media public service campaign designed to heighten awareness of the severity of the pollution problem and to urge boaters to bring sewage to shore. A video public service announcement produced in cooperation with the Marine Retailers Association of America will begin airing in late February, a radio PSA is in production, and print PSAs will appear in boating and fishing magazines this spring. Fact sheets, posters, stickers, and brochures all telling the story of the CVA are now available for public dissemination.

Federal partners include the U.S. Coast Guard, the National Oceanic and Atmospheric Administration, and the U.S. Environmental Protection Agency. Each agency helps the FWS review grant

requests and offers advice on the development of educational materials. Funding for the CVA comes from the Sport Fish Restoration Account of the Aquatic Resources Trust Fund, commonly known as the Wallop-Breaux Fund. Monies in that fund result from a 10% excise tax on fishing equipment and a 3% tax on electric trolling motors and sonar fish finders, a portion of the Federal fuels tax, and import duties on fishing tackle and pleasure boats. The CVA Pumpout Grant program makes matching grants available through a competitive process to all states, which match these funds at a ratio of 3:1 (Federal:state). To date, CVA grants total nearly \$30 million.

The projects selected for 1996 involve requests for construction of 938 pumpout stations and 470 dump stations in 33 states, aquatic education programs in 30 states, and miscellaneous projects such as upgrading waste management facilities to accept marine sewage as well as operation and maintenance of pumpout and dump stations.

The following Mississippi River Basin projects will be funded this year:

- Alabama (\$130,000): 24 pumpout stations, 6 dump stations and an education program.
- Arkansas (\$48,000): 4 pumpout stations and an education program.
- Colorado (\$50,000): 1 pumpout station and 1 dump station.
- Georgia (\$118,000): 3 pumpout stations, 5 dump stations and an education program.
- Illinois (\$57,000): 21 pumpout stations, 2 dump stations and an education program.
- Indiana (\$152,000): 22 pumpout stations and an education program.
- Kentucky (\$17,000): 2 pumpout stations and an education program.
- Louisiana (\$256,000): 26

- pumpout stations and an education program.
- Michigan (\$108,000): 50 dump stations and an education program.
- Minnesota (\$50,000): 10 pumpout stations, 10 dump stations and an education program.
- Mississippi (\$55,000): 10 pumpout stations and an education program.
- Missouri (\$32,000): 4 pumpout stations and an education program.
- New York (\$980,000): 178 pumpout stations and an education program.
- North Carolina (\$51,000): 15 pumpout stations and an education program.
- Oklahoma (\$29,000): 2 pumpout stations.
- Pennsylvania (\$33,000): 1 pumpout station and an education program.
- Tennessee (\$98,000): 90 pumpout stations, 48 dump stations and an education program.
- Virginia (\$814,000): 75 pumpout stations, 75 dump stations and an education program.
- Wisconsin (\$70,000): 10 pumpout stations and an education program.

Contact: U.S. Fish and Wildlife Service, Robert Pacific (703) 358-1845 or Patricia Fisher (202) 208-5634

Iowa/Missouri May Toughen Hog Laws

County supervisors in Iowa would be given "broad new authority" to determine where large hog confinements could be built under a bill approved on March 6th by the Iowa state Senate. The measure also would require smaller operators to contribute to a fund for cleaning up manure spills or other environmental damage caused by feedlots.

Critics of large hog farms say local control is essential for rural

residents to be able to protect their property values and comfort. But "opponents warned that the restrictiveness of the bill could spell the end of economically significant pork production in Iowa".

A separate measure passed by the Senate on March 4th would deny feeding-facility permits to chronic violators of environmental regulations. Both measures now go to the Iowa House, "where passage is doubtful". "Key lawmakers ... have made it clear" they want to allow livestock regulations, "which were enacted a year ago, a chance to work before approving significant changes".

The Missouri House Agriculture Committee on March 6th approved a resolution that would direct the state to stop issuing construction permits for large hog-raising operations until June 15th. The moratorium, which has been approved by the state Senate, will give lawmakers time to develop new, tighter regulations for the large hog farms, according to state Senate President Pro Tem James Mathewson (D), the bill's sponsor.

Source: Greenwire Vol. 5, No. 209

Lead Mining Company Fined for River Pollution

The Asarco lead mining company has agreed to pay \$1.7 million to Missouri for discharging "excessive" amounts of lead into a tributary of the Black River, marking the largest pollution penalty ever in a state suit. The penalty follows another one levied on January 5th, when Asarco agreed to pay a \$3.5 million fine to the US EPA for discharging pollutants from its Omaha lead refinery into the Missouri River.

