



TRANSITION TO GREEN

*Leading the way to a healthy environment,
a green economy and a sustainable future*







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and a sustainable future**

**ENVIRONMENTAL TRANSITION RECOMMENDATIONS FOR THE
OBAMA ADMINISTRATION**

NOVEMBER 2008





INTRODUCTION

This report highlights priority environmental recommendations for the Obama administration transition team compiled by a coalition of national environmental and conservation organizations listed below¹. It describes how the administration can resume Federal leadership on critical energy and environmental challenges affecting our economy, health and well-being in order to put our nation on a sustainable path now and for future generations.

Over the past several months, a coalition of national environmental and conservation organizations has completed an internal process to develop a set of suggestions for the new administration. Sub-committees including representatives from throughout the environmental community have considered the full breadth of environmental issues we expect will be considered by the administration and developed the detailed recommendations included in this report. This contains key consensus recommendations and is meant to compliment, and not replace, other environmental transition reports developed by individual organizations with recommendations of their own.

Each set of agency recommendations highlights three major issues for the agency, followed by key administrative, legislative and budgetary policy actions and critical actions to take in the first 100 days. We urge the agency transition teams to use this document in the first crucial days of the Obama administration and look forward to working with the administration to develop policies that will both revitalize our economy and protect the planet.

AMERICAN RIVERS - CENTER FOR INTERNATIONAL ENVIRONMENTAL LAW
DEFENDERS OF WILDLIFE - EARTHJUSTICE - ENVIRONMENT AMERICA
ENVIRONMENTAL DEFENSE FUND - FRIENDS OF THE EARTH - GREENPEACE
IZAAK WALTON LEAGUE - LEAGUE OF CONSERVATION VOTERS -
NATIONAL AUDUBON SOCIETY - NATIONAL PARKS CONSERVATION ASSOCIATION
NATIONAL TRIBAL ENVIRONMENTAL COUNCIL - NATIONAL WILDLIFE FEDERATION
NATURAL RESOURCES DEFENSE COUNCIL – OCEANA
PHYSICIANS FOR SOCIAL RESPONSIBILITY - PEW ENVIRONMENT GROUP
POPULATION CONNECTION - RAILS-TO-TRAILS CONSERVANCY
SIERRA CLUB - THE WILDERNESS SOCIETY – THE TRUST FOR PUBLIC LAND
UNION OF CONCERNED SCIENTISTS - WORLD WILDLIFE FUND

¹ The organizations listed here and on the back cover do not necessarily endorse or have expertise on every recommendation in this report. Please refer to the list of transition project co-chairs in the appendix for more information on a particular agency or department recommendation.



EXECUTIVE SUMMARY

Overview of Presidential Actions

America is undergoing historic changes. In his victory speech, President-elect Barack Obama captured the paradox facing our nation: we are confronted with a long list of grave challenges, but out of them can also arise opportunity. We can meet these difficult times with boldness instead of timidity; with innovation instead of more-of-the-same.

We can ignite this transformation by repowering America with clean energy and placing our nation at the forefront of environmental leadership. Generating green collar jobs, making our offices and homes more efficient, rebuilding our water infrastructure, reducing our dependence on oil, reviving our ailing landscapes—these are the solutions that can lead directly to economic prosperity, greater social equity, and even enhanced national security.

The entire federal government has a critical role to play in unleashing these innovative solutions, but it is the president who will set the tone. President-elect Obama has an opportunity to galvanize the nation—to announce bold measures that will channel America’s ingenuity into solving the entwined economic, climate, and environmental crises.

The steps outlined here offer a road map. These recommendations, respectfully submitted to the transition team for its consideration, were compiled by a broad coalition of the leading national environmental and conservation groups in the nation. It covers a wide range of issues that merit prompt presidential attention, but it underscores the urgent need to build a green energy economy to tackle global warming. Most importantly, the document reflects a fundamental consensus that serious action is needed right now in order to usher in a healthier, cleaner, more prosperous and more sustainable era for America.

Guiding Principles

Economic Vitality, Clean Energy, and Climate Solutions Go Hand-in-Hand

Many Americans are struggling to make ends meet, but we can lift ourselves out of this economic crisis through investing in clean energy solutions that solve global warming. Done right, this approach will revitalize our economy by generating millions of well-paying jobs that use the skills workers already have to manufacture and install clean energy and green infrastructure right here in the United States—such as wind farms, solar panels, hybrid cars, mass transit and efficient buildings connected to a smart electricity grid.

Social Justice Requires Environmental Justice

Too often the worst impacts of ecological degradation hit the poor and people of color “first and worst.” Their neighborhoods rise to the top of siting lists for waste dumps, dirty power plants and transportation hubs. Meanwhile, these same communities benefit “last and least” from available solutions such as hybrid cars, solar panels, and organic food. We believe that an economic plan built around green-collar job training and strengthened environmental safeguards will not only alleviate the pollution afflicting these communities, but also provide a path out of poverty and a more just society.



EXECUTIVE SUMMARY

Science Should Have a Primary Role in Safeguarding Our Environment

At the base of the best environmental regulations rests not politics but science. Yet science has been under siege at federal agencies for the last eight years. For example, agency review boards have been stacked with industry-funded scientists, while cozy relationships between regulators and the companies they regulate have more influence over decisions than unbiased science. This situation needs to be reformed across federal agencies now. Public-servant scientists should be seen as the nation's brain-trust and their independence and influence must be reestablished.

Integrity Must Be Returned to Environmental Governance

President-elect Obama and his administration have an opportunity to restore the fundamental American tradition of fairness: the principle that no one, not even the government, is above the law. When equity prevails, polluters and agencies alike follow the rules, and the government embraces its responsibility to enforce environmental statutes. To fully hold itself accountable, government must become more transparent and citizens must be invited back into decisions about their own air, water, and lands. Above all, agencies must be allowed to use their regulatory tools to advance the public interest, not serve special interests. With the right kind of leadership, the Obama administration can return a sense of decency and purpose to the role of government.

Top Areas for Priority Action

This report specifies numerous recommendations across a wide range of federal agencies. Contained herein are many opportunities between Inauguration Day and the first Earth Day address of the next administration for President Obama to begin to make progress on energy and the environment by setting an agenda and taking action. However, we believe there are four broad areas that deserve special attention during this period.

Clean Energy and Climate Change

The top priority of the environmental community remains addressing climate change and creating the new clean energy economy, key to America's economic revitalization. A document detailing the principal actions deserving the immediate attention of the new administration has previously been transmitted to the transition team and has been incorporated into this report. Successfully tackling this issue will require: (a) using existing executive authority; (b) working with Congress to pass legislation; (c) and showing real leadership internationally on the issue. In addition, government agencies must incorporate climate science, impacts, and adaptation strategies into their operational plans and ongoing work.

The Federal Budget and Stimulus Legislation

This is now a critical time for the nation to reinvest in the budgets of federal agencies with responsibilities for clean energy, human health, and environmental protection while redirecting those resources to the best possible use. The federal budget provides the means for achieving some of the nation's most important goals, whether it is ensuring there is clean water to drink, mass transit to ride, national parks to visit, or a new generation of clean technology being developed. Yet the resources available for these purposes have been shrinking, putting the public's needs at risk. Stimulus legislation is an especially time sensitive



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opportunity, where carefully directed investments in green infrastructure and clean energy can quickly create jobs and produce economic activity.

The White House as a Leader on Clean Energy and the Environment

The job of restoring environmental protection in the federal government needs to start at the top in the White House. This includes having the President's advisors focus on energy and climate as a top priority. The Council on Environmental Quality needs to have its resources rebuilt so that it can take a lead role on environmental policy, including energy and climate. Science must play a central role in all policy making, with the Office of Science and Technology Policy leading the charge. Furthermore the broken regulatory process should be fixed, with the Office of Management and Budget's role properly defined so that the mission of the federal government becomes again protecting the public's health, safety and environmental assets.

Putting the Right People in the Right Jobs

One of the most important decisions in government is who should be put into the key decision making positions. In this document we have tried to identify some of the most important government policy posts. Filling these positions with individuals who have integrity, are highly qualified, and have an appreciation of the value of environmental protection is essential to the success of these agencies.



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CROSSCUTTING ISSUES

CLIMATE CHANGE AND ENERGY





CROSSCUTTING ISSUES CLIMATE AND ENERGY

To revitalize our faltering economy and meet the immense challenges of global warming, we must transform the ways America and the rest of the world produce and use energy. At the cornerstone of the President's economic recovery strategy should be three closely-related goals: cutting the pollution that causes global warming, repowering America with clean energy, and ending our dependence on oil. Investments in the energy efficiency and clean energy technology needed to meet these goals, and investments in protecting our health, our vulnerable communities and our natural resources from climate impacts, will rebuild our economy, create millions of green American jobs, and make a more just society.

We must start cutting global warming pollution now. There is broad scientific agreement that keeping global average temperatures from increasing more than another 2° Fahrenheit from today's levels is necessary if we are to avoid the worst impacts of climate change. According to the Nobel Prize-winning Intergovernmental Panel on Climate Change, we have a reasonable chance of meeting this objective if developed countries as a whole cut their emissions 25-40% from 1990 levels by 2020 and at least 80% by 2050; within this time frame, major developing countries as a whole must also act promptly to slow their emissions growth and then substantially reduce their emissions. To be within this range in 2020, the U.S. would have to reduce its emissions by 35% from current levels.

To meet these goals, the President should:

1. WORK WITH CONGRESS TO PASS LEGISLATION IN 2009 THAT REVITALIZES OUR ECONOMY AND DELIVERS ENERGY AND CLIMATE SECURITY

- Set mandatory limits that reduce US global warming pollution consistent with keeping further warming below 2° F, including ambitious domestic reductions targets for 2020 and 2050, a cap and auction program and other policies to make additional reductions at home and abroad, and a prompt science-based review to accelerate reductions if necessary.
- Auction the carbon permits and use the revenue for investing in a massive clean energy transition, creating green jobs, protecting vulnerable communities and natural resources, and providing consumer relief, especially to those most in need.
- Move America towards a 100% clean electricity future by maximizing energy efficiency, modernizing the grid, and greatly expanding power generation from renewable energy resources.
- Get America moving by investing in clean transportation infrastructure that cuts global warming pollution.



CROSSCUTTING ISSUES CLIMATE AND ENERGY

2. TACKLE GLOBAL WARMING USING THE EXECUTIVE BRANCH'S POWERS UNDER EXISTING LAWS

- Grant the California waiver, allowing California and 13 other states to enforce their standards for global warming pollution from vehicles.
- Use the Clean Air Act to declare that global warming pollution endangers public health and welfare and to set standards for power plants, vehicles, and fuels.
- Use our energy laws to strengthen fuel economy and appliance efficiency standards.
- Order every agency to consider global warming in its actions affecting energy use and managing natural resources and to develop a coordinated, interagency natural resources adaptation strategy.

3. RESTORE AMERICA'S GLOBAL LEADERSHIP ON GLOBAL WARMING

- Demonstrate US action by setting mandatory limits on our own global warming pollution through new legislation and implementation of existing laws.
- Work with other nations to reach a new climate treaty that keeps further warming below 2° F at the Copenhagen climate summit at the end of 2009.
- Lead a worldwide effort to finance clean energy deployment, forest conservation, and adaptation to unavoidable climate impacts.



CROSSCUTTING ISSUES

**AMERICA'S ARCTIC AND THE
CIRCUMPOLAR ARCTIC**





CROSSCUTTING ISSUES

AMERICA'S ARCTIC AND THE CIRCUMPOLAR ARCTIC

Cross-cutting Issue Involving: Department of the Interior (MMS, FWS, BLM), Department of Commerce (NOAA, NMFS), Department of State, Army Corps of Engineers, U.S. Coast Guard, and Environmental Protection Agency

America's Arctic includes the federal public lands of Alaska north of the Brooks Range, as well as the Polar Bear Seas (Beaufort and Chukchi) of the Arctic Ocean, and the Bering Sea, including Bristol Bay.

TOP THREE ISSUES

1. A COMPREHENSIVE ARCTIC CONSERVATION AND ENERGY PLAN

The new Administration should develop a comprehensive Arctic conservation and energy plan based on a full scientific assessment of the health, biodiversity, and functioning of Arctic ecosystems to guide our choices about if, when, where, and how industrial activities are permitted in the Arctic. Based on existing analyses and before completion of the comprehensive plan, the new Administration should quickly support the strongest possible protection for the coastal plain of the Arctic Refuge, including wilderness designation legislation, and permanent protections for other priority areas such as the Teshekpuk Lake Special Area.

2. A PRECAUTIONARY APPROACH TO INDUSTRIAL ACTIVITIES IN THE ARCTIC

The new Administration should take a precautionary approach to any new industrial activities in the Arctic, including pursuing natural gas hydrates or allowing new oil and gas leasing or activities offshore or in priority conservation areas onshore, until a thorough scientific assessment is completed and a comprehensive plan in place.

3. INITIATE INTERNATIONAL NEGOTIATIONS

The new Administration should initiate international negotiations to develop a framework environmental convention that implements an integrated, ecosystem-based management approach to managing new and expanded industrial activity in the circumpolar region.

KEY APPOINTMENT POSITIONS

- Assistant Secretary of the Interior for Fish and Wildlife and Parks
- Director, MMS
- Under Secretary for NOAA at the Department of Commerce
- Director, FWS
- Director, BLM



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- Director, NMFS
- Special Assistant to the Secretary of Interior for Alaska
- Interior Solicitor
- Assistant Secretary of State, Oceans and International Scientific and Environmental Affairs
- Assistant Secretary of the Army (for Civil Works)
- Assistant Secretary for Lands and Minerals Management (Interior)

ISSUE 1

A COMPREHENSIVE ARCTIC CONSERVATION AND ENERGY PLAN

BACKGROUND

The Arctic is “the least studied and most poorly understood area on Earth ...,” and, in particular, the Arctic Ocean is the least understood of all the world’s oceans.¹ What scientists do know, however, is that what happens in the Arctic affects the global climate and ecosystems and people thousands of miles away. Unfortunately, they also know that the Arctic is already at the forefront of global climate change: it is warming at about twice the rate of the rest of the planet, with substantial impacts on the people and ecosystems of the region. One of the biggest contributors to this warming is black carbon, which is emitted as a component of soot and reduces dramatically the reflectivity of Arctic snow and ice.

Scattered efforts are underway to gather data on Arctic ocean ecosystems, but no comprehensive, reliable database of this and other relevant information exists to inform federal policies and agency actions with regard to the American Arctic. Baseline data is essential to determining which areas of the Arctic Ocean are most important in maintaining populations of which species, what areas are likely to be important in the future as nutrients and populations shift in response to changes in temperatures, salinity and currents, and what the likely impacts are on larger ecosystems, food sources and people. And baseline data is of course essential to assessing the risks associated with various proposals for commercial activity.

Despite the lack of data, the Bush administration has offered large swaths of the oceans and terrestrial areas in the Arctic for oil and gas development and set a course for offering even more areas in the coming years. Its latest push for energy development now includes unfolding new plans for recovering natural gas in the form of gas hydrates. In addition, the changing climate is creating the potential for other large-scale industrial threats from shipping, fishing and mining. For example, diesel-powered ships, generators and vehicles associated with any of these activities will generate even more black carbon, accelerating the melting of sea ice and the Greenland ice sheet. Further, as sea ice melts, opportunities for industrial fishing move northward.

Another example: an oil spill in Arctic waters could have devastating impacts on marine mammals and those dependent on them. The same environmental conditions that contribute to oil spill risks in the Arctic – lack of natural light, extreme cold, moving ice floes, high winds and low visibility – can make spill response operations extremely difficult or totally ineffective. Right now, however, the federal government does not even have a reliable

¹ U.S. Arctic Research Commission, Report on Goals and Objectives for Arctic Research at “A Message from the Chair” (2005), available at <http://www.arctic.gov/files/USARCRReportOnGoals2005.pdf>.



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way to detect an oil spill in the Arctic, much less a comprehensive plan and capacity for responding to a spill in a rapid and effective way. But leasing and permitting decisions continue to be made.

Incremental decision by incremental decision, federal agencies are pushing the Arctic, and the world, in exactly the wrong direction. In lieu of this ad hoc decision-making, the federal government should develop through an interagency task force a comprehensive Arctic conservation and energy plan based on a full scientific assessment of the health, biodiversity, and functioning of Arctic ecosystems to guide decisions about whether, when, where, and how industrial activities should be permitted. Such a plan would be created in conjunction with broader climate and energy plans for America. Creating a comprehensive plan would begin with a gap analysis and research plan developed by independent scientists, such as the National Research Council. Because various federal agencies regulate or otherwise affect activities in the Arctic—NOAA, MMS, BLM, the Coast Guard, EPA, the Army Corps of Engineers — a process to incorporate their expertise and actions is necessary to develop an implementation framework for a comprehensive plan. Permanent protection should be given immediately to those limited areas where sufficient scientific information already exists, including the onshore Arctic National Wildlife Refuge and the Teshekpuk Lake Special Area.

POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. **Establish an interagency task force to support development of an Arctic conservation plan**

To develop a comprehensive plan, it will be necessary for the new Administration to gather all key agencies whose authority and programs affect the Arctic into an interagency Arctic Task Force. In conjunction with input from local Arctic communities, this Task Force would begin the process of re-assessing existing Arctic Ocean and NPRA leasing, developing precautionary fishing and shipping plans and standards, establishing mitigation measures for areas in which development occurs, and evaluating areas for permanent protection.

Responsible Officials: Chairman of CEQ, Director of OMB, Secretaries of Interior, Commerce, Department of the Army (Civil Works), Administrator of EPA and head of the Coast Guard

2. **Initiate a comprehensive assessment of Arctic ecosystems**

A plan for the Arctic must begin with a comprehensive assessment of the health, biodiversity, and functioning of the Arctic ecosystems, including the impacts of industrial activities. The first step in such an assessment would be for the new Administration to require the preparation of a gap analysis and research plan prepared by an independent entity such as the NRC.

Responsible Officials: Secretaries of the Interior/Commerce

3. **Regulate black carbon**

Climate change already is having significant effects in the Arctic, and releases of black carbon—a component of soot—in the Arctic are exacerbating the warming. As it confronts climate change, the new Administration should regulate black carbon emissions in the Arctic, including action on diesel rules for new and existing sources, oil and gas flaring, and marine transport.

Responsible Official: EPA Administrator



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4. Close Teshekpuk Lake to oil development

The Teshekpuk Lake Special Area in the National Petroleum Reserve-Alaska (NPPRA) is one of most important and sensitive habitat areas in the Arctic. Though protected for decades, the previous Administration opened this area for leasing, but deferred actual sales.. Because the area is vital for caribou, birds, and other wildlife, as well as subsistence use, the new Administration should close this area permanently to industrialization.

Responsible Officials: Secretary of the Interior, Assistant Secretary for Lands and Minerals Management, BLM Administrator

POLICY RECOMMENDATIONS – LEGISLATIVE

1. Develop comprehensive legislation for an America's Arctic conservation plan

Based on the Arctic interagency task force's America's Arctic conservation plan and to the extent that additional legislative authority is necessary, the new Administration should send a proposal to the Congress outlining the plan's assumptions regarding the potential dangers to the Arctic from industrial activities, how the proposed conservation plan would protect the Arctic, and why the enactment of any needed legislative authority is a priority.

Responsible Officials: Interagency Task Force members and President

2. Support Arctic Refuge Wilderness designation

The new Administration should reaffirm its strong opposition to any oil and gas activities, including the recovery of gas hydrates, on the coastal plain of the Arctic National Wildlife Refuge and support for the strongest possible protection for the Refuge coastal plain, including legislation designating the area as wilderness.

Responsible Officials: President, Secretary of the Interior

3. Support special area legislation for the Western Arctic

The new Administration should announce early on its strong support of legislation permanently protecting the Teshekpuk Lake Special Area and directing the Secretary of the Interior to study additional areas within the National Petroleum Reserve-Alaska for protection.

Responsible Officials: Chairman of CEQ; Secretary of Interior

POLICY RECOMMENDATIONS – BUDGETARY

1. Fund Arctic scientific assessment

To develop a comprehensive Arctic conservation and energy plan, there must be an assessment of the health, biodiversity, and functioning of Arctic ecosystems. A specific allocation of additional funding is needed for this assessment. Early Administration support for funding a gap analysis and supporting the development of a research plan by an independent agency, such as the NRC, would be the first step.



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Responsible Officials: Secretaries of the Interior and Commerce

THE FIRST 100 DAYS

- To avoid losing valuable time, the development and implementation of an America's Arctic Conservation and Energy Plan must be a high priority for the new Administration promptly following the Inauguration. First, CEQ should establish and name the members of an America's Arctic Interagency Task Force, made up of the agency heads of the National Marine Fisheries Service, National Ocean Service, Office of Oceanic and Atmospheric Research, Fish and Wildlife Service, Mineral Management Service, US Geological Survey, Bureau of Land Management, National Park Service, Army Corps of Engineers and the US Coast Guard, and led by the Secretary of the Interior and the Under Secretary for the National Ocean and Atmospheric Administration. The Task Force needs a quick start in order to develop an America's Arctic Conservation Plan by June 30, 2010, acquire necessary additional authorization and funds from Congress and implement the Plan in this Administration. The naming and tasking of this group to develop the America's Arctic Conservation Plan will also demonstrate to the other seven Arctic nations that the U.S. is now serious about protecting the World's Arctic region.
- To develop its Plan in a timely fashion, the Task Force will need to have access to credible and scientifically sound data and information. To provide for this data, the Office of Management and Budget should support a request to seek reprogramming of the FY 2009 Budget to fund an America's Arctic interagency scientific assessment, including a gap analysis and baseline studies immediately after the Inauguration. The work needs to have a quick start and continue indefinitely after the development of the America's Arctic Conservation Plan in order to give managers sound scientific information to adjust their projects and activities.
- The Secretary of the Interior should also direct a prompt legal review of all Chukchi and Beaufort Sea oil and gas lease sale decisions during the last eight years—many of them presently under litigation. To the maximum extent allowed by law, these decisions should be revoked, suspended or limited in order to give the new Secretary of the Interior the opportunity to complete a full and proper environmental review of the leasing decisions, assessing in particular the environmental risks associated with development and taking into account the Arctic conservation plan presented by an Interagency Task Force.
- Within the first 100 Days, the President should announce his support for the strongest possible protection for the Arctic Refuge coastal plain, including legislation designating the Refuge coastal plain a wilderness area. The President should declare such legislation an environmental and energy priority.
- The Secretary of the Interior should also initiate the process to revise the recent Record of Decision for the Northeast NPR-A plan and environmental impact statement to make the



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Teshkepunk Lake Special Area off limits to oil and gas leasing and all oil and gas activities. Moreover, the new Administration should send a message to Congress asking it to pass legislation for the Special Area, with protection at least equivalent to a national wildlife refuge. Such a bill should also direct the Secretary of the Interior to withdraw and study other areas of the NPR-A, including all other Special Areas established by previous Secretaries of the Interior, for permanent protection of surface values.

ISSUE 2

A PRECAUTIONARY APPROACH TO INDUSTRIAL ACTIVITIES IN THE ARCTIC

BACKGROUND

Without better data and a careful, comprehensive conservation and development plan, the risk of irreversible damage to the Arctic brought on by a warming climate will be compounded by an explosion of industrial and commercial activity. As sea ice melts, the Arctic Ocean will be increasingly used for shipping, bringing air and water pollution and support facilities in its wake. Fisheries stocks requiring cold waters will migrate north; industrial trawlers will follow, repeating their familiar pattern of overfishing – only this time in the last possible refuge to which cold-water species can retreat before their ultimate annihilation. Areas where oil and gas exploration and production were once prohibitively expensive will be more attractive, at least so long as producers are able to externalize the larger climatic, biological and social costs. Moreover, the newly released estimates of significant deposits of gas hydrates under large swaths of the North Slope will only add to the pressure for further ad hoc energy development. Finally, mining, including coal mining, will be proposed on a scale never before contemplated in the American Arctic.

Associated with all of these activities would be a significant increase in air pollution and especially diesel soot, a form of black carbon that is a major factor in causing the Arctic to warm already at twice the rate of the rest of the planet.

Arctic oil and gas activity poses the most immediate risk. Despite the lack of information and known threats to marine mammals and fisheries, and despite the utter absence of capacity to handle accidents and oil spills in remote, ice-filled seas, the Bush administration has greatly accelerated the pace of oil and gas leasing, onshore and off. For example, it held three lease sales in the Beaufort Sea and one in the Chukchi Sea and adopted a five-year plan that expands the area available for leasing in the Beaufort to over 33 million acres and in the Chukchi to nearly 40 million. It has routinely issued permits for seismic testing and actual drilling without adequate data or realistic risk assessments. Conservation and Alaska Native groups are fighting these decisions in the courts and in Congress to preserve options for Arctic conservation pending development of better data, realistic risk assessments, and a comprehensive, scientifically informed plan for Arctic protection. And as if the headlong race for energy development were not already bad enough, the Bush Administration has now opened a whole new front with its enthusiastic endorsement of wide scale gas hydrates development and production.

The several court cases challenging lease sales, seismic testing and actual drilling, and others to compel protection of marine mammals, provide opportunities for the new Administration to re-examine the legal adequacy and basis for all existing and potential commitments to Arctic oil and gas development on the continental shelf and in priority



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onshore conservation areas. Very early in its tenure the new Administration should impose a “time out” on all further Federal oil and gas activity in the Arctic, including, to the extent allowed by law, areas previously leased, until a scientific assessment of the potential impacts is completed and a plan for protecting affected areas -- including a real, funded capacity to deal with oil spills -- is in place. Such an approach must be taken in the context of a careful, precautionary approach to proposed commercial activity of any kind in the American Arctic until we have better scientific data concerning what is there and a comprehensive plan for development that minimizes the risk of additional stress on the rapidly changing Arctic ecosystem.

POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. Halt new proposed lease sales in the Arctic

The new Administration should halt preparation of the Arctic Ocean Multi-sale EIS now underway, revise the 5 year plan relating to the Arctic Ocean and Bristol Bay, and halt further planned lease sales in the Arctic Ocean, Bristol Bay, and in the conservation priority areas of the National Petroleum Reserve – Alaska until the necessary scientific information is established to allow development of a comprehensive conservation plan for the region.

Responsible Officials: DOI Secretary; MMS Director; BLM Director

2. Conduct full environmental review of Arctic exploration activities

The previous Administration approved a three year drilling plan and full scale seismic exploration in the Arctic Ocean without completing an EIS for either project and despite noise and oil spill threats to marine mammals. An appeals court has recently invalidated the drilling plan approval because MMS failed to conduct an adequate review of impacts to whales and subsistence activities. A new Administration should review decisions still under litigation and not approve new exploration activity in the Arctic Ocean, Bristol Bay, or priority conservation areas of the NPRA until a full EIS assessing impacts for these activities is completed. The new Administration should also ensure that a full, complete and scientifically credible environmental impact analysis of the potential environmental impacts will be conducted on proposed gas hydrate development on the North Slope.

Responsible Officials: DOI Secretary; Solicitor, MMS Director; NMFS Director; FWS Director, Director of USGS

3. Correct illegal ESA and MMPA actions for polar bear and walrus

The new Administration should immediately review the legal basis for overly broad regulations, now under litigation, authorizing take of polar bear and walrus by the oil and gas industry in the Arctic recently promulgated under the MMPA, and, in accordance with procedural requirements, initiate the administrative process for withdrawing or revising the regulations. Consistent with the requirements of Federal procedural and environmental law, it should also repeal or revise the section 4(d) rule adopted for the polar bear that prevents consideration of the impacts of global warming pollution on polar bears under the ESA and it should withdraw a recent Solicitor’s Opinion precluding consideration of global warming in section 7 consultations under the ESA. Designation of critical habitat under the ESA for the polar bear should also be a priority.

Responsible Officials: DOI Secretary; Solicitor, NMFS Director; FWS Director



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4. Support the Arctic Fisheries Management Plan (FMP)

The North Pacific Fisheries Management Council is poised to take a significant step toward establishing precautionary management in the Arctic. The current proposed FMP protects the Arctic by closing the Chukchi and Beaufort Seas to commercial fishing. Once it passes the Council, NOAA should promulgate regulations to implement the FMP.

Responsible Officials: Commerce Under Secretary for NOAA, NMFS Administrator

5. Develop precautionary interim shipping standards

The new Administration should mandate through an Executive Order or other White House directive the development of precautionary standards for response, rescue, clean up, and emissions for vessels transiting Arctic waters. These standards should be implemented through the Coast Guard, NOAA, EPA, and other appropriate federal agencies.

Responsible Officials: Chair of CEQ, Director of OMB, DOJ Office of Legal Counsel, head of the Coast Guard, Administrator of EPA, Commerce Under Secretary for NOAA

POLICY RECOMMENDATIONS - LEGISLATIVE

1. Support interim Arctic legislation

The new Administration should support passage of the Polar Bear Seas Protection Act, the Bristol Bay Protection Act and NPRA legislation which safeguard areas from oil and gas leasing and activities until necessary threshold conditions are met. These acts could serve as initial steps toward comprehensive Arctic conservation legislation.

Responsible Officials: Secretary of Interior, Assistant Secretary for Land and Minerals Management, Directors of BLM and MMS

2. Support robust Congressional oversight

The new Administration should cooperate with, and actively support, Congress in its efforts to monitor the progress of necessary scientific studies and conduct thorough oversight of the agencies of jurisdiction related to the Arctic, including budgetary oversight.

Responsible Officials: Secretaries of Interior and Commerce, Administrator of EPA

POLICY RECOMMENDATIONS - BUDGETARY

1. Deny funding for development in priority conservation areas

The new Administration should not seek any appropriated funds for leasing, pre-leasing, and related preparatory activities in NPRA priority conservation areas, Arctic Ocean and Bristol Bay pending full scientific review and development of an Arctic conservation plan.



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Responsible Officials: Interior and Commerce Secretaries, OMB PAD for Natural Resources, Assistant Secretary for Land and Minerals Management, Assistant Secretary for Fish and Wildlife and Parks, MMS Director, BLM Director, FWS Director

2. Support funding for scientific assessments

The new Administration should seek funding for the NRC and NSF to conduct baseline scientific studies based on peer reviewed science in order to fill crucial information gaps associated with industrial development in the Arctic. This will include cumulative impact assessments for future impacts from climate change.

Responsible Officials: Interior and Commerce Secretaries, OMB PAD for Natural Resources

3. Support funding for shipping standards

The new Administration should seek funding to complete and implement the Aleutian Islands Risk Assessment and a similar Arctic Shipping Risk Assessment covering the Beaufort and Chukchi Seas. This funding should include allocations for rescue tugs, vessel traffic and tracking systems, routing agreements, and requirements for double hulls on freight vessels and emergency tow packages for all vessels calling on US ports.

Responsible Officials: Secretaries of Commerce and Homeland Security

THE FIRST 100 DAYS

- A priority first step is to highlight the need for better information about the Arctic and a more rational vision for the Arctic by halting lease sales scheduled for the Arctic Ocean under the current five year plan for as soon as 2009 and defer an EIS for such sales that is currently being developed until the science necessary to understand the potential impacts of oil development on the ecology and people of the Arctic is in hand. Similarly, BLM should promptly announce its intention to halt planned lease sales in the conservation priority areas of the National Petroleum Reserve-Alaska pending the necessary scientific review.
- The new Administration should also immediately emphasize the importance of good science and adequate protection for the threatened resources of the Arctic by fully implementing the recent court of appeals decision reversing MMS approval of a three year Shell drilling plan in the Beaufort Sea offshore of the Arctic National Wildlife Refuge. The administration should not approve new exploration drilling plans in the Arctic Ocean until sufficient information has been gathered and an adequate EIS can be prepared. Along the same lines, the new Administration should announce that no new seismic exploration, which poses severe risks to marine mammals, including endangered whales, will be approved without first completing an adequate EIS assessing the full cumulative effects of this large scale seismic activity in the Arctic Ocean. Moreover, the adequacy of an EIS now being written by NMFS and MMS deserves careful scrutiny before its release. The new Administration also needs to immediately take such steps as may be necessary



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to ensure that the environmental impact analysis being undertaken by USGS on proposed gas hydrate development on the North Slope is thorough, scientifically credible and complete.

- The new Administration should promptly signal its support for a significant step that is underway towards precautionary management in the Arctic. Industry, conservationists, and Native entities support an Arctic Fishery Management Plan that protects the Arctic by closing the Chukchi and Beaufort Seas to commercial fishing. The North Pacific Fisheries Management Council plans to adopt this plan in February, and NOAA has the opportunity to begin the final regulatory process to implement the FMP during the President's first 100 days.
- Finally, the new Administration should respond to the significant public interest in protection of the polar bear by taking immediate actions to correct several decisions by the Bush Administration which fail to protect polar bears from the impacts of oil and gas exploration and global warming. FWS promulgated regulations which authorize the take of polar bears and walrus by the oil and gas industry in the Arctic Ocean by any activity associated with oil and gas operations from exploration to development without examining the combined impacts of these operations with global warming, without preparing an EIS, and this despite the fact that the Marine Mammal Protection Act requires such regulations to be limited to one specific activity accompanied by specific mitigation measures. Consistent with Federal procedural law, the administration should initiate the process to withdraw those regulations and replace them with narrower authorizations issued only after a full EIS has been prepared. The FWS regulation which listed polar bears as a threatened species also directed the agency not to address the full impacts of global warming on polar bears. This limitation on polar bear protection, also under litigation, should also be revisited and eliminated in accordance with Federal procedural law.

ISSUE 3

INITIATE INTERNATIONAL NEGOTIATIONS

BACKGROUND

The main challenge for protection of the Arctic marine environment is the need for the development of international rules, standards and systems for marine environmental protection in the face of rapidly increasing industrial activity in the Arctic Ocean. There is an urgent need for a comprehensive international environmental regime to ensure effective, integrated and ecosystem-based management of human activities in this uniquely vulnerable region.

Scientists now believe the Arctic may become ice-free in summer as early as 2013. It is essential that a regime be developed and put in place *before* industrial development in the region, already underway, accelerates. The longer the delay in developing international environmental rules, the more likely it is that unplanned and unregulated development will damage the ecology and marine resources necessary for a sustainable future in the Arctic.

Governance of human activities in the Arctic Ocean is fragmented and weak. The new Administration should take the lead in proposing the adoption of a new framework environmental convention that would implement an



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integrated, ecosystem-based management approach to managing new and expanded industrial activity in the Arctic. This convention should:

- reaffirm the authority of existing international agreements such as the Convention on the Law of the Sea (UNCLOS);
- recognize the overarching role of widely-accepted principles and approaches to govern human activities in the Arctic Ocean, including ecosystem-based management, the precautionary principle in decision-making when dealing with less than complete information, transparency, multi-stakeholder participation in decision-making, marine spatial planning, the value and importance of establishing protected areas, and assessment and management of cumulative impacts;
- provide for monitoring and assessment of environmental and socio-economic conditions throughout the Arctic and regular, public reporting; and
- authorize the parties to enter into specific Protocols as may be deemed necessary to either supplement the authorities of existing instruments or to provide for new specific management regimes. Initial areas for such Protocols might include activities such as: oil & gas development, fisheries management, and shipping pollution and safety.

POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. Reduce black carbon emissions

The new Administration should play an international leadership role at the Arctic Council to promote early action measures to significantly reduce black carbon emissions from major sources that affect the Arctic Ocean region. It should apply to the IMO to have all US coastal areas designated as an Emission Control Areas under the Marpol Convention, and direct EPA to set stricter diesel emissions standards for ships operating within the EEZ.

Responsible Officials: Secretary of State, EPA Administrator

2. Seek a new Arctic environmental convention

The new Administration should invite interested States to begin negotiations on an integrated, ecosystem based management regime for the Arctic at the April 2009 events planned in Washington to highlight the International Polar Year and the 50th Anniversary of the Antarctic Treaty.

Responsible Officials: Secretaries of State, Interior and Commerce

3. Seek an Arctic High Seas Protected Area agreement

The new Administration should announce also at the April 2009 events its intention to seek a new international agreement establishing a multi-sector marine protected area for the high seas of the Arctic Ocean.

Responsible Officials: Secretaries of State, Interior and Commerce



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4. Freeze expansion of industrial activity

The new Administration should seek agreement from all relevant States to freeze expansion of industrial fishing, shipping, mining and oil and gas development pending adoption of the new Arctic environmental treaty.

Responsible Officials: Secretaries of State, Interior and Commerce

THE FIRST 100 DAYS

- The Arctic Council's high level ministerial meeting, to be held in April 2009, provides a perfect venue to: i) take effective action to implement a rational approach to environmental governance in the region; and, ii) limit emissions of short-term climate forcing agents and to effectively slow warming in the near term. The US should signal its intent to send a high level delegation to the Ministerial meeting, and to be a forthright partner in the Arctic environmental governance process, including support for the development of international rules, institutions and processes so that unplanned and unregulated development in this vulnerable region does not damage the ecology and marine resources necessary for a sustainable future. A first step domestically should be the launching of an inter-agency review of US policies with respect to environmental governance of the Arctic.
- The new Administration should also take a leadership role within the Arctic Council to promote early action measures to reduce emissions of the short-lived climate forcing agents, including black carbon. Black carbon (a component of fine particulate emissions, PM2.5) is a potent short-lived climate forcing agent whose reduction is essential to slow Arctic warming and the melting of sea ice and the Greenland ice sheet. Although reducing CO2 emissions is the critical priority for long term Arctic stabilization, new science now indicates that Arctic melting cannot be slowed unless black carbon emissions are also sharply reduced in the near term. The technology already exists to reduce black carbon emissions from major sources that affect the region, including diesel, coal, agricultural burning and marine shipping emissions.



CROSSCUTTING ISSUES

LAND AND WATER CONSERVATION FUND





CROSSCUTTING ISSUES

LAND AND WATER CONSERVATION FUND

The Land and Water Conservation Fund (LWCF) creates parks and open space, protects wilderness, wetlands and refuges, preserves wildlife habitat, and enhances recreational opportunities from two complementary programs: a federal program and a state matching grants program. The federal program provides funds to purchase land and water resources for national parks, forests, wildlife refuges and other public lands while the state matching grants program provides federal funds to states to assist in the acquisition of more urban open space and creation of local recreation facilities. The success of the LWCF has helped create parks for people to enjoy in 98 percent of counties in the U.S. and has provided protection for more than five million acres of land and water areas across the country. From Denali National Park to the Grand Canyon and from the Everglades to the Appalachian Trail, LWCF has been the critical source of funding available to federal agencies for protecting our most treasured lands.

As global warming continues to imperil plant and animal species, the LWCF will be a critical program in mitigating for and adapting to the effects of climatic changes. To maintain healthy and vibrant ecosystems, plants and animals will need migration corridors and open space to adapt to the changes around them. LWCF provides that opportunity by giving land management agencies the ability to acquire land that connects ecosystems.

In difficult economic times, the LWCF is also a program that saves federal dollars. Acquiring critical 'inholdings' within public land or wilderness boundaries allows the agencies to manage their lands more effectively. Connected and contiguous public lands require fewer resources to be devoted to the mitigation of private land uses, boundary surveys, law enforcement, private land owner disputes, and permitting. The recent economic downturn has also led to a spike in willing sellers during a time when home and land equity is comparatively low. Though not an ideal situation for private land owners nationwide, these factors present an opportunity for the land management agencies to acquire previously unavailable tracts of land for less money than in previous years.

Returning these high priority lands to the federal estate is an investment in our future because, in so doing, we ensure that recreational and conservation opportunities are available nationwide. Much of the American West has seen unprecedented economic growth over the past decade as a result of protected open space being in close proximity to urban centers. The LWCF can be a catalyst in returning balance to our communities by providing the recreational and employment opportunities that lead to higher property values and economic growth.

Conservation of these places, whether private or public, is critical to maintaining the health of our public lands, our quality of life, our recreational opportunities and our economic well-being. Unfortunately, the LWCF has been seriously underfunded and reached a low when the President's FY 06 budget zeroed out the stateside program. The final FY 06 appropriation was the lowest funding level for LWCF in a decade. From 2001 to 2006, funding for LWCF was cut 75 percent.

Congress took a step in the right direction in the FY 08 appropriations bill to reverse this downward funding trend. However, without passing appropriations bills during the past fiscal year, the federal government has further marginalized the LWCF to a critical point. The land management agencies are



CROSSCUTTING ISSUES

LAND AND WATER CONSERVATION FUND

unable to fully staff their LWCF programs and manage their growing backlog lists – all during a time when land acquisition opportunities are very high.

Congress must continue to increase funding for this important land conservation program and make a commitment to return to full funding of the LWCF program at its authorized level of \$900 million. Royalties from offshore oil and natural gas drilling are used to fund the LWCF program each year, and these dollars should be returned to the federal estate in the form of land acquisition. An incremental funding increase over five years, until full funding, would allow the federal land management agencies to address staffing shortages, train more staff in real estate, address backlog lists, and conduct land surveys to identify all potentially available land purchases. Congress must begin this process in FY 10 by providing \$325 million to the LWCF federal program and \$125 million for the LWCF stateside program. Restoring funding to the LWCF program will help preserve U.S.'s natural places and create valuable public recreation areas and facilities for all Americans.