Under the latest settlement, Asarco will pay the state \$1.7

million and build a new wastewater treatment plant for its mine on the West Fork of the Black River in Reynolds County, MO. Asarco claims the new plant will cost up to \$500,000. The \$1.7 million fine will go to the Reynolds school system.

Source: Greenwire Vol. 5, No. 190

Ohio Law to Increase Pollution

A coalition of enviro and outdoor sports groups on February 20th failed in an attempt to defeat a new Ohio rule that will allow increases in pollution discharges into most state waterways. Opponents of the so-called anti-degradation rule testified in a "marathon four-hour session" before the Joint Committee on Agency Rule Review, comprised of members of the Ohio House and Senate, but they still failed to win enough votes to overturn the rule.

Under the "complicated" new rule, industry and some 1,200 municipal waste-water treatment plants will be allowed to increase discharges and lower water quality in up to 96% of Ohio's 61,000 miles of waterways. Many increases will occur without public review and some without public comment. The rule is based on the assumption that rivers can absorb more pollution without endangering water quality. It must now be approved by the US EPA or rejected within three months before it becomes effective.

Opponents have filed a lawsuit in a Franklin County, OH court challenging the rule. A ruling is expected on the matter this summer.

Source: Greenwire Vol. 5, No. 198

Greenwashing

The "widespread use" of environmentally friendly names by groups "whose agendas have little to do with the welfare of the environment" is "industry's grudging tribute to the [popularity of the] environmental movement," reports the *New York Times*.

For example, "Washington insiders" several months ago created "*Northwesterners for More Fish*" (NMF) to assist big utilities and other companies under attack by enviros for depleting fish populations. According to a NMF memorandum given to the *New York Times* by enviros, NMF has a \$2.6 million budget for the next year to establish itself "as a credible group supporting solutions to enhancing fish populations." It hopes to limit federal efforts to protect endangered fish if those efforts might interfere with industries that rely on the river. The budget includes \$800,000 for television and radio advertisements and \$100,000 to identify and influence "supportive" members of the news media.

The memorandum says NMF's message must go beyond a "rational approach": "While the public can and should be swayed by having the facts on the issue, the message must also appeal at a gut, emotional level." One of NMF's organizers, Eddie Mahe, former deputy chairman of the Republican National Committee, referred calls to Seattle-area consultant Kay Gabriel, who said she was not free to say what companies were paying the bills for the group.

The Wilderness Society's Bennett Beach said groups like NMF are becoming increasingly common as industry sees more polls saying that many Americans think of themselves as enviros: "No one wants to dance with the devil, so they try to come up with a name

that's not too devilish".

Source: Greenwire Vol. 5, No. 219

Senate Passes Grazing Bill

The Senate recently voted 51-46 to approve a GOP-backed "major overhaul" of laws governing livestock grazing on the West's federally owned lands. The bill, sponsored by Sen. Pete Domenici (R/NM), gives ranchers greater control over federal rangeland by supplanting a 1995 Department of the Interior (DOI) rule that gave non-ranchers, such as enviros, more input into land-management decisions. The Bill would increase grazing fees by 37%, or about 50 cents, to \$1.85/ grazing unit month. It would also exempt individual grazing decisions from the National Environmental Policy Act and weaken regulations requiring ranchers to protect fragile streams.

Before approving the Domenici bill, the Senate rejected an alternative offered by Sen. Dale Bumpers (D/AR) that would have raised grazing fees from \$1.35 to \$2 -- still well below the costs charged for use of state-owned and private land in the West. The Bumpers bill would have imposed "massive" increases on ranchers raising at least 2,000 animals on federal land.

Western lawmakers had argued that small ranchers needed relief from the DOI policy, which they claim "threatens to drive them out of business". Critics contended that the Domenici bill will freeze the public out of decision-making and force federal agencies to disregard enviro considerations when making grazing decisions. Western GOPers say the bill is a way to protect the West's lifestyle and argue they have made concessions -- from placing more emphasis on enviro goals to allowing more public participation in rangeland decisions.

Ranchers had worked hard to "fend off accusations" that they are "just another special interest group trying to avoid" enviro regs and that grazing permits amount to corporate subsidies. Wyoming rancher Truman Julian said, "Basically, this bill is our livelihood." The debate showed the intense hostility among Republicans from ranching states to the Clinton Administration's land use policies, and the personal grudge they bear against Interior Secretary Bruce Babbitt. The measure has yet to be considered by the House. Senate Minority Leader Tom Daschle (D/SD) said the bill would likely be vetoed by President Clinton.