POLICY RECOMMENDATIONS - BUDGETARY

FY 10 Recommendation:

Land and Water Conservation Fund - \$450 million (\$325 million for federal and \$125 million for stateside)

An increase of \$295.7 million over the FY 08 enacted level of \$154.3 million



DEPARTMENT OF THE INTERIOR

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DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

TOP THREE ISSUES

1. RESTORING BALANCE TO THE BLM'S OIL AND GAS PROGRAM

The new Administration should restore balance between the BLM's fossil fuel leasing and extraction programs, especially its oil and gas program, and the BLM's legal obligation to protect a host of environmental, ecological, fish and wildlife, cultural, and wild land values and resources, as required by the Federal Land Policy and Management Act and other statutes.

2. PRESERVING LANDS IN NATURAL CONDITION

In keeping with its multiple-use mandate, the BLM should reaffirm its commitment to preserve and protect certain public lands in their natural condition. Lands managed by the BLM primarily for conservation are comprised of unique ecosystems, wild and remote landscapes, important wildlife habitats, and harbor important artifacts of America's cultural legacies. Agency resources should be directed to ensure the conservation of these lands.

3. RESTORE SCIENCE IN AGENCY PLANNING

The new Administration should restore and enhance professionalism and the use of science in agency planning, analysis, and decision-making. Given the uncertainties of climate change, science-based planning, including landscape-level analysis and interagency coordination, is critical to successfully balancing energy development and wildlife and ecosystem conservation and the delivery of multiple use benefits on BLM lands.

KEY APPOINTMENT POSITIONS

- Assistant Secretary, Land and Minerals Management
- BLM Director
- Deputy BLM Director (one of two)
- BLM Chief of Staff



DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

ISSUE 1

RESTORING BALANCE TO THE BLM'S OIL AND GAS PROGRAM

BACKGROUND

During both terms of the Bush Administration, the extraction of oil and gas from the public lands has become the Bureau of Land Management's dominant policy objective. Though the extraction of these and other fossil fuel resources from the public lands is a legitimate activity, policies pursued by the Bush Administration have emphasized the extraction of fossil fuel resources above the proper stewardship of all other resource values that occur on lands managed by the BLM, including a host of environmental, ecological, fish and wildlife, cultural, and wild land values. The BLM's obligation to protect and properly manage these resources is articulated in Sec. 102(a) (8) of the Federal Land Policy and Management Act (FLPMA), as well as in a number of other applicable statutes. Unfortunately, the Bush Administration's drive to open vast areas of the public lands to energy development, along with its efforts to reduce various environmental safeguards to protect the resources and values that have been placed at risk from the impacts of energy development, have begun to adversely affect the environment and quality of life of areas throughout the Rocky Mountain West and Alaska where much of this development is concentrated.

Most conservationists agree that oil and gas development is a proper use of the public lands. Such development, however, should only be carried out in an environmentally safe manner and in appropriate places. Balance must be restored between the extraction of these fuels and the stewardship of other resource values, so that the air we breathe and the water we drink are unimpaired by these activities, fish and wildlife habitats and populations are not threatened, areas of the public lands more appropriate for wilderness and other kinds of protective designations are unharmed, and fossil fuel extraction activities are carried out in a manner that assures the future restoration of lands damaged by these activities.

POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. Rescind Executive Order Expediting Energy Projects

Rescind (1) E.O. 13212 directing the federal agencies to "expedite energy-related projects," including by expediting permit review and taking other actions to "accelerate completion" of these projects; and (2) E.O. 13211 requiring agencies to prepare a "statement of energy effects" for any action that could adversely affect energy supply and distribution, detailing not only potential effects but also alternatives to avoid those effects.

Responsible Official: the President

2. Review Proposed Lease Sales before Giving Notice

The new Administration should require prior review by the BLM Director of any oil and natural gas lease sales proposed for areas that would be withdrawn from leasing under proposed or pending conservation legislation or areas that are important wildlife habitats or migration corridors identified by the states with reference to the Western Governor's Association Res. 07-01. It should also require that



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lease sale proposals for inventoried roadless areas on national forests be reviewed by the Chief of the U.S. Forest Service before any leasing action is taken by BLM agency staff. Upon such review, affected lands could be deferred indefinitely from future sales, have additional stipulations added to protect key values, be segregated from future sales pending Congressional disposition of their status, or be administratively withdrawn from future sales.

Responsible Officials: Assistant Secretary for Land and Minerals Management and BLM Director

3. Conform Application of Categorical Exclusions

The new Administration should restore the important role that robust public participation plays in informing and consequently improving key decisions on how valuable ecological resources are to be managed. Categorical exclusions authorized by Section 390 of the Energy Policy Act should not be authorized when, as required by the Council on Environmental Quality rules at 40 C.F.R. 1508.4, “extraordinary circumstances,” are found to be present. The Department of the Interior’s Departmental Manual (Chpt. 2, Appendix 2) lists a number of extraordinary circumstances in which a normally excluded action may have a significant environmental effect, thus requiring additional analyses and action, precluding use of a categorical exclusion. Current BLM policy in implementing Sec. 390 of EPACT is to ignore the applicability of the relevant CEQ and DOI rules in this regard.

Responsible Officials: Assistant Secretary for Land and Minerals Management and BLM Director

4. Convene Oil Shale Task Force

The final rule implementing Sec. 369 (d) and (e) of the Energy Policy Act of 2005, found at 43 CFR Parts 3900, 3910, 3902, et seq., authorizing commercial oil shale leasing and development is severely deficient in many respects. For example, the BLM is required by statute to ensure a fair market value return to taxpayers for resources it leases but cannot do so under these rules. Moreover, these rules include inadequate environmental standards for the conduct of commercial oil shale operations on future federal leases. Because the Bush Administration intends to issue a final rule governing the oil shale program, the new Administration should convene a senior-level Departmental task force to review the new rule’s defects and implement the necessary steps for rectifying them.

Responsible Officials: DOI Secretary; Assistant Secretary, Policy, Management and Budget; Assistant Secretary for Land and Minerals Management; BLM Director

5. Withdraw Teshekpuk Lake Special Area

The new Administration should withdraw the Teshekpuk Lake Special Area, which contains internationally significant wetlands and habitat for migratory birds, from additional oil and gas leasing. Currently part of the area is “deferred” from leasing. Instead, the entire special area should simply be closed to leasing.

Responsible Officials: DOI Secretary; Assistant Secretary, Policy, Management and Budget; Assistant Secretary for Land and Minerals Management; BLM Director



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POLICY RECOMMENDATIONS - LEGISLATIVE

1. Repeal Clean/Safe Water Exemptions in the Energy Policy Act

Sections 323 and 322 of Energy Policy Act of 2005 exempted the oil and gas industry from key aspects of the Clean Water Act (storm-water permits for construction activities) and the Safe Drinking Water Act (hydraulic fracturing). The new Administration should seek the repeal of these provisions of EPACT and ensure compliance with these statutes which are of critical importance to maintaining safe water supplies in arid western states.

Responsible Officials: Assistant Secretary, Land and Minerals Management; Director, Office of Congressional and Legislative Affairs

2. Study NPRA Surface Values

The new Administration should urge Congress to enact legislation which (a) withdraws the Teshekpuk Lake Special Area from oil and gas leasing and (b) requires the Secretary of the Interior to study the wildlife, subsistence, wilderness, and other surface values in the National Petroleum Reserve-Alaska and make recommendations to Congress on how to provide maximum protection for these values.

Responsible Officials: Assistant Secretary for Lands and Minerals Management; BLM Director

THE FIRST 100 DAYS

- The BLM has a very aggressive schedule for oil and gas lease sales for calendar year 2009 (e.g. Montana on January 27; Wyoming, Colorado and Utah in February; Nevada, Oregon and California in March; and Wyoming, Montana, and New Mexico further out in 2009). The new Administration should issue a new policy requiring additional reviews of proposed tracts within areas proposed for legislative protection, within Western Governors' Association recommended wildlife habitat corridors, and within inventoried roadless National Forest areas as soon as possible after January 20, 2009.
- The BLM issued a Record of Decision (ROD) for a revised activity and leasing plan in the Northeast National Petroleum Reserve-Alaska in July of 2008. This ROD includes the deferral of oil and gas leasing north and east of Teshekpuk Lake for at least 10 years. While the NEPA documents are still current, BLM should revisit this decision and close the entire Teshekpuk Lake Special Area to additional leasing. This action would not affect valid existing leases.



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ISSUE 2

PRESERVING LANDS IN NATURAL CONDITION

BACKGROUND

The BLM is the steward of hundreds of millions of acres of land containing some of the nation's most spectacular ecological and cultural values which are deserving of conservation. Over the least eight years there has been a concerted effort by the Bush Administration to disregard the BLM's multiple-use mandate to protect and improve these public lands. Regrettably, inappropriate policies implemented by the Bush Administration have resulted in polluted watersheds, ruined soil, despoiled riverbanks, damaged wildlife habitat, and destroyed archaeological sites.

Manifestations of the Bush Administration's abandonment of BLM's obligation to conserve lands are plentiful. In Utah, the Bush Administration has made millions of acres of lands that were inventoried as having "Wilderness Character" in the Clinton Administration available for oil and gas development. In another example of errant stewardship, the BLM issued oil and gas leases on the entire 55,000-acre Roan Plateau in Colorado, an island of fragile ecological values, valued for its hunting and fishing and other outdoor recreation opportunities. Finally, under the Bush Administration, BLM has chronically under-funded the conservation portion of its multiple-use mandate. While the BLM's oil and gas budget has doubled over the past seven years, its stewardship programs have mostly stagnated or declined. This budgetary inequity is perhaps best illustrated by the dispersion of funds across agencies for the Land and Water Conservation Fund. The BLM, entrusted with the management of more acres of public land than any other federal agency, received just \$8.6 million in FY 06 compared to \$28 million for FWS, \$34.4 million for NPS and \$41.8 million for USFS.

In Section 102 (a)(8) of the Federal Land Policy and Management Act of 1976, Congress declared it was the policy of the United States to, "where appropriate, preserve and protect certain public lands in their natural condition." This policy has been subverted, maligned and blatantly ignored over the past eight years. The next Administration should restore the agency's land conservation mandate, and signal that restoration with the reallocation of necessary funding towards that goal.

POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. Reverse Sweetheart "No Wilderness" Court Settlements and Policies

A settlement agreement entered into with the State of Utah by then Secretary Norton improperly abrogated the BLM's responsibility to identify and administratively protect lands harboring wilderness characteristics, as required by Sections 201 and 202 of FLPMA. The new Administration should rescind the Utah settlement agreement, in recognition of the BLM's legal responsibility to identify and administratively protect lands harboring wilderness characteristics, and initiate the process to revise all RMPs that precluded wilderness study area designation and protection on the basis of that agreement. Moreover, the new Administration should reassert the "Babbitt policy", also rescinded by Secretary Norton, that allowed the BLM to perform reviews of Alaska BLM lands to determine their suitability for wilderness protection, as provided for under Sec. 1320 of ANILCA and more indirectly under Sec 201 and 202 of FLPMA. Further, BLM should complete all existing wilderness and wild and scenic rivers studies within three years, consider potential wilderness and wild and scenic rivers with each new generation of land planning, and send completed studies to Congress through the President as required by law.



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Responsible Officials: Secretary of the Interior and BLM Director

2. Review Leasing Decision at Roan Plateau in Colorado

Given the significant controversy and pending lawsuit surrounding the August 2008 Roan Plateau lease sale in Colorado, the new Secretary should promptly agree to revisit the Roan Planning Area Resource Management Plan Amendment. The Secretary should also suspend or vacate the leases issued pursuant to that Plan amendment until BLM has prepared an analysis of additional Plan alternatives, including alternatives that offer strong protections to the base and top of the Plateau.

Responsible Officials: Assistant Secretary for Land and Minerals Management and BLM Director

3. National Monuments and Off-road Vehicles

The new Administration should impose a planning time-out for BLM national monuments pending the development and issuance of guidance that requires such plans to prioritize protection of monument objects. It should also include a stringent definition of a road akin to the one used in agency wilderness review process in order to limit/eliminate ORV damage. In addition, such guidance should address deficiencies in completed monument plans which fail to prioritize the protection of monument objects.

Responsible Official: BLM Director

4. Review Leasing Decision at Otero Mesa in New Mexico

Oil and gas leasing on Otero Mesa in New Mexico went forward against the strong objections of the governor and was based on an environmental impact statement (EIS) that never analyzed the aggressive oil and gas plan that the BLM ultimately adopted. The next Director of BLM should review the RMP amendment and associated leasing decisions and prepare a new or supplemental EIS, in which BLM considers adopting broader protections which would prevent habitat fragmentation in this unique Chihuahuan grassland and protect the Salt Basin aquifer, by reconsidering the Preferred Alternative set out in the Draft RMP Amendment and designating an area of critical environmental concern.

Responsible Officials: Assistant Secretary for Land and Minerals Management; BLM Director

5. Rescind Secretary Norton's R.S. 2477 policy

The next Secretary of the Interior should issue new department policy, including instructions to the BLM, which (a) limit agency R.S. 2477 right-of-way determinations to emergency situations, thereby requiring claimants to bring quiet title suits against the US, and (b) bar the use of recordable disclaimers for R.S. 2477 claims. The new Secretary should also limit BLM's scope of authority for reviewing R.S. 2477 emergency claims to claims affecting BLM lands only. The National Park Service and U.S. Fish and Wildlife Service should once again be re-delegated the authority that they previously had for addressing R.S. 2477 claims on park and refuge lands.

Responsible Officials: Secretary of Interior and BLM Director

6. Review Leasing in Utah's Red Rock Landscapes

Six Resource Management Plans and Records of Decision covering Utah's iconic Red Rock BLM lands were issued in October and November 2008 and are fatally flawed in a number of ways. These plans must be reviewed and revised in order to provide appropriate protection for millions of acres of sensitive lands currently targeted for destructive development activities. The BLM should not offer any lease tracts



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for sale on any land within these planning areas that would be protected by America's Red Rock Wilderness Act as introduced in the 110th Congress. In addition, any leases in such areas that may be sold or issued during the lease sale currently scheduled for December 19, 2008, must be cancelled.

POLICY RECOMMENDATIONS - LEGISLATIVE

1. Support National Landscape Conservation System Act

If it is not passed in the Lame Duck session of Congress, the new Administration should support passage of the National Landscape Conservation System Act, a bill to codify the administratively-created National Landscape Conservation System, covering 26 million acres of BLM land, and other legislative initiatives such as wilderness designations to protect sensitive BLM lands from irresponsible development activities.

Responsible Officials: Assistant Secretary for Lands and Minerals Management, Director, Office of Congressional and Legislative Affairs, and BLM Director

POLICY RECOMMENDATIONS - BUDGETARY

1. Sustaining the National Landscape Conservation System

The new Administration should increase funding for the National Landscape Conservation System to \$75 million to prevent additional irreparable damage to the System's outstanding cultural and natural resources. BLM should also establish dedicated budget categories for all Conservation System units.

Responsible Officials: Assistant Secretary for Lands and Minerals Management and BLM Director

THE FIRST 100 DAYS

- **Review Leasing Decision at Roan Plateau in Colorado** - The new Administration should immediately revisit the Roan Plateau leases issued in August of 2008. The case of the Roan Plateau offers a unique opportunity for the incoming administration to distance itself from the past eight years, which took a "drill everywhere now, ask questions about local communities, wildlife and the environment later" attitude. Revisiting these deeply flawed leases would assure the public that responsible domestic production can be part of a balanced energy agenda, provided that it is done in a way that respects local communities, imperiled wildlife, and irreplaceable natural values. A federal judge has indicated that a decision on a lawsuit, filed against BLM for moving forward with a leasing plan that does not protect air, water, wildlife or local communities, will be reached in June of 2009. Should the judge erroneously rule in BLM's favor, the leasing plan will go forward and the wishes of the Colorado Governor, multiple members of the Colorado Congressional delegation, and numerous local communities will be ignored. The Secretary should suspend or vacate the leases issued pursuant to the Plan amendment until BLM has prepared an analysis of additional Plan alternatives, including alternatives that offer strong protections to the base and top of the Plateau.



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- **Review Oil and Gas Leasing Decisions for Otero Mesa in New Mexico** - The next Director of BLM should immediately begin a review of the RMP Amendment and associated leasing decisions and announce the reopening of the NEPA process in order to consider broader protective measures for this critical area. The Bush Administration's decision to move forward with this leasing proposal despite the strong opposition from the State Governor and local citizens makes it a poster child for all that has gone wrong with oil and gas leasing on our western lands.
- **Immediate Halt to Processing R.S. 2477 Claims under the Disclaimer Process** - Except in extremely limited situations, the next Secretary of the Interior should immediately direct BLM to stop processing R.S. 2477 claims under the highly controversial "Disclaimer" regulations issued under Secretary Gale Norton, and require that such claims to be pursued through quiet title actions. Prompt action is required on the part of the Secretary in order to insure that no spurious claims are approved before the senior leadership for the new Administration are on board at the Interior department.
- **Review and Revise Six Resource Management Plans and Records of Decision in Utah** – Immediate review of the six Resource Management Plans and Records of Decision affecting Utah's Red Rock landscapes is needed to address a number of fatal flaws. These plans must be reviewed and revised in order to provide appropriate protection for millions of acres of sensitive lands currently targeted for destructive development activities.

ISSUE 3

RESTORE SCIENCE IN AGENCY PLANNING

BACKGROUND

For the past eight years the Bush Administration has actively suppressed, ignored or manipulated science in the federal lands management policy arena, particularly on the multiple-use lands of the Forest Service and BLM. Despite the fact that FLPMA calls for the use of "a systematic interdisciplinary approach to achieve integrated consideration of physical, biological, economic and other sciences"¹, the outgoing Administration has heavily favored narrow resource-extraction values over other multiple-use values, disregarding the use of critical science-based analytical and procedural tools that lead to high quality, publicly credible, and legitimate land management decisions.

Given the enormous land management challenges of the coming decades— including our land management agencies' response to climate change and the complex natural resource dilemmas associated with climate change (i.e. species adaptation, extreme variability in natural processes)—it is imperative that the new Administration

¹ U.S. Department of the Interior, Bureau of Land Management and Office of the Solicitor (editors). 2001. The Federal Land Policy and Management Act, as amended. U.S. Department of the Interior, Bureau of Land Management Office of Public Affairs, Washington, D.C. 69 pp.



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restore agency credibility and public confidence in agency mission and professionalism by reaffirming science-based planning, analysis and decision-making processes for BLM and other federal lands management agencies.

The effective application of science to land management planning and decision-making requires three “essential ingredients”:

- Well-defined, measurable standards (i.e. wildlife population or habitat condition targets), developed via a robust public involvement processes.
- The employment of science-based analytical tools to evaluate compliance with the standards (e.g. population viability analysis, or the spatially explicit Decision Support System recommended by the Western Governor’s Association).
- Consistent utilization of science-based analysis and decision-making which will be dependent upon dedicated funding for monitoring and science-based adaptive management processes.²

The incoming Administration should consider these essential elements as it moves forward with efforts to restore public confidence and apply science-based analysis to BLM decision-making processes.

POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. Western Governors Association’s Wildlife Habitat Corridors Initiative

In 2007, the Western Governors’ Association (WGA) approved a resolution—Protecting *Wildlife Migration Corridors and Crucial Wildlife Habitat in the West*. The resolution maps out a science-based interagency strategy to identify and conserve key wildlife corridors and crucial wildlife habitats in the West. The new Administration should direct the BLM to support the initiative, and to coordinate policy development with the WGA, including the use of spatially explicit Decision Support Systems (DSS) and state wildlife information (from State Wildlife Action Plans) in BLM planning and decision-making processes.

Responsible Official: BLM Director

2. Study Surface Values Throughout NPRA

The new Administration should conduct a new study of wildlife, wilderness, subsistence, cultural and other values in the National Petroleum Reserve-Alaska, including but not limited to designated special areas. It should also initiate a new planning process to fulfill the requirement of the National Petroleum Reserve Production Act [NPRPA, 42 U.S.C. §§ 6504(b), 6508] to assure maximum protection of significant surface values consistent with the purposes of the act. Current activity Plans do not cover all of NPRA, are based on outdated or incomplete science, and do not fully address cumulative effects or climate change.