Greenwire Vol. 5, No. 215, 217 and 218

Ozone Depletion and Fish

Global warming, acid rain and ozone layer depletion are creating a deadly combination for fish and other life in lakes and streams, according to researchers from the University of Alberta. Carbon dissolved in water absorbs radiation from the sun, protecting aquatic plants and animals. But now global warming and acid rain are reducing the level of carbon dissolved in lakes and streams, potentially wiping out that layer of protection for resident species, the scientists say.

Over the past 20 years, the researchers took samples from several lakes in northwest Ontario. During that time, carbon levels in the lakes dropped by 15-20%, allowing ultraviolet radiation to penetrate 22% to 63% deeper. "In the lake with the highest acid levels, ultraviolet radiation penetration increased from one foot to more than nine feet." Temperatures rose 1.9 °F and rainfall fell by 25% during that period.

"Extra radiation could become one more stress that pushes a species

over the edge into extinction, [the researchers] said." Trout, for example, can get sunburned and become more prone to potentially fatal fungal infections. The scientists estimate that about 140,000 of the nearly 700,000 lakes in eastern Canada may have carbon concentrations "low enough for UV-B radiation penetration to be of concern".

The Earth's average surface temperature in 1995 was 52.36 °F, the second-warmest year on record, according to the U.S. National Weather Service (NWS). That figure conflicts with preliminary data issued earlier this year from Britain's University of East Anglia, which found 1995 surface temps were the hottest on record at 58.72 °F. The NWS said the University of East Anglia's numbers were based mostly on land measurements and did not include late December 1995 temperatures, which were very low.

Source: Greenwire Vol. 5, Nos. 193 and 198

Pallid Sturgeon Bibliography

An annotated bibliography on the pallid sturgeon *Scaphirhynchus albus* has recently been prepared by Walter Duffy, Charles Berry,



"Pallid Sturgeon"

and Kent Keenlyne through the South Dakota Cooperative Fish and Wildlife Research Unit, Brookings, SD.

Copies of the bibliography can be obtained from Mark Dryer or Sharon Schweigert at the U.S. Fish and Wildlife Service Office in Bismarck, ND, (701) 250-4419.

Another Sturgeon Genetics Evaluation

A University of Florida (Gainesville) sturgeon genetics study was released by the U.S. Fish and Wildlife Service on February 20th. This study was completed by Donald E. Campton, Angelica I. Garcia, Brian W. Bowen, and Frank A. Chapman of the Department of Fisheries and Aquatic Sciences. Its abstract follows:

"Pallid and shovelnose sturgeon of the Mississippi River drainage, and Alabama sturgeon of the Mobile River drainage, are currently classified as distinct species: *Scaphirhynchus albus*, *S. platyrhynchus*, and *S. sutthusi* respectively. However, the taxonomic and evolutionary distinction of these three species has recently been questioned. To investigate these evolutionary relationships further, we



"Shovelnose Sturgeon"

compared a 435 base pair sequence of the mitochondrial DNA (mtDNA) control region among 18 pallid, 20 shovelnose, and 3 Alabama sturgeon. The former two species were collected together from a region of natural sympatry in the upper Missouri River. Alabama sturgeon were obtained from a remnant population in the Alabama River. Sequence comparisons among the three species revealed nine mtDNA haplotypes distinguished by a total of 16 base substitutions (transitions) and one single base insertion/deletion. The maximum sequence divergence among those haplotypes ($p = 2.08\%$) and the observed nucleotide diversity for *Scaphirhynchus* ($\pi = 0.58\%$) were similar to those within conspecific populations and were less than

half the respective values reported previously for white sturgeon (*Acipenser transmontanus*). No fixed nucleotide substitutions (typically observed in interspecies comparisons) were observed between pallid and shovelnose sturgeon. However, haplotype frequencies were quite distinct ($P < 0.001$) between the two species. For example, 13 of 20 shovelnose sturgeon possessed two haplotypes ($n = 8$ and 5 , respectively) that were absent among the 18 pallid sturgeon analyzed. These mtDNA data provide the first genetic evidence that pallid and shovelnose sturgeon are reproductively distinct, or are mating assortatively, in a region of natural sympatry. Although this type of haplotype frequency shift characterizes population-level separations in most other species of fish, similar levels of divergence have been reported between species of very recent origin (e.g. African cichlids, $< 50,000$ ybp). A unique haplotype characterized the three Alabama sturgeon; however, that haplotype differed from the most common pallid/shovelnose haplotype by only a single base-pair substitution. Based on this latter result and biogeographic considerations, Alabama and shovelnose sturgeon appear to be evolutionarily distinct, but the observed level of genetic divergence is typical of isolated populations or subspecies within other species of fish. Despite the very close evolutionary relationship of *S. albus*, *S. platyrhynchus*, and *S. sutthusi*, the mtDNA data support the genetic distinction of all three species on the basis of their apparent reproductive isolation and microevolutionary divergences."