Responsible Official: BLM Director

² Rohlf, D.J. 2004. Science, Law, and Policy in Managing Natural Resources: Toward a Sound Mix Rather than a Sound Bite. Pages 127-142 in K. Arabas and J. Bowersox, editors. *Forest futures: science, politics, and policy for the next century*. Rowman and Littlefield, Lanham, Maryland, USA.



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3. Direct BLM to conduct standards-based planning

Using existing authorities, the new Administration should instruct the BLM to implement planning and decision-making processes (including data collection, analysis, and monitoring) that employ measureable planning objectives at multiple biological scales (i.e. fish and wildlife populations, habitat and ecosystem conditions). This recommendation is strongly echoed by the Western Governors Association's *Wildlife Corridor Initiative* (www.westgove.org/wga/initiatives/corridors) and the Sportsmen for Responsible Energy Development's *Recommendations for Responsible Oil and Gas Development* (www.sportsmen4responsibleenergy.org).

Responsible Official: FWS Director

4. Direct BLM to conduct meaningful landscape-level planning

BLM's Healthy Landscape Initiative (HLI), while at this point completely inadequate to support needed landscape-level, interagency planning, never-the-less has the potential to serve as a basis for meaningful planning. The new Administration should take steps, including substantive increases in funding, to bolster the utility of HLI and to integrate Resource Management Plans into that framework.

Responsible Official: BLM Director

5. Provide substantive direction on climate change planning

The new Administration should provide substantive direction to land management agencies on the incorporation of climate change in federal planning and decision-making processes, provide guidance on NEPA processes, and articulate the nature of federal cooperation with other federal agencies, state agencies, Western Governors' Association, Tribes and other landowners on critical climate change planning processes.

Responsible Official: Chair of CEQ

POLICY RECOMMENDATIONS - LEGISLATIVE

1. Support the America's Wildlife Heritage Act

The America's Wildlife Heritage Act, introduced by Rep. Ron Kind (D-WI) in the 110th Congress, modernizes the Forest Service wildlife population viability standard and monitoring requirements and codifies them into law. The proposal also should apply to BLM. Authorizing these requirements in statutes is an important to avoid the type of large regulatory swings proposed by the Bush Administration and this legislative proposal should be strongly supported by the new Administration.

Responsible Officials: Assistant Secretary for Lands and Minerals Management, Director, Office of Congressional and Legislative Affairs, and BLM Director

2. Support revenue streams for climate adaptation

The new Administration should support climate change legislation that establishes permanent revenue streams out of cap and trade auctions to support coordinated multi-jurisdictional planning and decision making processes that address wildlife adaptation and connectivity management.



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Responsible Officials: Assistant Secretary for Lands and Minerals Management, Director, Office of Congressional and Legislative Affairs and BLM Director

POLICY RECOMMENDATIONS - BUDGETARY

1. Sustainable funding for science-based planning

The new Administration should establish a source for sustainable funding for coordinated, interagency science-based planning, analysis, monitoring and decision-making processes, including support for policy relevant climate change science. Specifically, BLM and other land managers need usable, decision-scale tools and information that estimate how wildlife, habitats and ecosystems will respond to climate change.

Responsible Officials: Secretary, Assistant Secretary for Lands and Minerals Management, Assistant Secretary for Policy, Management and Budget, BLM Director, OMB PAD for Natural Resources, CEQ

2. Promote USGS policy relevant research

The new Administration should promote and support a significant increase in funding for USGS policy-relevant research that supports the application of science-based tools to land management planning and decision-making processes, including investments in the Gap Analysis Program, the Status and Trends Program, the National Biological Information Infrastructure, and Cooperative Fish and Wildlife Research Units. Funding also needs to be made available to the BLM to incorporate such analyses and use of such tools in its land use planning program.

Responsible Officials: Assistant Secretary for Lands and Minerals Management and BLM Director

THE FIRST 100 DAYS

- To achieve coordinated planning, and to ensure that wildlife adaptation and corridor management is considered in BLM planning processes, the new Administration should issue substantive guidance to land management agencies on the incorporation of climate change in federal planning and decision-making processes. In addition, CEQ should provide guidance on how to incorporate consideration of climate change into NEPA processes and should articulate the most effective way that federal agencies should interact with each other, state agencies, Tribes and private landowners on critical climate change planning processes.
- The new Administration should support legislation that establishes permanent revenue streams to support coordinated multi-jurisdictional planning and decision-making processes that address wildlife adaptation and connectivity management. The new administration should prevent from going into effect, or propose regulations that would undo, the changes in the regulations implementing Section 7 of the ESA that were proposed on August 15, 2008. Over 100,000 citizens filed comments objecting to the Bush Administration's proposed section 7



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rollbacks. Blocking these regulations would send a clear and popular signal that the new administration is reversing the harmful policies of the previous administration.



DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION





DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION

TOP THREE ISSUES

1. MANDATE FOR THE 21st CENTURY

The Bureau of Reclamation (Reclamation) needs a new mandate for the 21st Century—one that recognizes the West's limited and unevenly distributed fresh water resources are used inefficiently and ineffectively. If inefficient use and water contamination continue unabated, they will impoverish this and future generations, destroy the limited remaining aquatic ecosystems, and threaten our future food supply.

2. RESPONDING TO CLIMATE CHANGE

A national strategy to integrate climate into water management and planning at all levels is required. Particular emphasis must be given to two simultaneous efforts: reduce greenhouse gas emissions associated with our water system, and help local communities and water dependent ecosystems adapt to the unavoidable impacts of climate change.

3. TRANSITION FROM A CUSTOMER SERVICE AGENCY TO A PUBLIC SERVICE AGENCY

The Bureau currently operates for the benefit of water and power contractors at the expense of natural resources and other values. Reclamation must transition from a customer service to a public service agency and in addition become more sensitive to its international obligations along the Canadian and Mexican borders.

KEY APPOINTMENT POSITIONS

- Assistant Secretary of Water and Science (ASWS)
- Deputy Assistant Secretary of Water and Science
- Commissioner of Reclamation (BOR)
- Commissioner, International Boundary and Water Commission (Department of State)
- Solicitor
- Associate Solicitor for Land and Water



DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION

ISSUE 1

MANDATE FOR THE 21st CENTURY

BACKGROUND

Safe and adequate fresh water resources are central to the economy, foreign policy, and security of the United States. The next Administration will face several key national and international challenges related to fresh water within the domain and authority of the Bureau of Reclamation. Failure to address them will have economic, political, environmental, public health and diplomatic ramifications.

Reclamation has acknowledged that the 21st century brings different challenges and tasks than those originally contemplated. Born in the development needs of the last century, Reclamation has an evolving role in the West based on the interstate nature of western rivers, national commitments to Indian tribes and environmental protection, and the expertise it can provide to communities. The new Administration should insure that Reclamation elevate the importance of these values in decision-making, project management and stakeholder relations.

Reclamation also can no longer act as if these values do not exist or apply to them. The agency's delay in responding to legitimate environmental, Native American and international water needs and its refusal to budget for existing needs do not in fact avoid crisis but postpone and worsen the predicament.

A new mandate for Reclamation must include:

- Recognizing that the agency has a powerful role – and vested interest – in water use and management that it cannot relinquish to the states and local water users;
- Moving its organizational philosophy away from crisis avoidance and toward environmentally sustainable management;
- Improving the inclusivity of decision making processes, providing for openness and full participation by all stakeholders, including local governments, tribal entities, and community interests;
- Empowering regional officials in stakeholder processes and decision-making; and
- Making water issues and the management protection and restoration of Western rivers more accessible to the public.
- Moving away from traditional water development and subsidies and toward a greater emphasis on cost-effectiveness, efficiency, reuse and cost-sharing.



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POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. **Streamline and coordinate federal water responsibilities**

The new Administration should insure that Reclamation participate fully in the reorganization and streamlining of the diverse and uncoordinated federal water responsibilities and expand the collection of water-use and water-quality data. Far greater coordination with the Army Corps and US EPA is essential to manage water resources in a coordinated manner.

Responsible Officials: ASWS, Commissioner of Bureau of Reclamation

2. **Conserve water for the environment**

Reclamation is looking at increased efficiencies in water supply infrastructure as the cheapest and least controversial “new” source of water. While preferable to new storage projects, efficiency projects are not without environmental impacts. Many of the riparian areas and wetlands in the West are sustained by anthropogenic water sources – slop in the system. Leaky dams, unlined canals and irrigation return flows often are a significant source of water to rivers and wetlands. The new Administration should insure that Reclamation dedicate a percentage of the water conserved by these projects (e.g., in proportion to the federal cost) to the river system for the benefit of the environment.

Responsible Officials: ASWS, Commissioner of Bureau of Reclamation

3. **Review existing contracts**

The new Administration should direct Reclamation to review existing and proposed irrigation contracts in the context of best available technology to ensure beneficial use of water.

Responsible Officials: ASWS, Commissioner of BOR, Solicitor, Associate Solicitor for Land and Water

4. **Identify management flexibilities**

Reclamation survey of its facilities for operational flexibilities will assist the agency in balancing water needs, coping with climate change, and educating stakeholders. Currently, management flexibility is limited by lack of understanding and agreement among agencies, beneficiaries and other stakeholders as to legal, regulatory, and operational constraints and opportunities among Reclamation facilities. The new Administration should direct Reclamation to conduct such a survey of its facilities in order to enhance its understanding of the full range of possible operational flexibilities at its disposal.

Responsible Officials: ASWS, Commissioner of Bureau of Reclamation

5. **Establish adequate river flows**

Reclamation projects impact virtually all major river systems in the Western United States. The new Administration should seek to establish flow standards in partnership with appropriate state authorities to ensure that adequate flows are maintained to support instream and associated aquatic ecosystem values.

Responsible Officials: ASWS, Commissioner of BOR, Solicitor, Associate Solicitor for Land and Water



DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION

6. Prioritize ecosystem restoration

Reclamation has largely disappeared as a pro-active voice for conservation in the California Bay-Delta, Central Valley, the Rio Grande, the Klamath Basin and the Salton Sea among other important system. The new Administration needs to insure that the agency will re-engage in its operations with a broader, conservation oriented ethic in order to bring creative long term solutions forward in these and other systems.

Responsible Officials: Secretary, ASWS, Commissioner of Bureau of Reclamation

POLICY RECOMMENDATIONS - LEGISLATIVE

1. Create bipartisan Water Commission for the 21st Century

The new Administration should establish a new national, bipartisan Water Commission for the 21st Century to evaluate and recommend changes to national water policy.

Responsible Officials: Secretary, ASWS, Commissioner of Bureau of Reclamation

2. Manage watersheds on a coordinated, systems basis

The new Administration should work with Congress to establish a multi-agency, multi-jurisdictional approach to managing watersheds in a coordinated fashion to better recognize ecosystem benefits, flood protection and water supply reliability in a changing climate. As snowpack diminishes but rain may increase, the new Administration needs to strive to eliminate the traditional inter-agency disputes. Changes to Army Corps authority may be needed as well.

Responsible Officials: ASWS, Commissioner of Bureau of Reclamation

3. Refine existing laws to ensure efficient water use

The new Administration should work with Congress to establish incentives for improving water efficiency and reducing wasteful use of water, such as through the Farm Bill, water pricing, trade laws, plumbing codes, and tax code revisions.

Responsible Officials: ASWS, Commissioner of Bureau of Reclamation

POLICY RECOMMENDATIONS - BUDGETARY

1. Spend the money that Congress appropriates

Current Reclamation management often resists fully funding key programs for which the Congress appropriates funds. For example, Reclamation is very resistant to the \$126 million appropriated by the House for water recycling program support. The new Administration should insure that Reclamation expends all of the appropriations that it receives for environmentally oriented programs.

Responsible Official: Commissioner of Bureau of Reclamation



DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION

ISSUE 2 ***RESPONDING TO CLIMATE CHANGE***

BACKGROUND

Global climate changes are already affecting vital sectors across the U.S. and these impacts will likely intensify. Changing climate conditions affect the supply of and demand for water resources, with adverse consequences for the reliability and quality of the nation's water supply, hydroelectric generation, food security and natural resources. The nation is also beginning to see changes in the magnitude, frequency, and costs of extreme events like floods and drought. The failure to update our knowledge on climate impacts or to take actions to reduce their consequences will put further pressure on the nation. This must be remedied early in the new Administration through the development of a national strategy to integrate climate into water management and planning at all levels. Particular emphasis must be given to two simultaneous efforts: reduce greenhouse gas emissions associated with our water system, and help local communities adapt to the unavoidable impacts of climate change on water availability and quality.

The Bureau of Reclamation has been dangerously slow in acknowledging climate change and its impacts on water resources. Virtually all aspects of water management – from timing and availability to supply and demand – are based on past conditions. With regards to climate change, however, past conditions are no longer a reliable predictor of future conditions.

The new Administration needs to insure that Reclamation abandons the scientifically unsound position that historical data provides the best basis for analyzing ongoing and future river management activities and their effects. Reclamation must incorporate climate change into every aspect of its decision-making. This will require fundamental changes in how Reclamation analyzes future projects and challenges. Strategies to address these challenges are included in the following report – <http://www.nrdc.org/globalwarming/hotwater/contents.asp>

POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. Climate change information

The new Administration should direct Reclamation to update all of its decision support systems in eighteen months with best available climate change information and ensure that the systems will be in place to continue to update these tools as new information is developed.

Responsible Officials: ASWS, Commissioner of Bureau of Reclamation

2. Modernize hydrologic modeling

The new Administration should direct Reclamation to develop and implement strategies for enhanced use of climate information in BOR river system modeling and river operations, thereby improving predictive capacity and reducing system vulnerability for the Colorado River system, including the river ecosystem.

Responsible Official: Commissioner of Bureau of Reclamation



DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION

3. Assess drought vulnerability

The new Administration should direct Reclamation to work with states and local water suppliers to develop updated drought vulnerability assessments that reflect evolving knowledge on the likely effects of climate change.

Responsible Official: Commissioner of Bureau of Reclamation

4. Adaptation strategies for climate change

The new Administration should direct BOR to update the 2000 National Assessment on the impacts of climate change on U.S. water resources by developing adaptation strategies for responding to unavoidable impacts. Given budget constraints, this effort should focus on cost-effectiveness, efficiency, reuse and cost-sharing.

Responsible Official: Commissioner of Bureau of Reclamation

5. Climate impact planning

The new Administration should direct Reclamation to integrate climate change into all of its federal water decisions, planning, and management, including new construction and the operation of existing water systems and reservoirs.

Responsible Officials: ASWS, Commissioner of Bureau of Reclamation

6. Reduce greenhouse gas emissions

The new Administration should set specific targets for Reclamation to achieve in reducing greenhouse gas emissions associated with water systems. Such reductions should be achieved by, among other things, reducing the energy cost of providing, treating, delivering, using, and cleaning water.

Responsible Officials: WSAS, Commissioner of Bureau of Reclamation

POLICY RECOMMENDATIONS - LEGISLATIVE

1. Drought mitigation

The new Administration should assess whether new legislation is needed to give BOR flexibility to develop interstate drought mitigation tools.

Responsible Officials: ASWS, Commissioner of BOR, Solicitor, Associate Solicitor for Land and Water

2. Flood protection

The new Administration should assess whether new legislation is needed to give BOR flexibility to address flood capacity in existing projects, such as reoperation based on real time weather and snow pack data.



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Responsible Officials: ASWS, Commissioner of BOR, Solicitor, Associate Solicitor for Land and Water

THE FIRST 100 DAYS

The new Administration needs to direct BOR to promptly launch a series of cross-agency actions noted above that are associated with water resources and climate change. Adapting our existing water infrastructure and management assumptions to accommodate present-day needs is long overdue and can be highlighted at climate change events and conferences focusing on water and drought.

ISSUE 3

TRANSITION FROM A CUSTOMER SERVICE AGENCY TO A PUBLIC SERVICE AGENCY

BACKGROUND

Reclamation's management leans too much towards accommodating the entities that hold contracts to its projects, its "clients." Because most of the large federal water supply projects are still only authorized for flood control, hydropower and irrigation, this inherent lack of flexibility in these authorizations has been a significant barrier to achieving ecosystem reliability as well as water supply reliability for urban areas. As agriculture shrinks in proportion to the overall economy of the West, Reclamation's historic and current approach will fall increasingly further behind in contributing to the emerging and evolving economies of the West. In fact, by focusing nearly exclusively on agriculture, Reclamation policies will fail to keep pace with the changing economic structure of Western states. Action is needed to revisit existing project authorizations to insure that they can accommodate 21st century realities of climate change and brisk population growth in the urban West.

Biologically, Reclamation is managing a vast proportion of rivers in the arid West where biodiversity is largely a function of river health. Reclamation's long-time relationships with consumptive water users has led the agency at times to ignore the interests of stakeholders advocating for the health of the rivers themselves. This relationship has at times led Reclamation to ignore the clear requirements of state and federal law—thus leading to increased judicial intervention in the management of Reclamation projects.

Reclamation has significant management obligations for many facilities in river basins that the U.S. shares with Mexico and Canada. This management has had, and continues to have, severe environmental consequences for our neighbors. Reclamation has too frequently turned a blind eye to the impacts of its activities on other countries forcing both Mexico and Canada to turn to the courts for redress for environmental harms in their countries. Reclamation must abandon this short-sighted practice and view its portfolio with a wider lens.

Other agencies have significant influence over Reclamation's behavior in this arena. Policies that govern our international relationships are established in the U.S. State Department. The International Boundary Water Commission is another agency whose views are relevant to Reclamation policies but whose frame of reference has not kept pace with the rapidly evolving understanding of ecological principles and climate change.



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POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. Assess ecosystem needs

The new Administration should direct Reclamation to assess the needs of freshwater ecosystems associated with its projects and identify actions to meet these needs.

Responsible Officials: ASWS, Commissioner of Bureau of Reclamation

2. Section 417 Determinations

As part of existing mandates for water allocations in river systems, especially 43 C.F.R. Part 417 (Procedural Methods for Implementing Colorado River Water Conservation Measures with Lower Basin Contractors), the new Administration should direct Reclamation to review existing irrigation contractors, as well as proposed contracts, in the context of best available technology to ensure beneficial use of water.

Responsible Officials: ASWS, Commissioner of Bureau of Reclamation

3. Departmental guidance for transboundary impacts

The new Administration should develop and implement a Secretarial Order affirming the obligation to consider transboundary environmental impacts of actions that Departmental agencies undertake in this country.

Responsible Officials: Secretary, Assistant Secretary of Fish, Wildlife, and Parks, ASWS, Solicitor

POLICY RECOMMENDATIONS - LEGISLATIVE

1. Water subsidies

The new Administration should analyze alternatives to traditional water subsidies, including a beneficiary pays approach.

Responsible Officials: ASWS, Commissioner of Bureau of Reclamation

POLICY RECOMMENDATIONS - BUDGETARY

1. Fully fund Reclamation obligations for ecosystem improvements

As an example of the need to meet existing legal obligations, the new Administration should direct Reclamation to aggressively pursue funding to securing water supplies mandated by the Central Valley Project Improvement Act for national wildlife refuges affected by that project.

Responsible Officials: Secretary, ASWS, Commissioner of Bureau of Reclamation and OMB PAD for Natural Resources



DEPARTMENT OF THE INTERIOR

U.S. FISH AND WILDLIFE SERVICE





DEPARTMENT OF THE INTERIOR U.S. FISH AND WILDLIFE SERVICE

TOP THREE ISSUES

1. REINVEST IN, AND REFORM THE MANAGEMENT OF, THE NATIONAL WILDLIFE REFUGE SYSTEM

The National Wildlife Refuge System is the nation's premier system of lands dedicated to wildlife management and conservation. Reinvesting in refuge infrastructure and reforming management to meet challenges such as global warming is necessary to maintain the System's world-class natural resources and conserve imperiled wildlife, plants, and habitats.

2. RESPOND TO CLIMATE CHANGE

Climate change seriously threatens American wildlife and habitats, which clearly strikes to the very core of the FWS mission. Fortunately, the current dilemma presents not only difficult challenges but also great opportunity. The Refuge System should be a leader in understanding the impacts of climate change and in developing the tools necessary to maintain the nation's fish, wildlife and plants for future generations.

3. RESTORE AND IMPROVE IMPLEMENTATION OF THE ENDANGERED SPECIES ACT

The Bush administration has undermined and starved implementation of the Endangered Species Act, one of our most important conservation laws. Among other things, the Administration has issued a number of regulations, proposed regulations, opinions, and guidance documents that substantially weaken protections afforded to listed species under the ESA. A top priority for the new administration should be to strengthen the Act by: (1) reversing these decisions; (2) strengthening the implementation of the ESA through ensuring prompt listing and critical habitat decisions and the creation and implementation of effective recovery plans; and (3) working with Congress to renew and strengthen the ESA for the 21st century.