Contact: U.S. Fish and Wildlife Service, Bismarck, ND, (701) 250-4419.

Endangered Species Act Policies

Three documents addressing scientific policy issues under the Endangered Species Act (ESA) were released on February 9th by the Interior Department's U.S. Fish and Wildlife Service (FWS) and the Commerce Department's National Marine Fisheries Service (NMFS). The documents are part of Secretary Babbitt's goal to make certain that ESA implementation is grounded in sound science. They include:

- A proposed rule on the treatment of intercrosses and intercross progeny.
- A proposed policy to establish consistency in controlled propagation (captive breeding) programs for species that are listed as endangered or threatened.
- A notice of policy designed to clarify the definition of "distinct population segments" for purposes of listing, delisting, or reclassifying species under the ESA.

Intercross Rule: The proposed "intercross" rule allows for protection of intercross progeny of a listed species but only under specific and limited circumstances. For the purposes of recovery of listed plants and animals, the proposed intercross policy will help biologists identify the potential or actual use of intercrossing as a conservation tool. Techniques available for the conservation of species are improving as scientific research enhances our understanding of conservation needs in the field. For example, cougars from eastern Texas have been released in Florida to help stem the decline of the Florida panther. The offspring will be protected as part of the panther's recovery effort. Both species are believed to have crossbred when the panther had a natural range that extended farther west and the Texas cougar farther east. The document uses the terms "intercross" and

"intercross progeny" rather than "hybrid" and "hybrid offspring" to reflect current language in the evolutionary and genetic sciences. The proposed intercross rule is intended to reflect advances in genetic science but would apply to a very few species while clarifying an area "which has been an occasional problem both for biologists and legal analysts through the years. The intent certainly is not to protect 'hybrids' under the act but rather to define how we will deal with these issues in conserving listed species."

Controlled Propagation Rule: The proposed policy on controlled propagation provides guidance and establishes consistency in programs that involve captive propagation of listed species. The proposal supports the controlled propagation of listed species when recommended in an approved recovery plan and supported by an approved genetics management plan, and when efforts to recover species or reduce threats to populations in the wild are insufficient. Purposes of controlled propagation addressed in the joint agency policy include (1) avoiding extinction, (2) maintaining genetic vigor, (3) maintaining populations of nearly-extinct animals or plants on a temporary basis until threats are alleviated, (4) providing individuals for establishment of new self-sustaining populations, (5) supplementing or enhancing wild populations to enable recovery of a listed species, and (6) holding offspring for part of their development or through a life stage that cannot be supported in the wild. Captive propagation is viewed as an expensive last resort, but has also been the key to recovering species such as the California condor and the black-footed ferret.

Distinct Population Segment: The "distinct population segment" policy notice is designed to clarify that term for listing, delisting, or

reclassifying species under the ESA and applies to vertebrate animals that may be endangered or threatened in part of their range but are more numerous elsewhere. The ESA protects species, subspecies, and, "...any distinct population segment of any species of vertebrate fish or wildlife..." which are endangered or threatened. (Vertebrate examples on the list include the gray wolf, grizzly bear, and woodland caribou. Bald eagle populations, for example, are healthy in Alaska but in the Lower 48 States they nearly became extinct and remain "threatened." Under the new policy, three elements--discreteness, significance, and status--will be considered in any decision to add a distinct population segment to the official list of endangered and threatened species:

Discreteness: A population segment could be considered "discrete" if it satisfies one of the following criteria:

- if it is separated from other populations as a consequence of physical, physiological, ecological, or behavioral factors or;
- if it is delineated by an international political boundary that coincides with differences in control of exploitation, habitat management, conservation, or regulation.

Significance: A population segment could be considered significant if there is evidence that its loss would leave a significant gap in the range of a species or if there is evidence that it differs markedly from other populations of the species in its genetic characteristics.

Status: Is the population segment, when treated as if it were a species, endangered or threatened?

The distinct population segment policy will govern interpretations for both U.S. and foreign species and will clarify how both the FWS and NMFS make decisions relative to listing populations under the act.

All three documents were published in the February 7, 1996, Federal Register.

Contact: U.S. Fish and Wildlife Service, Ken Burton (202) 208-5634.

Supreme Court to Rule on ESA Suits

In a case that has "great environmental implications for the Pacific Northwest" the Supreme Court recently agreed to decide whether people who want to stop the federal government from protecting an endangered species have a right to sue. The Ninth Circuit Court of Appeals in September 1995 ruled that only those who are seeking to protect wildlife on the endangered species list may go to court to enforce the Endangered Species Act (ESA). That ruling is being appealed by two Oregon ranchers and two Oregon irrigation districts.

The ranchers and irrigation districts in the early 1990s sued to set aside a finding by the U.S. Fish and Wildlife Service (USFWS) that more water must be kept in reservoirs of the Kalmath Irrigation Project in parts of OR and CA to protect two endangered fish, the Lost River sucker and the shortnose sucker. The plaintiffs, who would lose water under the plan, claimed the USFWS failed to abide by an ESA provision requiring consideration of the economic impact before designating a critical habitat for a species.

The Ninth Circuit upheld a 1993 decision by the Federal District Court in Eugene, OR to dismiss the lawsuit, saying the plaintiffs had no standing. The ESA contains a "citizen suit" provision permitting "any person" to file a lawsuit charging that federal officials failed to carry out the law properly. The federal court ruled that this provision did not apply to suits seeking less rather than

more environmental protection.

In his opinion for the Ninth Circuit, Judge Stephen Reinhardt said the plaintiffs "seek only a greater share of the water and do not contend that compliance with the Act will improve the fish's lot." Rather than serving the purpose of the law, "[the plaintiffs] claim a competing interest," he said. But in their appeal to the Supreme Court, the plaintiffs argue that the Ninth Circuit has misinterpreted the intent of Congress to make citizen suits available to "any person" rather than only to "one apparently favored group".

Source: Greenwire Vol. 5, No. 220

The Noah Movement

For a time last year when the Endangered Species Act (ESA) was under Republican-agenda assault, its allies appeared not to have a prayer. Now they do -- plus a strategy, an organization and a born-again Catholic at the Interior Department holding the faith and sharing the hope.

In late January, Interior Secretary Bruce Babbitt invited to his office 10 religious leaders who came to tell the Secretary, and the country, about their group, the Evangelical Environmental Network (EEN), which is centered in Wynnewood, Pa.

Some were theologians, others pastors. All were committed to strengthening, not weakening, the ESA. All have political differences on other issues, but on this one solidarity prevails. They are one with the views of the EEN's co-founder, Calvin DeWitt, a professor of environmental studies at the University of Wisconsin-Madison: "People in their arrogance are destroying God's creation, yet Congress and special interests are trying to sink the Noah's Ark of our day -- the ESA. Few legislative issues ought to be

as clear as this one. Christian faith teaches respect for the works of God, and the ESA offers real and fair protection for all His creation, including us."

Babbitt is devoutly grateful for the evangelicals' support. Their power base extends to 30,000 churches -- potential "Noah Congregations" -- whose pastors have welcomed the EEN's literature and materials. During the last year, the EEN has mailed "Let the Earth Be Glad" kits to 33,000 evangelical churches -- independents and various denominations -- urging them to become involved in environmental efforts. About 1,000 churches responded to the call to become "Noah Congregations," and many have instituted religious education classes in environmental studies, said the Rev. Stan L. LeQuire, director of the Pennsylvania-based organization.

People who read the Bible closely realize that "only the Creator has a right to destroy His creation," DeWitt said. They become concerned that "God's creatures are not being attended" and that "trampling on the earth is like trampling on Rembrandts." The image of the Garden of Eden is key to understanding the evangelical position on the environment, said Ron Sider, professor of theology at Eastern Baptist Seminary in Wynnewood, PA, and president of Evangelicals for Social Action, which founded the network. God created man and woman "to watch and care for the garden. . . . Any notion of walking all over it is fundamentally wrong."

Such thinking has brought evangelicals to the environmental debate. LeQuire said that the EEN is interested in clean air, global warming and other issues but that the ESA was an appropriate place to start.

Representatives Don Young (R/AK) and Richard W. Pombo

(R/CA), co-sponsors of a bill to overhaul the ESA, are not pleased. It is unclear how the evangelicals' campaign will influence the vote, but Young and Pombo are taking them seriously. The day after the EEN's news conference, Young and Pombo wrote a 1.5 page letter to DeWitt, urging the EEN "to be honest in your characterizations of others with viewpoints that may differ from your own. As religious people, you have a high obligation to seek the truth, even in the political arena." Young and Pombo said EEN's efforts "mischaracterize" the bill.