KEY APPOINTMENT POSITIONS

- Assistant Secretary, Fish, Wildlife and Parks
- Director, U.S. Fish and Wildlife Service
- Deputy Assistant Secretary, Fish, Wildlife and Parks
- Associate Solicitor, Fish, Wildlife and Parks
- Special Assistant to the Secretary for Alaska



DEPARTMENT OF THE INTERIOR U.S. FISH AND WILDLIFE SERVICE

ISSUE 1

REINVEST IN, AND REFORM THE MANAGEMENT OF, THE NATIONAL WILDLIFE REFUGE SYSTEM

BACKGROUND

Unique among federally managed lands, the National Wildlife Refuge System, administered by the U.S. Fish and Wildlife Service, recognizes that certain special areas should be reserved for wildlife—for its own sake but also to provide enjoyment for all Americans. From humble beginnings at Pelican Island, Florida, today more than 547 wildlife refuges and thousands of small prairie wetlands totaling nearly 100 million acres have been established across all U.S. states and territories. They provide essential habitat for migratory birds and other wildlife, a safe haven for endangered species, protection for imperiled ecosystems, and recreational opportunities such as fishing, hunting, wildlife watching and environmental education for nearly 40 million annual visitors. Without doubt, the Refuge System is the nation's premier system of lands dedicated to wildlife management and land conservation.

Unfortunately, our national wildlife refuges are not immune from the threats facing wildlife and natural areas everywhere. Wildlife refuges not only face encroachment from housing and commercial development on their borders, but increasingly from invasive species, impacts from a rapidly changing climate, threats to maintaining adequate water quality and quantity, oil and natural gas drilling and other energy development such as wind turbines, and a sharply reduced workforce. In addition, the Refuge System faces a \$3.5 billion backlog of unmet needs to repair infrastructure and manage its world-class natural resources. In a world with ever-shrinking natural areas, America must act quickly to strategically reinvest in the Refuge System, to revitalize and restore it, and safeguard our unique natural resources for the benefit of wildlife and millions of present and future Americans.

POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. Promulgate regulations governing mineral extraction on refuges

New regulations should be promulgated establishing a precautionary approach to approval and management of mineral activities on refuges. Collection of fees will allow for immediate mitigation, restoration and monitoring of sites; deadly open reserve pits should be banned; and a new Mineral Resources Team should provide technical expertise to managers.

Responsible Official: FWS Director

2. Develop policies on wilderness, water resources, invasive species, and habitat protection for the Refuge System

The Bush administration recently published an inadequate wilderness protection policy for the National Wildlife Refuge System. The policy should be reviewed, revised, and resubmitted for additional public comment. Among its shortcomings, the policy failed to address climate change in wilderness reviews and precludes wilderness study in Alaska. Moreover, a Wilderness Review Handbook for refuge



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managers should be completed. Refuge managers should receive training in conducting wilderness reviews, and identify and conduct studies of potential areas for wilderness designation during every generation of refuge planning. Refuge managers should send all areas identified as suitable for wilderness to the Secretary for transmittal to the President and Congress.

Climate change, invasive species, increasing water demand, and adjacent development all threaten refuges. Policies should be developed that standardize the assessment and management of these threats, and promotes strategic land acquisitions and easements to reduce the threats.

Responsible Official: FWS Director

3. Reevaluate compatibility determinations on refuges

The previous administration improperly injected political considerations in some compatibility determinations under the Refuge Improvement Act or initiated improper land exchanges to avoid making compatibility determinations. The new administration should block actions that allow incompatible uses on refuges, such as the Yukon Flats land exchange, and reevaluate any tainted compatibility determinations made under the previous administration.

Responsible Official: FWS Director

4. Develop an environmental education strategy for the Refuge System

Wildlife refuges are uniquely positioned to educate the public on wildlife conservation and threats to it, particularly global warming. The new administration should develop and implement an environmental education strategy for refuges to cultivate new and diverse constituencies supportive of wildlife and land conservation.

Responsible Official: FWS Director

5. Develop Refuge Science Initiative

Many wildlife refuges in the system have gone years without even basic scientific information such as the presence or absence of endangered species. The new administration should initiate an immediate effort, using partnerships and citizen science, to complete consistent and comparable basic inventories of refuge resources.

POLICY RECOMMENDATIONS - LEGISLATIVE

1. Funding for natural resources adaptation to global warming

Protecting refuge wildlife and habitats from the impacts of global warming will require a substantial investment in developing and implementing a national strategy to assist natural resources adaptation. The new administration should support the inclusion of a dedicated revenue stream for natural resources adaptation in any comprehensive climate change legislation.

Responsible Official: Assistant Secretary, Fish, Wildlife and Parks



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2. Block the Izembek National Wildlife Refuge land exchange

Legislation authorizing a land exchange within designated wilderness on the Izembek National Wildlife Refuge in order to permit the building of a road through the refuge is unnecessary to ensure public safety and an abuse of both refuge and wilderness protection laws. The new administration should oppose any legislation authorizing the Izembek land exchange.

Responsible Officials: Assistant Secretary, Fish, Wildlife and Parks and FWS Director

3. Support the strongest possible protection for the Coastal Plain of the Arctic National Wildlife Refuge

The new administration should support the strongest possible protection for the Coastal Plain of the Arctic National Wildlife Refuge, including wilderness designation as a means of putting an end to the decades-long fight over the Arctic National Wildlife Refuge.

Responsible Officials: Assistant Secretary, Fish, Wildlife and Parks and FWS Director

4. Support designation of wilderness areas on national wildlife refuges

The new administration should urge the House Natural Resources Committee and the Senate Energy and Natural Resources Committee to consider and adopt pending National Wildlife Refuge wilderness proposals.

Responsible Officials: Assistant Secretary, Fish, Wildlife and Parks and FWS Director

POLICY RECOMMENDATIONS - BUDGETARY

1. Make a renewed commitment to funding the Refuge System

The greatest service that could be provided to America's wildlife refuges is a commitment to funding the Refuge System at a level commensurate with its disproportionately beneficial mark upon the landscape. Based on recommendations from the Cooperative Alliance for Refuge Enhancement, the Refuge System needs \$765 million per year by FY 2013 to properly administer its nearly 100 million acres.

Responsible Official: FWS Director

2. Increase funding for strategic land acquisitions

Due to steep declines in land acquisition appropriations and requests under the previous administration, expansion of the National Wildlife Refuge System has not kept pace with needs. The new administration should seek to acquire priority properties identified for refuge acquisition, beginning with the FY 2010 budget request.

Responsible Official: FWS Director



DEPARTMENT OF THE INTERIOR U.S. FISH AND WILDLIFE SERVICE

THE FIRST 100 DAYS

Announce a Refuge Budget Initiative

The greatest service that could be provided to America's wildlife refuges is a commitment to funding the Refuge System at a level commensurate with its disproportionately beneficial mark upon the landscape. Based on recommendations from the Cooperative Alliance for Refuge Enhancement (which includes a broad range of conservation and sportsmen organizations), the Refuge System needs \$765 million per year by FY 2013 to properly administer its nearly 100 million acres. This announcement would establish a clear administration initiative that can be carried out throughout the first four years, would set a clear priority for protecting wildlife, biodiversity, and opportunities for outdoor recreation, and would be supported by members of Congress on both sides of the aisle.

ISSUE 2

RESPOND TO CLIMATE CHANGE

BACKGROUND

Climate change poses the most significant threat to the natural world seen in the course of human history. Through the ages the Earth has undergone climatic changes but for the most part, at a rate apace with species' adaptability. Changes accelerated by human activity are now occurring too rapidly for species to keep up. Reports from the Intergovernmental Panel on Climate Change and the U.S. Climate Change Science Program confirm what natural resources managers, hunters, anglers, and other outdoor recreationists already know: global warming is causing serious damage and disruptions to wildlife and ecosystems. Furthermore, climate scientists predict that such harmful disturbances will accelerate and worsen. These impacts include: changes in seasonal events that disrupt fish and wildlife populations and ecological communities; melting of polar ice caps; acidification of the oceans; declining snowpack; increased drought; warming of rivers, streams, lakes and estuaries; increased threat from invasive species; habitat shifts northward and upward in elevation; and more frequent catastrophic fires.

Each of these impacts poses a serious threat to the natural resource base that supports both people and wildlife and clearly strikes at the core of FWS's mission. The natural systems that provide us with drinking water, flood protection, food, medicine, timber, recreational opportunities, scenic beauty, jobs, and numerous other services are at great risk. Our children and grandchildren deserve the same opportunities as previous generations have had to fish, explore pristine forests, and see polar bears in the wild. But these opportunities will rapidly decline unless we take decisive action now.

Fortunately, the current dilemma presents not only difficult challenges but also great opportunity. Regrettably, FWS has only scratched the surface in planning for climate change, and is currently mired in relative inaction with neither the operational capacity nor the technical capability to properly address the challenge. To remedy this, a large infusion of federal funding is needed to restore FWS's scientific capacity and to develop strategies, even in the face of considerable uncertainty, which address the impacts of climate change and implement science-based management responses.



DEPARTMENT OF THE INTERIOR U.S. FISH AND WILDLIFE SERVICE

Of all the federal land agencies, the FWS is perhaps best positioned to adapt to changing land-uses and climatic conditions, in part because of its stewardship of the Refuge System. The Refuge System should be a leader in understanding the impacts of climate change and in developing the tools necessary to maintain the nation's fish, wildlife and plants for future generations. The Refuge System enjoys broad public support, has great flexibility in acquiring and restoring select habitats, is nested within an agency that wields the essential tools for conserving wildlife across jurisdictional boundaries, and has a long history of active management that may become increasingly necessary.

The country needs a cohesive national strategy for maintaining plants, fish, wildlife and habitat in the face of climate change. The current absence of a national strategy, however, should not delay thoughtful action at the regional or field level. It is imperative for land and wildlife managers to begin biological monitoring and conservation planning at various scales to address the impacts of climate change on species and ecosystems.

Other federal agencies also playing a critical role: Bureau of Land Management, U.S. Geological Survey, Environmental Protection Agency, NOAA, U.S. Army Corps of Engineers, USDA-Forest Service.

POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. **Implement Climate Change Strategic Plan**

The FWS should finalize and implement the FWS strategic plan on climate change and coordinate such efforts with the wildlife action plans of state and tribal wildlife agencies.

Responsible Official: FWS Director

2. **Ensure Integrity of Climate Change Science in Policies**

The FWS must re-examine its policies and require that the best available climate change science is a priority when making decisions, including issuing guidance directing wildlife refuge managers to incorporate climate change impacts and plans for wildlife adaptation in all CCPs and at all stages of ESA implementation. Specifically, the new administration should withdraw the May 14, 2008 FWS guidance memo and October 3, 2008 Solicitor opinion finding that the ESA's requirements do not apply to greenhouse gas emissions.

Responsible Officials: FWS Director, Assistant Secretary Fish, Wildlife and Parks, Solicitor

3. **Refuge Planning and Climate Change**

Refuge comprehensive conservation plans (CCP) should serve as the vehicle for downscaling national climate strategies and address many of the needed climate change-related actions, such as gathering inventory and monitoring data, restoring habitat, forming cooperative partnerships, and conducting public outreach. CCPs should also include detailed plans for reducing existing or projected non-climate stressors to wildlife, such as mineral extraction, unnecessary roads, or pollution.

Responsible Official: FWS Director



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4. Training for Resource Professionals

To expedite much-needed interagency cooperation at the landscape level, the FWS should create a platform for ongoing professional-level training workshops that involves relevant decision-makers, land owners and managers, and researchers.

Responsible Official: FWS Director

5. Create Regional Climate Advisory Teams

Create regional Climate Advisory Teams of expert scientists to assist refuge managers and ecological services staff in completing CCPs, prioritizing conservation efforts, and making ESA implementation decisions in accordance with the best available science on climate change impacts.

Responsible Official: FWS Director

POLICY RECOMMENDATIONS - LEGISLATIVE

1. Wildlife Adaptation in Climate Legislation

Any comprehensive climate change legislation proposed by the Administration or supported by it in Congress must allocate a portion of revenue from the sale of emissions allowances to support adaptation of wildlife and habitat to global warming impacts. Providing a dedicated portion of funding will be necessary to ensure that important public values and resources will be addressed in the context of a comprehensive approach to climate change.

Responsible Officials: Secretary of the Interior; Assistant Secretary for Fish, Wildlife and Parks; FWS Director

POLICY RECOMMENDATIONS - BUDGETARY

1. Fund natural resource adaptation planning

The effects of climate change are occurring now and agencies must begin planning to ensure that they are addressing climate change impacts. It will take an increase in resources for the FWS to create a long term implementation plan for maintaining the viability of the National Fish and Wildlife Refuge System, and more generally for protecting wildlife and the habitats on which they depend from global warming.

Responsible Official: FWS Director

2. Fund natural resource adaptation implementation

To protect our natural resources from global warming will take a dedicated resource stream from cap-and-trade legislation. However, even before this occurs, Congress must increase FWS funding to ensure that resource managers begin on-the-ground adaptation projects.

Responsible Official: FWS Director



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THE FIRST 100 DAYS

Congressional leaders and the presidential candidates have identified global warming legislation as a top priority in the coming year. Protecting wildlife and other natural resources from global warming is a critical piece of global warming legislation. As global warming legislation is debated in Congress and the public, we have the opportunity to highlight the need for natural resource adaptation at FWS.

ISSUE 3

RESTORE AND IMPROVE IMPLEMENTATION OF THE ENDANGERED SPECIES ACT

BACKGROUND

Thirty-five years ago, Congress enacted the Endangered Species Act (ESA), and put in place the world's most farsighted and important protection for imperiled wildlife and plant species and the ecosystems on which they depend. The ESA has helped rescue hundreds of species from extinction. But the even greater achievement of the Act has been the efforts it has prompted to recover species to the point at which they no longer need special protections. It is because of the Act that we have wolves in Yellowstone, manatees in Florida and sea otters in California. The new administration has an opportunity to significantly strengthen protections for endangered species while setting a new tone for the Fish and Wildlife Service and creating distance from the Bush administration's most unpopular decisions.

During the last eight years the outgoing administration largely abandoned, and in many cases actively undermined, our longstanding bipartisan commitment to protect imperiled species. For example, the Bush Administration has issued a number of regulations, proposed regulations, opinions, and guidance documents that substantially weaken protections afforded to listed species under the Endangered Species Act.

In addition to these regulatory rollbacks, the ESA's listing program has languished for the last 8 years. The Bush Administration listed fewer species than any administration before it. The backlog in listing means that many species may vanish while waiting for the protections they deserve under the ESA. The net result has been to thwart protection for more than 280 species deserving protection under the Act and to hamstring recovery of those species already listed. Chief among the reasons why the listing program has suffered is that the four ESA programs administered by the FWS (Candidate Conservation, Listing, Consultation, and Recovery) all have severe and chronic funding shortfalls.

The new administration has the opportunity to provide a fresh start for imperiled species. We should renew our nation's courageous 35-year commitment to protect the wealth of our living natural resources by: (1) undoing the damage caused during the past eight years through withdrawing, freezing, or reversing Bush administration policies that undermine the ESA; (2) issuing new regulations and guidance that strengthen and clarify listing, critical habitat



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designation, and recovery planning for imperiled wildlife; (3) increasing the federal budget for implementing ESA; and (4) and reauthorizing and strengthening the Endangered Species Act.

Additional federal agencies involved include the National Marine Fisheries Service (NOAA Fisheries).

POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. **Rescind the Bush administration's changes to the ESA's implementation**

The new administration should freeze and withdraw the Bush Administration's August 15, 2008, proposal (or initiate new rulemaking if the regulation is finalized before January 20, 2009) to weaken federal agency consultation requirements under Section 7 of the Endangered Species Act. The new administration should also withdraw a Solicitor's Opinion dated March 16, 2007, which changed the previously unvarying understanding of how the ESA applies to species that have been designated as "endangered" or "threatened." In conjunction with withdrawal of the March 2007 Solicitor's Opinion, the new administration should prevent from going into effect, or propose regulations that would reverse if previously finalized, the amendments to the format of the Lists of Endangered and Threatened Species, which were proposed on August 5, 2008. The new administration should also withdraw a guidance memo, issued by FWS on May 14, 2008, stating that the ESA's requirements do not apply to greenhouse gas emissions, as well as an October 3, 2008, Solicitor's memorandum concurring with this guidance. Finally, the new administration should reverse a guidance document issued by FWS's Southwest Region barring agency scientist from considering any information of a species' genetic diversity discovered after its initial listing when determining the relative risk of extinction.

Responsible Officials: Assistant Secretary, Fish, Wildlife and Parks; FWS Director; Solicitor

2. **Make recovery plans the focus of endangered species conservation**

Independent studies have repeatedly shown a positive correlation between the preparation of recovery plans for listed species and those species conservation status. There a number of steps the new administration can take to improve recovery planning. These include: (1) produce a Handbook that requires that recovery plans are effective in promoting species recovery, protecting habitat, are science-based, and adequately monitored to ensure progress toward recovery; (2) require FWS to establish a schedule to prepare recovery plans for all listed species that currently lack one and mandate that all newly protected species have a recovery plan in place within three years of listing; and (3) issue guidelines requiring FWS personnel to consider recovery plans in Section 7 consultations with federal agencies.

Responsible Officials: Assistant Secretary, Fish, Wildlife and Parks; FWS Director

3. **Climate Change and ESA planning**

In addition to withdrawing the FWS guidance on global warming (and concurring Solicitor opinion) discussed above, the new administration should promulgate policies through guidance or regulation to ensure that the biological analyses and actions taken by the FWS and NMFS under the ESA properly consider the direct, indirect and cumulative impacts of global warming on threatened and endangered species and their habitat. Listing decisions, biological opinions, critical habitat designations, recovery plans, and habitat conservation plans should be required to identify the potential effects of climate change on covered species and to integrate climate change adaptation strategies as necessary for such species.



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Additionally, the new administration should finalize and implement FWS's strategic plan on climate change and coordinate such efforts with the wildlife action plans of state and tribal wildlife agencies and should initiate a study with independent scientists to determine which species will be most threatened by climate change and recommend policies to address ecological impact of climate change on imperiled species in ecosystems of the United States and make recommendations.

Responsible Official: FWS Director

4. Improve listing and critical habitat regulations

There are several steps the new administration can take to improve the listing process and the protections afforded to listed species critical habitat. These include: (1) respond to recent court decisions by promulgating a new regulation defining what constitutes an "adverse modification" of critical habitat to prohibit federal actions that prevent or otherwise impede species recovery; and (2) revise the "Policy Regarding the Recognition of Distinct Vertebrate Population Segments Under the Endangered Species Act," 61 Fed. Reg. 4722, to allow protection of United States populations of vertebrate species that are in danger of extinction in the United States but may be more common outside its borders.

Responsible Officials: Assistant Secretary, Fish, Wildlife and Parks; FWS Director

5. Ensure scientific integrity in ESA decision making

In light of the demonstrated pervasiveness of political interference in ESA decisions during the past several years, FWS should engage in a systematic review of all Bush administration decisions (including listing decisions, critical habitat designations, and biological opinions under Section 7 and Section 10) to ensure that the science behind those decisions was not altered or distorted. At the very least, there should be an immediate reevaluation of decisions where political interference has been exposed.

Responsible Official: FWS Director

POLICY RECOMMENDATIONS - LEGISLATIVE

1. Provide Tax Incentives for Species Recovery

Provisions of the Endangered Species Recovery Act (ESRA), enacted as part of the 2008 Farm Bill, allowed landowners to deduct the cost of measures taken to implement species recovery plans on their property. The administration should work with Congress to secure enactment of the remaining incentives, not included in the 2008 Farm Bill, which would make tax credits available to taxpayers who take voluntary measures to aid the recovery of species either listed as threatened or endangered under the ESA or deemed by the Secretary of the Interior or Commerce to be warranted for protection under the ESA.

Responsible Official: Assistant Secretary, Fish, Wildlife and Parks

2. ESA Reauthorization

At an appropriate time, the new administration should propose legislation to reauthorize and strengthen the ESA and work with the Congress to enact it.

Responsible Officials: Assistant Secretary for Fish, Wildlife and Parks; FWS Director



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POLICY RECOMMENDATIONS - BUDGETARY

1. **Substantially increase endangered species program funding**

There is a pressing need to restore and increase endangered species funding. To adequately implement the endangered species program, staffing levels must be increased by 30 percent to offset seven years of erosion in the number of FTEs and to begin to enhance program integrity. In conjunction with this re-building of staff, funding must gradually increase for the four main accounts to at least \$305.8 million by Fiscal Year 2013, an increase of \$155.3 million over the FY 2008 level.