The two lawmakers also expressed concern about the EEN's planned a \$1 million publicity campaign to protect the existing Act, noting that big spending "must be based on the true facts in order to provide an honest discussion of this issue." "We are concerned that a spiritual reflection might be valuable," said Stan LeQuire, EEN Executive Director, "What would God think about endangered species?"

Young, chairman of the House Resources Committee, and Pombo, chairman of the House Task Force on the ESA, don't have the answer, but they do have some questions:

- Pombo's office wants to know why the EEN literature recommends a book by EEN director and University of Wisconsin Professor Calvin DeWitt. Is this a conflict of interest?

- And what about the EEN's affiliation with the Washington-based Environmental Information Center (EIC), a hangout for former Al Gore campaign types. "Is this 'Evangelical' group a front for the Clinton-Gore reelection committee?" Pombo's office wants to know.

- And what about abortion: "This group believes that all trees, fungus and rats are God's creatures and should be protected," Pombo's office said in

a FAX. "Do they have the same respect for human life as they do for plants and animals?"

Young, Pombo and Co. don't like the fact that the EEN is coming on like the Christian right. The EEN is "strictly" antiabortion, Leguire said, and "most of us, being evangelicals, are Republicans, including myself." Yes, DeWitt is a member of the EEN, but LeQuire is the Director, and the EEN simply lists DeWitt's book as suggested reading, LeQuire said. "We don't sell it."

LeQuire denies getting financial support from the EIC. The EEN simply asked the EIC to help set up their Jan. 31st news conference, because "We're not politically skilled."

The true fact is that the Young-Pombo bill faces heavy going, with or without divine intervention. The legislation softens what its supporters believe are unfair federal curbs on development within habitat areas. Opponents argue the bill guts the ESA in favor of large developers.

Young and Pombo found a sympathetic majority in the pro-development Resources Committee, but most Democrats and many moderate Republicans don't like it, and Clinton has promised a veto.

In this ambiance, a scolding from God is about the last thing Young and Pombo need, but debunking the "Noah congregations" will be hard: "God told Noah to take every animal into the ark, not just those which were economically feasible, or cuddly, or useful for medicinal purposes," LeQuire said. "God said, 'I make my covenant with you, Noah, never again will I destroy life.' "

DeWitt said he "can hardly fathom" the intense interest the campaign has generated. He said so many phone calls are coming in that he barely has time to eat.

"I've been working over 30 years in evangelical environmentalism but I have never experienced anything like this," said the University of Wisconsin professor. "I guess we've finally hit on just the right words."

Sources: The Washington Post By Line Articles by Colman McCarthy (2/10/96), Bill Broadway (2/17/96), and Guy Gugliotta (2/27/96).

Prairie Preserve in Iowa and Minnesota

The U.S. Fish and Wildlife Service is considering a plan to preserve up to 100,000 acres of tall-grass prairie in Iowa and Minnesota, including a 520-mile corridor from Des Moines to the Canadian border in Minnesota. Howard Lipke, project manager, said tall-grass prairie is "one of the most important ecosystems within the contiguous states," and once supported bison, prairie chickens and more than 300 plant species, many of which are now rare. With less than 1% of original undisturbed prairie in the U.S. remaining, it is one of the most threatened habitats. Iowa's 31 million acres of prairie have dwindled to less than 30,000 acres.

Lipke said officials hope to finish a study of the preserve, which would be part of the National Wildlife Refuge system, within a year. He had no total cost estimate, but said land could be protected using public or private measures, including new purchases, incorporating parcels under lease or negotiating easement or management agreements. The Iowa Farm Bureau Federation's Emily Eide raised several concerns about the plan's impact on private property.

Source: Greenwire Vol. 5, No. 199

New Uses for Federal Wildlife Refuges

President Clinton recently issued an executive order that, for the first time, puts hunting, fishing, wildlife photography and wildlife conservation on a list of priority activities in the 92.3 million-acre National Wildlife Refuge System.

The order was spurred by a bill before the House, called the National Wildlife Refuge Improvement Act, that puts hunting and fishing "on an equal footing with conservation". The bill is similar to Clinton's order in that it would make hunting and fishing official purposes of the refuge system. But critics say the bill could also open refuges to jet skiing, power boating and other "inappropriate" activities. Interior Secretary Bruce Babbitt has threatened a presidential veto of the bill.

Under Clinton's new order, hunters' and fishers' rights are guaranteed in federal wildlife sanctuaries unless a park manager finds the activities are not consistent with public safety and "sound animal management." The old rules allowed refuge managers to permit limited hunting and fishing in cases where they didn't interfere with safety or harm wildlife populations. An Administration official said the order is intended to quell concerns among the U.S.'s 60 million sportsmen that Clinton is anti-hunting.

Steve Moyer of Trout Unlimited said the group is "generally supportive" of the order. But Jim Manown of the National Rifle Association said Clinton is "pandering to America's hunters in an election year." Manown called the order a "cover" for Clinton's opposition to the House bill.

Source: Greenwire Vol. 5, No. 220

NBS Folded into USGS

The temporary government spending measure signed by President Clinton on January 26 "dissolved" the nearly 3-year-old National Biological Service (NBS). NBS and its \$137 million budget were transferred to the U.S. Geological Survey (USGS). "Even that funding, though, will run out [on September 30], causing considerable concern for the

[NBS] biologists." Staffers aren't sure what the agency will now be called.

Source: Greenwire Vol. 5, No. 186

Publications Available

Schmidt, K. 1995. The Distribution and Status of Paddlefish (*Polyodon*

spathula) in Minnesota. North American Native Fishes Association. 1663 Iowa Ave. East, St. Paul, MN 55106.

Scarnecchia, D.L., P. Stewart, L.F. Ryckman, and K. Gilge. 1996. Montana-North Dakota Paddlefish Sampling Procedures. University of Idaho, Moscow, ID 83844-1136.

Meetings of Interest

May 16-17: 23rd Annual Conference on Ecosystems Restoration and Creation, Tampa, Florida. Contact: Frederick J. Webb, Dean of Environmental Programs, Hillsborough Community College, Plant City Campus, 1206 N. Park Rd., Plant City, FL 33566; (813) 757-2104.

May 18-23: 6th International Symposium on Society and Resource Management, Pennsylvania State University, University Park, PA. Contact: A.E. Luloff, program cochair, Dept. of Agricultural Economics and Rural Sociology, 111 Armsby Bldg., The Pennsylvania State University, University Park, PA 16802; (814) 863-8643, FAX (814) 865-3746.

May 20-24: 14th Annual National Conference of the Native American Fish & Wildlife Society, Fond du Lac Indian Reservation, Cloquet, MN. Contact: Ed Fairbanks (218) 335-8167 or Faith McGruther (906) 632-0043.

June 8-12: Watershed '96, Baltimore Convention Center, Baltimore, MD. Contact: 1-800-666-0206.

June 9-14: From Small Streams to Big Rivers - 17th Annual Meeting of the Society of Wetland Scientists, Kansas City, MO. Contact: Thomas Taylor, 6617 W. 101st St., Overland Park, KS

66212 (913) 551-7226, email: TAYLOR.THOMAS@EPAMAIL.EP A.GOV.

June 10-14: 20th Annual National Conference, Association of State Floodplain Managers, San Diego, CA. Contact: Diane Alicia Watson, ASFPM Executive Office, 4233 W. Beltline Hwy., Madison, WI 53711, (608) 274-0123, FAX (608) 249-4484.

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.

June 13-16: 7th Annual Protecting Mother Earth Conference, Cherokee, NC. Contact: Indigenous Environmental Network Conference Office, P.O. Box 2259, Cherokee, NC 22719, (704) 497-5203, FAX (704) 497-5033.

June 17-23: Society for Ecological Restoration 1996 Annual Conference, Rutgers University, New Brunswick, NJ. Contact: Society for Ecological Restoration, 1207 Seminole Highway, Madison, WI 53711, (608) 262-9547, FAX (608)

265-8557, e-mail: ser@vms2.macc.wisc.edu

August 13-16, 1996: The DELTA: Connecting Points of View for Sustainable Natural Resources. Cook Convention Center, Memphis, TN. Contact: National Association of Conservation Districts, Delta Conference, 509 Capitol Court, NE, Washington, DC 20002, (202) 547-NACD.

September 22-28: INTECOL V International Wetlands Conference, University of Western Australia, Perth. Contact: UWA Extension Conference and Seminar Management, University of Western Australia, Nedlands, Perth 6907; 619 380-2433; FAX 619 380-1066; e-mail: uwext~uniwa.uwa.edu.au

October 23-26: 23rd Annual Natural Areas Conference and 15th North American Prairie Conference, Pheasant Run Resort and Conference Center, St. Charles, IL. Contact Karl Becker, (217) 785-8774.