Responsible Officials: Assistant Secretary for Fish, Wildlife and Parks; FWS Director

THE FIRST 100 DAYS

The new administration should prevent from going into effect, or propose regulations that would undo, the changes in the regulations implementing Section 7 of the ESA that were proposed on August 15, 2008. Over 100,000 citizens filed comments objecting to the Bush Administration's proposed section 7 rollbacks. Blocking these regulations would send a clear and popular signal that the new administration is reversing the harmful policies of the previous administration.

The new administration should also withdraw a Solicitor's Opinion from March 16, 2007, which changed the previously unvarying understanding of how the ESA applies to species that have been designated as "endangered" or "threatened." In conjunction with withdrawal of the March 2007 Solicitor's Opinion, the new administration should prevent from going into effect, or propose regulations that would reverse, the amendments to the format of the Lists of Endangered and Threatened Species, which were proposed on August 5, 2008. The new administration should also withdraw a guidance memo, issued by FWS on May 14, 2008, stating that the ESA's requirements do not apply to greenhouse gas pollution, as well as a October 3, 2008, Solicitor's memorandum concurring with this guidance. Withdrawal of the Solicitor's opinions and the FWS Guidance requires neither legislative action nor official rulemaking. As such, it can be easily accomplished in the Administration's first 100 days.

Similarly, issuing a guidance document requiring FWS personnel to consider recovery plans during section 7 consultations could be accomplished immediately and without the need for any official legislative or regulatory action. This guidance would be hard to object to (i.e., taking a planning document into account), provide immediate benefits to listed species, and would be a powerful signal that the new administration is committed to better and more holistic planning and consideration of wildlife conservation needs.

Finally, initiating a study with independent scientists to determine which species will be most threatened by climate change and to recommend policies to address ecological impact of climate change on imperiled species could also easily be accomplished in the new administration's first 100 days.





DEPARTMENT OF THE INTERIOR

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TOP THREE ISSUES

1. MMS OUTER CONTINENTAL SHELF LEASING PROGRAM WITHDRAWALS

Using an Executive Order, the new President should reinstate, on an interim basis, the Presidential Withdrawals of those specific offshore lands set aside for protection by Presidents George H.W. Bush and Bill Clinton. This would provide sufficient time for the National Academy of Sciences to assess current environmental baseline information and the impacts of leasing, exploration, and development on ocean ecosystems, to determine if continued withdrawals are justified. The current program has been irrationally expedited beyond the prudent level of known resources and impacts, has not properly taken into account public views and interests, and is not integrated into an overall national energy policy.

2. INSUFFICIENT SCIENTIFIC KNOWLEDGE AND RESEARCH

Much additional scientific study and research is needed on marine ecosystems, the impacts of oil and gas activities, spill prevention and clean-up, and best available technology in order to make better choices about if, when, where, and how industrial activities are permitted.

3. FISCAL AND ORGANIZATIONAL REFORM

MMS, which is tasked with collecting and managing the second largest revenue source to the Federal government (oil and gas royalties), has been wholly unable to manage these resources in a transparent, accountable and fiscally prudent manner. The accounting and collecting of back royalties, and the correcting of still-flawed royalty relief provisions must be undertaken prior to further leasing.

KEY APPOINTMENT POSITIONS

- Assistant Secretary of the Interior for Lands and Minerals
- Deputy Assistant Secretary for Lands and Minerals
- Deputy Assistant Secretary for Lands and Minerals
- Special Assistant for Lands and Minerals
- Director, Mineral Management Service
- Special Assistant to Director, MMS
- Special Assistant to the Secretary for Alaska



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ISSUE 1

MMS OUTER CONTINENTAL SHELF LEASING PROGRAM WITHDRAWALS

BACKGROUND

On October 1, 2008 the 26 year-old bipartisan, bi-coastal annual Congressional moratorium on expansion of offshore drilling expired when the continuing resolution that funds the federal government until March left the moratorium language out. Democrats left the moratorium language out of the continuing resolution in order to neutralize the moratorium as a campaign issue and to avoid a threatened Presidential veto of the resolution. The issue of extending the moratorium therefore remains unresolved, though the Congressional Democratic leadership did commit to a resolution once the new Congress comes back. Loss of the moratorium over the long term would expose nearly 400 million acres of ocean, thousands of miles of beaches, and billions of dollars of coastal tourism on the Atlantic and Pacific coasts to chronic pollution from drilling and occasional catastrophic oil spills. These areas contain some of the world's most productive fishing grounds and many unique and sensitive marine ecosystems that would be threatened by exploration, drilling and production activities.

During the summer, the Bush Administration began a process to revise the five year drilling plan (2007-2012) that specifies where and when new offshore areas are to be leased for oil and gas drilling. The Bush Administration's expressed purpose in reopening the five year plan completed in 2007 was to further additional leasing in new areas if the moratorium was allowed to expire. The goals of this effort should be reviewed and revised.

The new Administration can and should reinstate Presidential protections for the areas covered by the former Congressional moratorium by issuing an Executive Order that reinstates what were called Presidential Withdrawals. President Bush rescinded those withdrawals during the summer battle over the moratorium. These Presidentially protected areas were first designated by Presidents George H. W. Bush and Bill Clinton. Last designated to run until 2012, the withdrawals were justified by the lack of information about impact of drilling on sensitive marine ecosystems and an understanding that cleaning up spills in many marine environments is virtually impossible.

While the Presidential protections are in place, the National Academy of Sciences should be asked to study the impact of oil and gas and renewable energy production on a variety of marine ecosystems, the impact of these activities on coastal economies including fishing and tourism, and identify places in the ocean which are simply too unique, too sensitive or too economically valuable because of other sustainable activities like fishing, to risk pollution from offshore oil and gas production. The General Accounting Office should simultaneously be asked to assess the impact of additional drilling and renewable ocean energy on the supply and price of energy.

When these two studies are complete the new Administration and Congress should jointly decide what to do about the offshore drilling moratorium-Presidential withdrawals. This process of joint studies by the National Academy of Sciences and the GAO should be revisited periodically.

The current five-year plan was developed in the absence of critically needed research and information on the ocean resources and impacts involved in leasing, exploration, and development in off-shore waters. This has been particularly true in the Arctic Ocean and Bering Sea.



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While impacts of potential OCS development are little understood in many areas subject to further leasing, the potential additional domestic oil supplies from these OCS areas are far from clear, would involve 10-15-year potential development time frames, and do not fit into an overall national energy policy.

POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. **Reinstate Presidential Withdrawals (i.e. Moratoria)**

Using an Executive Order the new President should reinstate, on an interim basis, the Presidential Withdrawals of all offshore lands done by Presidents Bush and Clinton to allow the National Academy of Sciences to assess current environmental baseline information and the impacts of leasing and development on ocean ecosystems, to determine if continued withdrawals are justified.

Responsible Officials: White House Executive Staff (CEQ, OMB), Secretary of Interior, Assistant Secretary for Land and Minerals Management, Director of MMS, Dept. of Justice, Office of Legal Counsel

2. **Review and Revise the Objectives and timeframe of the new Five Year Plan**

The new Administration should revise the goals and timeframe of the proposed Bush Administration rewrite of the current five-year plan (2007-2012). This new planning effort should be utilized to carefully and thoughtfully review the five-year plan to insure that environmentally sensitive areas are protected and that technologies are adequate to prevent and address all potential adverse impacts.

Responsible Officials: Secretary of Interior, Assistant Secretary for Land and Minerals Management, Director of MMS

3. **Temporarily Suspend leasing, exploration and development in Alaska Arctic Ocean and Bering Sea**

For offshore Alaska, the new Administration should impose a temporary ban on exploratory activities and new leasing in Bristol Bay, the Chukchi Sea and Beaufort Sea to allow for a complete assessment of the health, biodiversity, and functioning of the marine ecosystem, including the impacts of oil and gas drilling and oil spill containment in broken ice conditions. The study should also assess the impacts of oil and gas drilling on subsistence and commercial fishing and other economic activity in these areas. The study would guide decisions about if, when, where, and how to allow further industrial activities.

Responsible Officials: Secretary of Interior, Assistant Secretary for Land and Minerals Management, Director MMS

4. **NAS and GAO Studies**

The new Administration should work with and through Congress in asking the National Academy of Sciences and the Government Accounting Office should assess current environmental baseline information and the impacts of leasing and development on ocean ecosystems and the economy, and price and supply of oil and gas, to determine if continued withdrawals are justified.

Responsible Official: Director of MMS



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POLICY RECOMMENDATIONS - LEGISLATIVE

1. **The new Administration should support the reenactment of Congressional Moratoria on previously withdrawn OCS areas**
2. **The new Administration should support Congressional action to temporarily halt leasing in Arctic Ocean and Bering Sea**

THE FIRST 100 DAYS

- The new Administration should reinstate the previous Presidential withdrawals (executive moratoria) of OCS areas from oil and gas leasing.
- The new Administration should review and revise the goals and timeframe for the proposed Bush Administration rewrite of the current five-year OCS plan.
- The new Administration should suspend exploration and development activities, and further leasing in the Alaska Arctic Ocean and Bering Sea.
- A unique opportunity in the first 100 days is the anniversary of the Exxon Valdez oil spill in Alaska (March).

ISSUE 2

INSUFFICIENT SCIENTIFIC KNOWLEDGE AND RESEARCH

BACKGROUND

The U.S. Commission on Ocean Policy stated unequivocally, “Ocean managers and policy makers need comprehensive scientific information about the ocean and its environment to make wise decisions.” The Commission’s report went on to note that, for many areas of our oceans—and, in particular, for species that are not targeted by commercial fisheries—there is a substantial lack of necessary information. This lack of information is particularly acute in the Arctic Ocean, which the U.S. Arctic Research Commission described as “least well known ocean on the planet”..,

This lack of baseline information is compounded by the fact that ocean ecosystems are being altered by climate change, ocean acidification, toxic pollutants, nutrients, power plant heat pollution and vast amounts of marine debris. Little is known about how the impacts of oil and gas activities on oceans add to these cumulative burdens.



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Nonetheless, the federal government has moved ahead to authorize oil and gas activities in large swaths of the ocean. For example, the federal government's current 5-year plan (2007-2012) makes available for oil and gas development more than 75 million acres of land underlying the Beaufort and Chukchi seas and Bristol Bay in the Aleutian Basin of the Bering Sea. And the expiration of the offshore drilling moratorium on September 30, 2008 has expose about 400 million acres of the Atlantic and Pacific coasts to drilling. Some of these areas are among the most productive fishing grounds in the world and many contain unique and sensitive ecosystems.

MMS is almost exclusively oriented towards encouraging offshore oil and gas drilling. But in order to move our economy towards sustainable, renewable energy to achieve global warming pollution reductions, we will need to safely utilize the vast wind and wave energy resources available in the ocean much of which is available relatively close to coastal population centers. To accomplish this, we need to reorient some of the agency's science, technical and permitting capacity away from oil and gas drilling and towards renewable energy.

Rather than this push to drill or site renewable energy facilities in the absence of complete information, we must have a comprehensive scientific assessment of the health, biodiversity, and functioning of marine ecosystems, especially those in the Arctic, including the benefits and consequences of carrying out specific industrial activities, in order to determine, based on a precautionary approach, if those activities should be conducted and, if so, when, where and how.

This process begins with a gap analysis to determine what is known and what information must be gathered to make informed decisions. Using that gap analysis, a research plan should be developed. Ideally, the necessary gap analysis and research plan would be developed by a group of independent scientists such as the National Research Council. MMS and other federal agencies, such as NOAA, EPA, FWS, would participate in this process by providing information, existing studies, and expertise.

POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. Identification of knowledge gaps

MMS should participate in the process of identifying gaps in necessary information about the marine ecosystems. A thorough gap analysis and research plan is necessary.

Responsible Officials: Director MMS, Director of USGS

2. Baseline Assessment

A complete assessment of the health, biodiversity, and functioning of the marine ecosystem is necessary to make informed decisions about oil and gas leasing. The new Administration should direct MMS to participate in the development and execution of this assessment.

Responsible Officials: Director MMS, Director of USGS



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POLICY RECOMMENDATIONS - LEGISLATIVE

1. Outer Continental Shelf Lands Act Amendment

The new Administration should seek to amend the OCSLAA to mandate a more thorough scientific understanding of the marine environment and affects to it from oil and gas activities prior to leasing decisions.

Responsible Officials: Assistant Secretary for Lands and Minerals, Director of MMS

2. Requirement of NAS/NRC study

The new Administration should seek to have Congress require and fund an independent study by National Research Council (NRC) or other credible scientific entity to assess the health, biodiversity, and functioning of the marine ecosystem as well as the impacts of industrial activities such as oil and gas drilling and infrastructure. This study would help guide decisions about if, when, where, how to allow industrial activities.

Responsible Officials: Assistant Secretary for Lands and Minerals, Director of MMS

3. Government Accountability Office study

As note above in the discussion of the first issue, the Administration should seek to have Congress direct the GAO to conduct a study to gauge the impact drilling would have on oil supply and prices.

Responsible Official: Assistant Secretary for Lands and Minerals

POLICY RECOMMENDATIONS - BUDGETARY

1. Fund science

Agency funding should be re-directed to support greatly increased scientific studies.

Responsible Official: Assistant Secretary for Lands and Minerals

THE FIRST 100 DAYS

While most of the above recommendations should be initiated during the first 100 days of the new Administration, none of them could be completed within that time frame.



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ISSUE 3

FISCAL AND ORGANIZATIONAL REFORM

BACKGROUND

The MMS is a beleaguered agency. In 2006, the *New York Times* began publishing a series of investigative articles exposing gross mismanagement of the Department's royalty program that could cost taxpayers billions. These articles spurred Congressional oversight and attention to the issue of royalties paid by oil and gas companies for the privilege of exploring and drilling on federal lands and waters. The articles and subsequent Congressional investigations have uncovered a pervasive culture of ineptitude that has put at risk tens of billions of royalty dollars. The failure to collect royalties means that millions of acres of public lands and waters are being put at environmental risk without the fair return to taxpayers required by law. These royalties provide needed funding to the Land and Water Conservation Fund, the Historic Preservation Trust Fund, the oil-producing states, and the general treasury.

The Interior Department itself first revealed the problem in the 2006 budget, which noted that "royalty relief" would allow companies to avoid paying royalties on more than \$65 billion worth of revenues from oil and gas drilled in the deep waters of the Gulf of Mexico over the following five years, costing the federal government approximately \$9.5 billion over that period.³ It was later discovered that a large share of the losses resulted from the failure to include price thresholds capping royalty relief in leases issued in 1998 and 1999.⁴ According to a draft report by the Government Accountability Office, losses to the treasury over 25 years could reach a staggering \$20 billion due to a combination of the missing price thresholds and a recent federal court decision that changed the methodology by which royalty relief is calculated. If the oil industry is successful in a recent legal challenge, these losses could balloon to \$80 billion over the same period.⁵

Unfortunately, the missing price thresholds are only the tip of the iceberg. Following the discovery the erroneous 1998 and 1999 leases, media, Congressional, and departmental investigations and whistleblower actions have highlighted the failure of MMS to audit royalty payments or to seek payment of underpaid royalties and interest on the royalties. In addition, recent media attention and an Inspector General report has shown improper relationships between the agency and oil company personnel.

³ Mineral Management Service. Fiscal Year 2007 Budget Justifications and Performance Information, page 169.

<http://www.mms.gov/PDFs/2007Budget/FY2007BudgetJustification.pdf>

⁴ Andrews, Edmund L. "U.S. Has Royalty Plan to Give Windfall to Oil Companies." *New York Times*. Feb. 14, 2006.

<http://www.nytimes.com/2006/02/14/business/14oil.html?pagewanted=1&ei=5088&en=87dc413fa6add582&ex=1297573200&partner=rssnyt&emc=r>

⁵ Government Accountability Office Draft Briefing on Oil and Gas Royalties. March 27, 2006.

<http://www.nytimes.com/packages/pdf/business/29lease.pdf>



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POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. **Establish Independent Auditing**

MMS has lost the confidence of members of Congress and the American public, and cannot be trusted to fully and fairly collect royalties from oil and gas companies on behalf of the American public. Indeed, MMS is plagued by a culture of ineptitude and conflicts of interest that make it unfit to manage the nation's royalty collection program. The new Administration should restore confidence in the integrity of the royalty collection programs by reorganizing their administration within the Interior Department and subjecting them to independent auditing by the Inspector General or other outside auditors.

Responsible Officials: Secretary of the Interior, DOI Inspector General, Assistant Secretary for Land and Minerals Management, Director of MMS

2. **Increase Transparency**

As investigations by the Department's Inspector General and the Government Accountability Office have progressed, one common theme continues to reappear: the lack of readily available and verifiable information regarding oil and gas royalty payments. The new Administration must insure that royalty payments and contracts between the federal government and companies are accessible and understood by the general public. In addition, the public must be notified about when a company is being audited, the results of the audits, and any penalties/rewards levied after the completion of an audit.

Responsible Officials: Secretary of the Interior, DOI Inspector General, Assistant Secretary for Land and Minerals Management, Director of MMS

3. **Collect Royalties from the 1998 and 1999 leases**

Between 1996 and 2000, the Interior Department awarded offshore drilling leases to companies drilling for oil and natural gas in the Gulf of Mexico. Leases awarded in 1998 and 1999 failed to include "price thresholds," a critical safety valve that ensures royalty relief will end when prices rise above a certain amount. The Minerals Management Service, which manages royalties at the Interior Department, estimates that over the next five years oil and gas companies in drilling in the Gulf of Mexico will receive approximately \$9.5 billion in royalty relief. The new Administration should immediately conduct a thorough legal review of all of its options for eliminating the windfall profits accruing to the affected oil and gas companies and to the maximum extent allowable under law the contracts should be amended, rescinded or restrictions otherwise be placed on the companies precluding them from bidding on future leases in the Gulf of Mexico. MMS should also properly account for, and to the maximum extent allowed by law, collect, all due back royalties.

Responsible Officials: Secretary of Interior, Solicitor, Assistant Secretary for Land and Minerals Management, Director of MMS



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4. Alaskan royalty relief repeal

The Bush Administration's Minerals Management Service began a rule-making to implement Section 346 of the Energy Policy Act of 2005 which extended the Interior Secretary's discretionary authority to grant royalty relief beyond the Deepwater Gulf of Mexico to leases offshore of Alaska (30 CFR Parts 203 and 260; 72 FR 28396-28423, May 18, 2007). The new Administrations should suspend use of this authority and support repeal of this subsidy for Alaska.

Responsible Officials: Secretary of Interior, Assistant Secretary, Lands and Minerals Management, Director of MMS

5. Alaskan Conflicts of Interest

Further administrative policies need to be adopted to prevent MMS employees from entering into improper relationships and activities with oil companies and their employees that give even the appearance of impropriety or conflict-of-interest. Moreover, the new Director of MMS needs to make the strict enforcement of a tougher Code of Ethics one of his or her top priorities.

Responsible Officials: Secretary of the Interior, DOI Inspector General, Assistant Secretary for Land and Minerals Management, and Director of MMS.

POLICY RECOMMENDATIONS - LEGISLATIVE

1. Eliminate Oil Royalty Relief Programs

At a time of record oil and gas prices, it is clear that companies do not need these incentives. H.R. 6, the CLEAN Energy Act of 2007 repealed royalty relief provisions enacted in the 2005 energy bill, and the Senate should follow suit. Congress should repeal additional royalty relief provisions such as sections 343 and 353 of the Energy Policy Act of 2005 dealing with new royalty relief for Alaskan waters, for marginal well production and for methane gas hydrates, including special provisions governing Alaskan OCS.

Responsible Officials: Secretary of Interior, Assistant Secretary, Lands and Minerals Management, Director of MMS

2. Collect Royalties from the 1998 and 1999 leases

Between 1996 and 2000, the Interior Department awarded offshore drilling leases to companies drilling for oil and natural gas in the Gulf of Mexico. Leases awarded in 1998 and 1999 failed to include "price thresholds," a critical safety valve that ensures royalty relief will end when prices rise above a certain amount. The Minerals Management Service, which manages royalties at the Interior Department, estimates that over the next five years oil and gas companies in drilling in the Gulf of Mexico will receive approximately \$9.5 billion in royalty relief. If the new Administration is unable under existing law to alter the terms of the existing leases in the Gulf that do not include price thresholds, the Administration should work with the appropriate Committees of Congress in seeking new legislative authority that would resolve this problem.

Responsible Official: Director of MMS



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THE FIRST 100 DAYS

- The new Administration should insure that a new independent program for auditing of royalties is established.
- The new Administration should insure that a tougher set of Conflict of Interest policies are adopted and rigorously enforced.



DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE





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TOP THREE ISSUES

1. PROTECTING AND REVITALIZING OUR HERITAGE WITH AMERICAN JOBS

In times of crisis as well as times when America could invest in its infrastructure, our nation built a better future for our national parks. With billions of dollars of backlogged infrastructure and maintenance needs, parks can, once again, help address some of our nation's pressing economic challenges. Every dollar invested in national parks produces at least \$4 in direct economic benefit to surrounding communities, with substantial additional indirect benefits to the economy.

2. ENSURING SOUND MANAGEMENT AND LEADERSHIP

The National Park System includes celebrated locations held in the highest regard by the public. Even so, the Bush Administration has undermined the Park System's mission in several ways—suppressing science, dismissing public input, refusing to follow laws and policies, and even attempting to reinterpret the mission of the system. The new Administration must reverse this trend and rebuild a workforce in the Park System that is trained to meet present-day challenges.

3. PROTECT AND RESTORE NATIVE BIODIVERSITY AND ADAPT TO CLIMATE CHANGE

Park lands, particularly back country areas, serve as biodiversity incubators and preserves. In many locations, our national parks are wellsprings of abundant fish and wildlife. The scientific resources dedicated to the Park System must be greatly enhanced to provide the necessary expertise to protect the biodiversity of our national parks from the threat of global warming. In addition, federal policy should promote the movement of wildlife in a manner that fosters long term population viability while stemming the assault on park ecosystems caused by pollution, climate change and the degradation and fragmentation of natural systems.

KEY APPOINTMENT POSITIONS

- Director, National Park Service
- Deputy Director, National Park Service (there are 2 deputies—one political and one career)
- Director, Office of Congressional/Legislative Affairs
- Assistant Secretary for Fish, Wildlife and Parks (above NPS)
- Deputy Assistant Secretary for Parks
- Special Assistant to the Secretary for Alaska
- Interior Secretary



DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

ISSUE 1

PROTECTING AND REVITALIZING OUR HERITAGE WITH AMERICAN JOBS

BACKGROUND

The National Parks are inherently optimistic places, with a commitment to stewarding America's most special treasures for future generations of Americans. For too long, however, the parks have been allowed to wither from neglect, and have not been cared for as the American public has the right to expect. In past times of crisis, as well as at times when America needed to invest in its infrastructure, our nation built a better future for the parks—from the WPA/CCC in the 1930s and early '40s, through the "Mission 66" Initiative from 1956 to 1966. The next President may possibly preside over the 100th birthday of the National Park System, and polls show tremendous support for revitalizing our parks by then and for better usage of parks to address core societal challenges.

The National Park System has a maintenance backlog of \$8.5 billion (half facilities and half roads/bridges), an annual operations shortfall exceeding \$750 million, and a \$2 billion backlog in land acquisitions necessary to eliminate inholdings in parks. There is also a substantial "media" backlog, related to outdated interpretive materials, films, etc. Our national parks are poster children for our nation's lack of investment in its infrastructure. We can choose to invest and improve them or gradually allow them to deteriorate. An initiative to reinvest in park infrastructures, if targeted effectively, will not only provide critically needed assistance to parks, but also help stimulate the economy and provide badly needed jobs.

Hundreds of millions of dollars worth of needed repairs to park facilities, roads, and trails are "ready to go" and can quickly produce good American jobs as the result of accelerated and higher transportation and construction funding. A new National Park Service Corps, through AmeriCorps, can also provide low-cost labor to remove invasive species, replant native vegetation (the CCC reforested millions of acres in the 1930's), and help foster experiential educational opportunities that will strengthen our future economy. Finally, important opportunities exist to address critical park transportation needs while providing jobs through the upcoming rewrite of SAFETEA-LU, and by enacting legislation to facilitate public-private partnerships in addressing national park needs.

POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. Executive Order—National Park Job and Education Opportunities

The new Administration should issue an Executive Order that would: reaffirm the core conservation/non-derogation principles of the National Park Service Organic Act and its subsequent amendment under the so-called Redwoods Act. The Executive Order should: (1) Direct NPS to report to the Secretary within 90 days with (a) an inventory of critical needs, such as the preservation of historic and cultural resources and the removal of invasive species, (b) an assessment of the appropriate roles that local economies can play in helping to meet these needs without outsourcing NPS jobs (c) an estimate of the jobs that could be created in addressing the identified needs and (d) the resources needed to create those job opportunities; (2) Direct NPS and the Department of Education to develop a program that provides education-related employment while identifying ways to use the Park System to educate kids.



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Responsible Officials: Secretary of Interior; Solicitor, Director of NPS; Department of Justice Office of Legal Counsel; CEQ; OMB PAD for Natural Resources; White House General Counsel's Office; Secretary of Education

2. Cooperative Agreement with Americorps

The new Administration should establish cooperative agreements with the Corporation for National and Community Service and with Americorps to help the National Park Service recruit and train paid and unpaid volunteers for: backlog and restoration projects in parks, to help educate kids using experiential learning techniques, to help develop new updated interpretive materials, and to provide translation services for non-English speaking park visitors.

Responsible Officials: Director, NPS; Director, Corporation for National and Community Service, Director of Americorps

3. Analysis Confirming NPS Transportation Funding Needs

NPS has identified \$825 million in annual needs under the most recent transportation bill. The new Administration should re-affirm this need and include this analysis in all transportation reauthorization recommendations it makes to Congress. The Administration's recommendations should include an effort to begin to address this shortfall, which will take many years to eliminate.

Responsible Officials: Director, NPS; Assistant Secretary for Fish, Wildlife and Parks; Federal Highway Administration OMB PAD for Natural Resources

4. Everglades Restoration Czar at CEQ

The Everglades are hugely significant to the South Florida economy and public water supplies and particular projects there are also green job creators. The Everglades are also the sight of the largest ecological restoration effort ever undertaken within this country. Over the last decade, the National Park Service and other federal and state agencies have spent millions of dollars in a somewhat stalled and to date largely ineffective effort to restore the watershed at the Everglades. The Clinton Administration recognized that this park has unique and complicated needs that have demanded unique solutions and oversight. Unfortunately, the Bush Administration has dramatically underfunded the Federal side of the restoration effort and the senior leadership of the Army Corps of Engineers has chronically failed to make the success of this project a priority. The combined negative effect of these two factors has left parts of the Everglades at a tipping point where the opportunity for successful restoration may soon be lost forever. Two things need to happen to avoid this disaster from occurring. First, there needs to be a new Federal leadership structure to oversee the overall restoration effort for the Obama Administration. The project lead should be taken away from the Army Corps and pulled into the White House at CEQ. CEQ should appoint a person with the major responsibility of pulling the agencies together to overcome obstacles or agency disagreements (like Tamiami Trail). The second thing that needs to happen is that the new Administration needs to dramatically increase Federal funding for Everglades restoration work. Senator Obama endorsed this idea during the campaign and now President Obama should make the delivery on this promise a priority. Wetlands restoration sequesters far more carbon from the air than reforestation and Congress and the President-elect are now actively discussing an economic stimulus package designed to jump start the sagging economy. It would be a classic win-win solution if some of that stimulus money were channeled into Everglades restoration work: jobs would be created, the effects of climate change would be ameliorated and long stalled restoration benefits would finally be felt on the ground.



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Responsible Officials: Secretary of DOI: Director of NPS, Chairman of CEQ, OMB PAD for Natural Resources; political appointee over the Army Corps of Engineers

5. Partnership to Restore our National Parks

The new Administration should develop and announce a new large scale partnership initiative that includes organized labor, the U. S. Chamber of Commerce, AARP, National Park Friends Groups, preservation and national volunteer organizations, and that launches a cross-cutting national effort to create jobs by restoring the national parks through maintenance and construction funding, volunteerism and philanthropy.

Responsible Officials: Interior Secretary, Labor Secretary, Director of NPS, OMB PAD for Natural Resources

6. Establish National Park Service Corps

A new National Park Service Corps should be created to complement the anticipated expansion of AmeriCorps and provide employment and volunteer opportunities directed at restoring our national parks. In the 1930's, thousands of young Americans worked to renew our national inheritance by planting trees to prevent soil erosion and by building roads and other facilities to help families access the national parks. President-elect Obama has proposed a substantial expansion of "national service" opportunities. We propose that 10,000 of the new positions under the Obama proposal or the Serve America Act be dedicated to the Corps. The NPS would administer the Corps and deploy new volunteer coordinators in national parks, and the new positions would be funded with living stipends and education awards through the Corporation for National and Community Service. Half the slots will be devoted to each of two successful models based on the current AmeriCorps program. The AmeriCorps State and National program "provides financial support through grants to public and nonprofit organizations that sponsor service programs around the country....These groups recruit, train and place AmeriCorps members to meet critical community needs in education, public safety, health, and the environment." The other model, the National Civilian Community Corps is a federally administered, full-time 10-month residential program for young men and women who receive intensive training and are deployed as teams for projects that range from disaster response to environmental protection. Projects using the NCCC model could include trail reengineering and repairs, erosion control, hiking bridges, "green" initiatives like reforestation and wetlands restoration, eradication of invasive species, rehabilitation of structures, etc. Projects using the State and National grant model could include enhanced services in parks, the design of service-learning projects to engage disadvantaged youth in learning history, biology, and other subjects, etc.

Responsible Officials: Secretary of the Interior; Director of the Corporation for National and Community Service; Director of NPS, OMB PAD for Natural Resources

POLICY RECOMMENDATIONS - LEGISLATIVE

1. Roads to Somewhere

With 90 percent of park roads in poor or fair condition, and with the need for connected and appropriate trails infrastructure, the new Administration should recommend that Congress phase in a doubling of the \$240 million annual funding the parks received under SAFETEA-LU, over the period of the new



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reauthorization. Even doubling current funding would leave parks short by nearly \$400 million annually. In preparation for the reauthorization of SAFETEA-LU, the Park Service has identified an \$825 million annual funding need for park transportation systems. The new bill needs to address multiple transportation and transit needs in the parks, advance green alternatives, authorize the funding of maintenance of park roads through Federal Highways, and facilitate safe, enjoyable and appropriate access to our national parks (including trails and other enhancements), and provide the necessary funding to do so. This funding and structure should be part of a plan to significantly address NPS backlog needs by 2016, the Park Service's 100th anniversary.

Responsible Officials: Secretary of Interior; Director of NPS, OMB Director; Secretary of Transportation

2. Enact Centennial Challenge legislation

The National Park Service will celebrate its 100th anniversary in 2016. Now is the time to demonstrate an investment in these national treasures. Legislation authored by Reps Grijalva and Rahall and Senator Salazar should be supported, enacted and funded, to facilitate public-private efforts to restore the national parks, at \$100 million per year for 10 years in mandatory spending. The bill was included in Senator Reid's economic stimulus proposal in September 2008. Rehabilitating and restoring areas of our National Park System would be a positive investment both in protecting these areas and in the economy, and many are ready to go.

Responsible Officials: Interior Secretary; Director, NPS, OMB PAD for Natural Resources

POLICY RECOMMENDATIONS - BUDGETARY

1. Adding Parks into the Economic Recovery (Stimulus) Legislation

The Economic Recovery Package provides a tremendous opportunity to front load job-producing investments in the national parks that must be made at a later date if they are not made now. In July, the NPS produced a list of potential "ready-to-go" economic stimulus projects exceeding \$800 million. These include roughly \$430 million in road and bridge projects, additional facility, trail, energy conservation, high risk abandoned mine sites, and other projects that both would address genuine needs in the national parks and put people to work. With every dollar invested in the parks generating at least \$4 in direct economic benefits and many more dollars in indirect benefits, parks are an effective investment in an economic stimulus package.

Responsible Officials: Secretary of DOI, Director of NPS, OMB PAD for Natural Resources

2. National Park Service Corps

Funding for the Corps should be phased in until it reaches \$200 million per year. This cost would constitute a small percentage of the overall expansion of Americorps, and would comprise only 10,000 of the 175,000 new slots already proposed in "Serve America." The phase-in would ultimately provide \$110 million for positions in two different Americorps models—5,000 slots using the model of highly trained NCCC members and 5,000 slots using the State and national grant model. \$50 million would be necessary for Segal Education Awards at the conclusion of NPSC Service, and \$40 million to place full-



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time volunteer coordinators at National Parks and provide for the costs of managing the program and optimizing its effectiveness.

Responsible Officials: Secretary of DOI, Director of NPS, OMB PAD for Natural Resources

3. Support House Interior FY 09 Funding Levels (and build on this in FY '10 budget proposal)

The bill passed by the House Interior Appropriations Subcommittee is the only specific Congressional marker to date that is related to funding FY '09 appropriations. Those levels were excellent for park operations, and at a minimum, the new Administration should support those amounts. The FY '10 proposal should continue the commitment to add \$100 million annually to park operations and should significantly increase the amount of funding for park land acquisitions (the last Bush Administration budget for park land acquisition slashed this account by 92% compared to the amount proposed for park acquisitions in the last budget proposed by the Clinton Administration).

Responsible Officials: Secretary of DOI, Director of NPS, OMB PAD for Natural Resources

THE FIRST 100 DAYS

Announce a National Heritage Restoration Initiative that includes:

- A National Park Service Corps proposal
- Include a substantial national park component in any Economic Recovery (stimulus) plan, focusing on “ready to go” projects in national parks to restore historic sites, roads and trails, as well as fund energy conservation projects and purchases that reduce greenhouse gas emissions and reduce energy consumption.
- The appointment of a new Everglades Restoration Czar in CEQ and the inclusion of the Everglades in an economic stimulus package
- An Executive Order on National park job and education opportunities, with appropriate funds then proposed in the Administration’s first presented budget
- Announce support for the Centennial challenge program in the Administration’s budget and for moving the Grijalva and Salazar bills.

Many or all of these elements would comprise an appealing initiative to restore the parks while also creating jobs and facilitating economic recovery. Such an announcement could take place at a well-known park where past CCC or Mission 66 work employed Americans while providing a better future for our parks.



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ISSUE 2

ENSURING SOUND MANAGEMENT AND LEADERSHIP

BACKGROUND

The National Park Service has a clear mission to “conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.” This time-tested mission governs 391 national parks, preserves, seashores, battlefields, monuments, and heritage areas. Collectively, in one system, these are celebrated locations held in the highest regard by the public. Even so, the Bush Administration has undermined this mission in many ways- suppressing science, dismissing public input, refusing to follow laws and policies, and even attempting to reinterpret the mission of the system. In addition, years of neglect towards the NPS training regimen and needed management systems make it very difficult for many park managers to employ modern personnel management techniques, build a workforce that is trained to meet present-day challenges, and handle delicate situations related to the needs and desires of surrounding communities.

Many decisions in the last eight years have contributed to the degradation and commercialization of our National Park System. Furthermore, many decisions were designed to weaken the major tenets of Park Service law by allowing harmful activities and development under the guise of “agency discretion.” In addition, years of neglect have stretched NPS management systems to the brink and have left NPS personnel without the critical training they will need to deal with the challenges of the 21st century.

Fortunately, the most egregious policy initiative proposed by the Bush Administration, a massive overhaul of the National Park Service Management Policies, failed. Even with this victory, however, several important management decisions and proposals at the park and national level are at odds with the Management Policies that sparked concern from every living former Park Service Director. From planning winter use in Yellowstone to a failure to sufficiently address the air pollution problems plaguing much of the park system to uranium mining adjacent to Grand Canyon, the Bush Administration has made illegal or ill-advised decisions that do not comport with science or the public interest. These decisions must be corrected in the Obama Administration, with new initiatives undertaken to accomplish what is needed.

POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. Moratorium on Implementing Regulations

The Bush Administration plans to complete several regulations just before they leave office. As a matter of general policy, these regulations should be reviewed by the new Administration to ensure they are legally sound, and any that are not finalized and effective by January 20th, should be postponed, withdrawn or rewritten. Examples include the proposed regulation allowing concealed weapons in National Parks that was initiated without any study on wildlife impacts such as poaching. The new Administration should conduct an expedited review of any harmful Bush Administration regulations affecting the Park System that have not become effective as of January 20th and to the maximum extent allowed by law, either withdraw or rewrite those regulations.



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Responsible Officials: Executive Office of the President, Director of NPS

2. Settle Outstanding Lawsuits and Other Major Issues

NPS is currently defending many lawsuits that are directly related to detrimental Bush Administration policies. Efforts should be undertaken to settle as many of those lawsuits as possible in order to realign Park Service policies as quickly as possible with the environmentally protective policies of the Obama Administration. The new Administration should also reverse Departmental regulations on recordable disclaimers of interest to ensure that R.S. 2477 “highway” claims cannot be given away in parks through the administrative disclaimer process.

Responsible Officials: DOI Solicitor; Assistant Secretary of Fish, Wildlife and Parks, Director of NPS, Director of BLM, Assistant Secretary for Land and Minerals, Assistant Attorney General for Natural Resources at DOJ

3. Enforcing National Park Clean Air Protections

Bush Administration political appointees prevented numerous adverse impact determinations from being made by NPS in cases where NPS analysis established that a proposed coal-fired power plant would cause significant adverse air quality impacts in a national park. The NPS permit review process needs to be de-politicized by creating, through regulation, numerical standards for visibility impairment, sulfur deposition, and nitrogen deposition in national parks and other “Class I areas”. These regulations should also authorize enforcement by the public through Clean Air Act citizen suits should NPS fail to fulfill its legal duties to protect national park air quality.

Responsible Officials: Assistant Secretary for Fish, Wildlife and Parks (as the Federal Land Manager), Director of NPS, EPA Assistant Administrator for Air and Radiation, Chairman of CEQ

4. Sound Management, Not A-76 Outsourcing

From the perspective of agency morale and its effect on the future of the Federal workforce, one of the most destructive initiatives launched by the Bush Administration was its attempt to privatize many DOI career positions, including those in the Park Service. Congress pushed back against many of these initiatives, and they have slowed in recent years, but the overall initiative has not stopped. NPS has hemorrhaged many positions over the years as a result of this ill-guided initiative. A consequence of the Bush Administration’s outsourcing push and its failure to invest in NPS personnel, is that NPS employees rated the Park Service 160th out of 222 federal agencies in the bi-annual federal employee survey on the Best Places to Work. This begs for initiatives that address this problem and ensure national parks are models of excellence, exemplars of green design and world class in community outreach and education. It is also imperative that park managers receive improved training and development and that NPS management systems be refined. In addition, the new Administration should issue an order exempting national parks from A-76 competitive sourcing requirements.

Responsible Officials: Assistant Secretary for Fish and Wildlife and Parks, Assistant Secretary for Policy, Management and Budget, Director of NPS, OMB PAD for Natural Resources

5. National Parks Reflecting Society’s Diversity

The Bush Administration rejected out-of-hand many candidate areas for national park status, because it argued the federal government had insufficient resources to add them to the System. Not only did it keep



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superb natural areas out of the system, but it also prevented or delayed the addition of cultural sites that would help the Park System become more fully representative of our evolving history and culture. The new Administration should reverse this policy and seek out the addition of Park System quality units that would expand the diversity and cultural relevance of our nation's parks.

Responsible Officials: Secretary of the Interior; OMB PAD for Natural Resources; Assistant Secretary for Fish, Wildlife and Parks; Director of NPS

6. Prevent Uranium Mining Adjacent to the Grand Canyon

The new Secretary of Interior should immediately respond to Congressman Grijalva's mining withdrawal resolution pursuant to section 204(e) of FLPMA and withdraw more than 1 million acres adjacent to Grand Canyon from the threat of uranium mining. Late last year, the Administration authorized a permit for exploratory uranium drilling on federal land just two miles from Grand Canyon—risking this national treasure. The Secretary should take all legal measures at his or her disposal to block mining on the claims which might already exist and prevent the future filing of new claims in the future.

Responsible Officials: Secretary of the Interior; Solicitor, Director of BLM; Director of NPS, Chief of the Forest Service

POLICY RECOMMENDATIONS - LEGISLATIVE

1. Properly Implement Air Tour Management Act

No air tour management plans have been completed due to the FAA consistently challenging the authority of the Park Service to determine the significance of noise impacts from air tours over national parks. The FAA needs to be directed to stop delaying the completion of such management plans authorized under prior landmark legislation regarding air tours and our national parks. In addition, when the FAA reauthorization bill is considered by Congress, the original intent of the National Parks Air Tour Management Act should be reaffirmed in statute—that the NPS has the final say regarding resource impacts on the ground.