July 1997, III International Symposium on Sturgeon, ENEL Training Centre, Piacenza, Italy. Contact: Dr. P. Bronzi, ENEL spa - CRAM via Monfalcone, 15 - 20132 Milan (Italy) phone: + +39 - 2 - 72243412 or 3452, FAX: + +39 - 2 - 72243496, E-mail: bronzi@cram.enel.it.

Fish & Wildlife

S. 191 (Hutchison, R/TX) and H.R. 490 (Smlth, 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** reforming the wetlands regulatory program. Hearings held July 19 and Aug. 2.

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

S. 1364 (Kempthorne R/ID) reauthorizes and amends the **Endangered Species Act** and for other purposes.

S. 1365 (Kempthorne R/ID) provides federal tax incentives to owners of environmentally sensitive lands to enter into conservation easements for the protection of endangered species habitat, and for other purposes.

S. 1366 (Kempthorne R/ID) amends the IRS Code of 1986 to allow for deduction from the gross estate of a decedent an amount equal to the value of real property subject to an endangered species conservation agreement.

Senate on March 13 during consideration of **H.R. 3019** approved an amendment by **Hutchison (R/TX)** and **Kempthorne**

(R/ID) to reduce funding for endangered species listings, and an amendment by **Raid (D/NV)** to restore funding for and ensure the protection of endangered species of fish and wildlife.

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.**"

H.R. 2275 (Young, R/AK and Pombo, R/CA) reauthorizes and amends the **Endangered Species Act**. Marked up on October 12.

H.R. 2284 (Pombo, R/CA) provides incentives for the owners and operators of agricultural land to provide habitat for protected species.

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.

S. 1590 (Murray, D/WA) to repeal the emergency timber salvage sale program and for other purposes.

S. 1595 (Bradley, D/NJ) to repeal the emergency timber salvage sale program.

H.R. 1089 (Cremins, 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 Forest Service timber sale program be financed only by receipts from the sale of timber under the program. Senate Energy Committee held a hearing Nov. 29 on implementation of salvage logging. House Resources Committee held hearing on Dec. 19 on salvage logging and timber health issues.

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.

S. 1346, (Abraham R/MI) requires periodic review of federal regulations.

H.R. 2500, (Michael Oxley R/OH) amends the **Comprehensive Environmental Response, Compensation, and Liability Act of 1980.**

H.R. 2827 (Saxton R/NJ) consolidates and improves governmental environmental research by organizing a National Institute for the Environment.

Grazing

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

H.R. 1713 (the Livestock Grazing Act) was approved by the House Resources Committee full committee action on September 12.

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. Referred January 4 to Committee on Energy and Natural Resources.

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

Senate Energy Committee approved for floor action **S. 907**, clarifying the authorities and duties of the Agriculture Secretary in issuing ski area permits on National Forest System lands and to withdraw lands within ski permit boundaries from the operation of the mining and mineral leasing laws.

S. 1031 (Thomas, R/WY) and **H.R. 2032 (Hansen, R/UT)** transfers lands administered by the Bureau of Land Management to the states. House Resources Committee held a hearing August 1 on H.R. 2032

S. 1151 (Burns, R/MT) establishes a National Land and Resources Management Commission to review and make recommendations for reforming the management of public lands

H.R. 2107 (Hansen, R/UT) amends the Land and Water Conservation Fund Act of 1965 to improve the quality of visitor services provided by federal land management agencies through an incentive based recreation fee program

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. 976 (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.

H.R. 2679 (Barrett, R/NB) revises the boundaries of the North Platte National Wildlife Refuge

Rivers

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

H.R. 1331 (Furse, R/OR) creates a voluntary non-regulatory technical assistance and grants program within the Natural Resource Conservation Service's existing Small Watershed Program.

H.R. 2939 (Gunderson, R/WI) provides for a Congressionally authorized test of the Mississippi Interstate Cooperative Resource Agreement in the Mississippi River Basin. Resource Committee hearing scheduled for May 9.

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. Approved for floor action on Dec. 21.

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.

S. 1620 (Lautenberg, D/NJ) amends the Water Resources Development Act of 1986 to provide for the construction, operation, and maintenance of dredged materials.

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. Passed the House May 16, 1995.

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, Nos. 17, 20, 24, 33 and Vol. 15, No. 2 and 6; and NOAA Legislative Informer, September 1995, Issue #15



River Crossings

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