Responsible Officials: Secretary of the Interior; Secretary of Transportation, FAA Administrator; OMB Director, Chairman of CEQ, Director of NPS

POLICY RECOMMENDATIONS - BUDGETARY

1. The Road to Nowhere Settlement for the Great Smokies

The 65 year dispute about whether to build this notorious road through the heart of Great Smoky Mountains National Park is on the verge of being settled if the next Administration plays a constructive role and provides for an enforceable settlement. The new Administration should support and seek funding for achieving a final resolution of this controversy at the level negotiated with Congressional representatives of this region of North Carolina.

Responsible Officials: Interior Solicitor; Director of NPS, OMB PAD for Natural Resources



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2. **Fund New Parks and Park Additions**

Additions to and the expansion of the National Park System require that significant additional financial resources be made available for important land acquisitions. With the decline in land values, now is the time for an acceleration in acquisitions.

Responsible Officials: Secretary of the Interior; Director of NPS; OMB PAD for Natural Resources

THE FIRST 100 DAYS

- The new Administration should issue on January 20th a memorandum modeled after the one issued by Andrew Card on January 20, 2001 establishing a freeze or moratorium on finalizing the outgoing Administration's regulations that have not yet been finalized and made effective.
- The new Administration should immediately begin a review of ongoing litigation and seek to settle cases in those instances where it believes that its interpretation of the law is similar to that of a given set of plaintiffs.
- The new Administration should issue an order exempting national parks from A-76 competitive sourcing requirements
- NPS should prepare a new management initiative to train NPS employees and develop/update management systems
- The Secretary should withdraw more than 1 million acres adjacent to the Grand Canyon from mining or mineral entry in order to stem the threat of uranium mining.



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ISSUE 3

PROTECT AND RESTORE NATIVE BIODIVERSITY AND ADAPT TO CLIMATE CHANGE

BACKGROUND

The degradation of national park ecosystems is one of the most critical challenges facing the Park System. A solution will require the Park Service and other federal agencies to work together to achieve the highest protection for natural systems within our parks. Park lands, particularly back country areas, serve as biodiversity incubators and preserves. The scientific resources available to the Park Service must be greatly enhanced to provide the necessary expertise to fully protect the plants and wildlife in these park based natural systems. In addition, federal policy should promote the movement of wildlife in a manner that fosters long term population viability while stemming the assault on park ecosystems caused by pollution, climate change and the degradation and fragmentation of natural systems.

This means enhancing the ability of NPS to work with those outside its borders on initiatives that foster wildlife movement, allowing wildlife to adapt to climate change. It means developing forward looking response plans for minimizing or mitigating the affects of climate change, and conducting biodiversity policy reviews to ensure that park policies are maintaining biodiversity. And it means ensuring that federal agencies be required to engage in eco-region level coordination and collaboration in the management of all ecosystems, including those containing national parks.

POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. System-Wide All Taxa Inventory

Protecting national park and surrounding ecosystems depends on understanding what is there to protect. The NPS should conduct a low-cost, system-wide, citizen All-Taxa Biodiversity Inventory modeled after the All-Taxa Biodiversity Inventory for Great Smoky Mountains National Park and others that are beginning to be funded through the Centennial Challenge. The ATBI in the Smokies discovered 4,467 newly found species living in the park and 612 species new to science altogether.

Responsible Official: NPS Director

2. Biodiversity Policy Reviews

All national park units with significant natural resources should review their policies and plans and adjust as necessary to ensure full protection of native biodiversity. This review should include the monitoring of wildlife migration patterns for shifts due to climate change and identification of impediments to the free flow of plants and animals. It should also include additional science staff in significant natural areas of the parks.

Responsible Official: NPS Director



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3. National Park Climate Adaptation Plan

NPS should develop an adaptation plan that includes administrative actions and recommended legislative and other policy changes necessary to help park wildlife adapt to climate change. This should include connecting parks with the newly created USGS National Climate Change and Wildlife Science Center, as well as enhanced capacity for the Park Service to lead adaptation efforts within the Interior Department. <http://nccw.usgs.gov>

Responsible Officials: Director, NPS; Assistant Secretary for Fish, Wildlife and Parks

4. Continuing the Park Service's Wilderness Legacy

Since the inception of the 1964 Wilderness Act, the NPS has made a clear commitment to study all of the lands under its management for wilderness designation suitability, but many recommendations have languished. In addition, the Alaska National Interest Lands Act of 1980 designated 32.4 million acres of wilderness in NPS units in Alaska, and directed the NPS to study the wilderness suitability of an additional 21 million acres. The NPS found 18 million acres of these additional lands suitable for wilderness. Designating wilderness can be a valuable tool to protect land, air, and water to stem the impacts from global warming.

The Park Service Director must conduct necessary wilderness studies and forward her recommendations to the Assistant Secretary. For those studies that have sitting in limbo, the Director with the help of Regional Directors, must finalize them and forward them to the Assistant Secretary. Furthermore, the Interior Secretary must forward wilderness recommendations to Congress.

Responsible Officials: Park Service Director; Assistant Secretary of Fish Wildlife and Parks; Interior Secretary

5. Federal Agency Cooperation—Executive Order

An E.O. should require federal agencies to engage in eco-region level coordination and collaboration in all ecosystems where it is necessary to preserve national park fish and wildlife populations and other natural resources. DOI should have lead responsibility to identify eco-regions. Management of each eco-region project should be undertaken by an interagency working group, and the Park Service should have lead responsibility where a major national park is involved. In addition, the administration should also assert the primacy of Interior/NPS in Everglades restoration, given frequent disputes with the Army Corps of Engineers that have tended to impede progress in restoring the Everglades.

Responsible Officials: Executive Office of the President; DOI Solicitor; Interior Secretary

6. Public Climate Adaptation Education Initiative

NPS is uniquely positioned to educate the American public about wildlife adaptation needs and the necessity of enabling wildlife movement. NPS must reach out and work with neighboring landowners to develop cooperative agreements that foster wildlife movement, as well as acquire easements and in-fee land acquisition for wildlife corridors from willing sellers.

Responsible Officials: Director, NPS; Secretary of the Interior



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POLICY RECOMMENDATIONS - LEGISLATIVE

1. **Protecting Native Habitats**

Propose legislation that promotes the prevention, control and eradication of invasive species that occupy lands and waters within and adjacent to units of the National Park System. This can be free-standing legislation, but the National Park Service Corps should also have as its charge the removal of invasive species and the restoration of native species by a massive volunteer corps led, in part, by volunteers from the millennial and baby boomer generations.

Responsible Official: NPS Director

2. **Federal-State Climate Adaptation Partnership**

Propose federal legislation that provides significant new funding for state and federal agencies to coordinate a national strategy that will assist national park fish and wildlife to successfully adapt to the impacts of climate change.

Responsible Official: NPS Director

3. **Wildlife Adaptation Funding in Climate Change Legislation**

Any climate change legislation proposed by the Administration should also propose that a portion of any generated funds be provided to foster the adaptation of wildlife and natural systems to a changing climate. Such adaptation should prioritize ecosystems with the most potential to be resilient, and include the means to foster wildlife migration between parks and other natural areas. This should include the creation of a special subcategory of the Land and Water Conservation Fund similar to the in-holdings fund for corridor easements and acquisition allowing for greater flexibility.

Responsible Officials: Director, NPS; Director, EPA; Executive Office of the President

4. **Educating the Next Generation**

Support/Propose legislation to create a vibrant Park Ranger-School partnership as proposed by Senator Salazar and Represent Holt. Their legislation can be expanded well beyond last year's important but modest proposal. This should also be done while supporting the enactment of "No Child Left Inside", and ensuring that legislation capitalizes on the educational power of the national parks.

Responsible Officials: Assistant Secretary for Fish, Wildlife and Parks; Director, NPS; Secretary of Education

5. **Increase Science Education Funding for Climate Friendly Parks**

With their core education mission and more than 270 million annual visitors, national parks can play a powerful role in educating Americans about climate change and inspiring us to take action to stop it. Dozen's of "Climate Friendly Parks" are developing education programs to help visitors, gateway communities, and schools understand how climate change threatens the cultural and biological treasures protected by our National Park System. National parks like Glacier, Yosemite, the Smokies, and the Everglades are showing visitors how melting glaciers, sea level rise, increasing wildfires, disappearing wildlife, and other effects of climate change are diminishing some of America's most treasured landscapes and wildlife sanctuaries. And they are asking each visitor to "Do Your Part" to reduce



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greenhouse gas emissions, and guiding visitors in easy actions they can take in their homes, businesses and schools to help reduce the threat of climate change.

Responsible Official: Assistant Secretary for Fish, Wildlife and Parks

POLICY RECOMMENDATIONS - BUDGETARY

1. National Park Climate Data Collection Initiative

The Park Service needs the funds to gather and analyze the data necessary to make wildlife management decisions that would ensure the protection of wildlife and the systems on which they depend. Adequate baseline data will be invaluable to park managers in protecting natural systems and in leading the Department of Interior's efforts. If data do not exist, management actions can sometimes be a "best guess." The current lack of data underscores the funding shortfalls that affect the entire National Park System.

2. National Park Wildlife Migration Initiative

NPS should have a fund to facilitate the acquisition of land or interests of land, as well as provide grants to adjacent landowners, which facilitate the movement of wildlife and the elimination of harmful invasive species that compete with park wildlife. NPS should take all necessary steps to connect their key habitats to those on other public and private lands. More and more critically important habitat adjacent to parks is being lost and corridors are being severed by actions at the state and local level as well as actions by other federal land management agencies. Parks cannot function as ecological islands because they are constantly being threatened by outside influences. If parks are to serve as the backbone of many natural systems, they need to be connected to those systems.

Responsible Official: NPS Director

3. Climate Change Legislation Adaptation Funding

Climate Change legislation should fund wildlife adaptation needs for national parks and other ecosystems. The adaptation funding should focus on the need to build resilient ecosystems that have significant protected areas at their core, and seek ways both to fund federal, state, and private ventures to foster wildlife adaptation.

THE FIRST 100 DAYS

- Announce an expanded Climate Friendly Parks Initiative
- Issue an order requiring Other Interior agencies to cooperate with NPS in management decisions that could impact wildlife and other park resources
- Announce a citizen partnership to inventory species in national parks through the All Taxa Biological Inventory effort
- Continue the National Park System commitment to ecosystem protection by forwarding wilderness recommendations to Congress.



DEPARTMENT OF THE INTERIOR

U.S. GEOLOGICAL SURVEY





DEPARTMENT OF THE INTERIOR U.S. GEOLOGICAL SURVEY

TOP THREE ISSUES

1. ACCELERATE RESEARCH ON CLIMATE CHANGE IMPACTS AND ADAPTATION

Significantly greater resources are needed to ensure that the National Climate Change and Wildlife Science Center can respond to the research needs of federal and state agencies by conducting climate change vulnerability assessments for fish and wildlife, forecasting future conditions, and supporting other high priority research and tool development.

2. RESTORE AND ENHANCE THE COOPERATIVE RESEARCH UNIT PROGRAM

The Cooperative Research Unit program is crucial to successfully addressing the natural resources management challenges posed by global warming, energy development, and imperiled species conservation. Unfortunately, steady erosion in funding since 2001 has resulted in nearly a quarter of all research scientist positions now being vacant.

3. BIRDS AS INDICATORS OF ENVIRONMENTAL HEALTH

Promotion of the upcoming state-of-the-birds report and increased funding to support USGS research and monitoring capacity will improve understanding of the large-scale drivers of migratory bird populations and habitat change.

KEY APPOINTMENT POSITIONS

- Assistant Secretary, Water and Science
- Director, U.S. Geological Survey
- Deputy Assistant Secretary, Water and Science



DEPARTMENT OF THE INTERIOR U.S. GEOLOGICAL SURVEY

ISSUE 1

ACCELERATE RESEARCH ON CLIMATE CHANGE IMPACTS AND ADAPTATION

BACKGROUND

The fiscal year 2008 Department of the Interior, Environment, and Related Agencies appropriations bill established the National Global Warming and Wildlife Science Center. Increased funding and other support will be needed to make it possible for the Center to conduct the important functions described below.

A primary function of the Center will be use of the wide array of biophysical data collected and managed by USGS to conduct climate change vulnerability assessments for fish and wildlife, habitats, and ecosystems at multiple scales. These assessments will involve simulations to evaluate which specific populations and habitats would be most likely to change, and what key components in the landscape need to be managed. The need for such information has been identified broadly by state fish and wildlife agencies and NGOs. It is a critical component needed for adaptation and adaptive management. Particular attention needs to be paid to the profound impacts of climate change on aquatic systems, where changes in snow and rain patterns, wetlands, baseflows in rivers and temperature will accelerate the research challenge.

The Center also will play an important role in combining physical change, ecological and population modeling approaches with stronger standardized monitoring across biomes to forecast future conditions. This will include development of biological carbon sequestration alternatives depending on management of natural systems, fire regimes and risk potential for carbon sequestration.

In addition the Center will help identify landscape alternatives in an era of climate change to reduce the cumulative impacts of fragmentation due to human activities on wildlife populations, habitats, and ecosystems. This will build upon the databases assembled for climate change vulnerability and focus on alternative landscape scenarios that reduce impact of energy development and other types of human activity that cause habitat fragmentation.

Funding also is needed for the Center to support, based on a competitive review process, high priority global climate change research projects and the development of decision support tools in relation to: (1) identification of species and ecosystems at greatest risk; (2) identification and ranking, based on effectiveness, the best responses to assist species and ecosystems at greatest risk; (3) research related to wildlife adaptation; (4) refinement of climate change models to regional and local scales relevant for fish, wildlife, and land management; and (5) development of robust monitoring programs to detect changes in wildlife abundance, distribution, and behavior related to global warming for use in federal and state programs, including land management.

POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. Recognize the Center's leadership role

In any carbon cap and trade legislation proposed by the administration or considered by the Congress, recognize, establish and fund the Center as a key means of implementing natural resources climate change adaptation science and information responsibilities.



DEPARTMENT OF THE INTERIOR U.S. GEOLOGICAL SURVEY

Responsible Officials: Assistant Secretary Water and Science; USGS Director

POLICY RECOMMENDATIONS - BUDGETARY

1. Focus on wildlife climate change adaptation

Request \$10 million for fiscal year 2010 to continue establishment of the Center and ensure that it is responsive to research needs of federal and state agencies in conducting scientific research on issues relating to the impact of global warming on fish and wildlife and mechanisms to address those impacts.

Responsible Officials: USGS Director; Assistant Secretary for Policy, Management and Budget

THE FIRST 100 DAYS

The new administration should give prominence to the crucial role the Center will play in maintaining the resilience of fish and wildlife and their habitats in an era of climate change by highlighting and publicizing a request to significantly increase funding for the Center in Fiscal Year 2010.

ISSUE 2

RESTORE AND ENHANCE THE COOPERATIVE RESEARCH UNIT PROGRAM

BACKGROUND

Each of the 40 Cooperative Fish and Wildlife Research Units (CRUs) located in 38 states is a true federal-state-university-private partnership among the U.S. Geological Survey, a State natural resource agency, a host university, and the Wildlife Management Institute. The CRUs build on these partner contributions to leverage more than three dollars for every dollar appropriated to the program by Congress.

The CRUs are crucial to successfully addressing the natural resource management challenges posed by energy development needs, invasive species, infectious diseases, wildfire, climate change, and increased demand for limited water resources. Solving these problems and others requires the CRU management-oriented, community-based approach to research, which relies on interdisciplinary efforts and fosters collaboration and accountability. CRUs also will play a critical role in meeting the challenge natural resources management agencies face in replacing the unprecedented number of scientists and other professionals who will be retiring over the next 10 years. CRUs have an established record of educating new natural resource professionals who are management-oriented, well-versed in science, grounded in state and federal agency experience, and able to assist private landowners and other members of the public.



DEPARTMENT OF THE INTERIOR U.S. GEOLOGICAL SURVEY

Approximately one-fifth of all CRU scientist positions are vacant due to erosion of funding since fiscal year 2001. Seven years of CRU funding shortfalls have compromised the ability of USGS to maintain long-term research partnerships, train the next generation of biologists and assist in diversifying our federal workforce is compromised by this loss of funding. The erosion of funding has reached the point at which the very partnerships that are the strength of the CRU program are in jeopardy because USGS has failed to provide the federal scientist staffing it promised the program's nonfederal partners. As a result, the return on these partners' continuing investment in the CRUs is no longer being realized or fully leveraged. A commitment to provide the scientists needed in all CRUs is essential to addressing other identified USGS issues regarding climate change and fish and wildlife research.

Overall, the loss of CRU scientists is part of a broader issue of a serious decline in the numbers of BRD Research Grade (RGE) scientists since 2001. RGE scientists are the seed corn that develop new approaches, validate basic and applied science in the open literature and generally move forward efforts to model and address complex natural resources issues.

POLICY RECOMMENDATIONS - BUDGETARY

1. Restore CRU integrity

Request \$20 million for fiscal year 2010 to fill current scientist vacancies, restore seriously eroded operational funds for each CRU, and enhance national program coordination. This funding would restore necessary capacity in the CRU program for it to meet the nation's research and training needs.

Responsible Officials: USGS Director; Assistant Secretary for Policy, Management and Budget

2. Competitive, high priority research program

Establish a new competitive, matching fund program within existing CRU legislative authority that would make available up to \$20 million annually in new funds beyond base operational costs. These new funds would support future cooperative high priority research efforts and essential training of new natural resource professionals.

Responsible Officials: USGS Director; Assistant Secretary for Policy, Management and Budget

THE FIRST 100 DAYS

The new administration should highlight the need for rebuilding science capacity within BRD, particularly with the CRU program, through a request to significantly increase funding and scientist staffing for Fiscal Year 2010 and by highlighting the establishment of the new CRU competitive matching grant program for high priority cooperative research.



DEPARTMENT OF THE INTERIOR U.S. GEOLOGICAL SURVEY

ISSUE 3

BIRDS AS INDICATORS OF ENVIRONMENTAL HEALTH

BACKGROUND

Birds have a long history as indicators of the health of the environment, beginning with the proverbial canary in the coal mine. Perhaps the most powerful indicator that something was amiss came when populations of bird-eating and fish-eating birds such as the peregrine falcon and the bald eagle declined precipitously because of exposure to DDT and related organochlorines.

A more recent trend in using birds as indicators involves state-of-the-birds-reports. Almost 10 years ago, the Royal Society for the Protection of Birds and the British Trust for Ornithology began an annual series of state of the birds reports for the United Kingdom (U.K.). At the heart of the U.K. and European state-of-the-birds reports is a series of bird indicators: annual indices that reflect population trends of all birds, wetlands birds, forest birds, and agricultural birds. In both the U.K. and Europe, governments have adopted these indicators as official and have adopted policies that promote stable or increasing bird populations.

With leadership from USGS and U.S. Fish and Wildlife Service (FWS), a number of organizations (federal, state, and nongovernmental) have come together to work on a United States state-of-the-birds report, which is expected in March of 2009 – within 100 days of the new administration. The intention is to include habitat-specific indicators similar to the U.K. and European indicators as the core of this report and to report on conservation challenges such as climate change, energy development, contaminants, direct mortality, and invasive species as they affect birds, biodiversity, and human health. USGS and National Audubon Society have already produced a grassland bird indicator using data from the Breeding Bird Survey (organized and analyzed by USGS) and the Christmas Bird Count.

The March 2009 state-of-the-birds report will give the new administration a chance to make a positive statement about an important environmental issue. Following this report, the administration should increase funding to USGS to increase the agency's research and monitoring capacity to better understand large-scale drivers of migratory bird populations and habitat change, such as those featured in the state-of-the-birds report and to prepare for future reports. Interior proposed a \$1 million initiative in FY09 to support monitoring efforts in the Breeding Bird Survey (crucial to the state-of-the-birds and related reports), Strategic Habitat Conservation, and related activities critical to the conservation goals of USGS and its partners.

POLICY RECOMMENDATIONS - ADMINISTRATIVE

1. Promote state-of-the-birds report March 2009

USGS, FWS, other federal agencies, state wildlife agencies, and environmental NGOs are currently preparing a state-of-the-birds report for release in March of 2009. The administration should support this report at a high level to promote its message of conservation stewardship.

Responsible Officials: USGS Director, FWS Director



DEPARTMENT OF THE INTERIOR U.S. GEOLOGICAL SURVEY

2. Schedule future state-of-the-birds reports

The administration should instruct USGS, FWS, and partners to prepare for future state-of-the-birds reports

Responsible Officials: USGS Director, FWS Director

3. Prioritize research to support birds as indicators

The science behind bird population monitoring is strong, but can always be improved. Establishing causes for bird population changes is always controversial and can be supported with supplemental research. The administration should prioritize this research within the Status and Trends of Biological Resources Program.

Responsible Official: USGS Director

4. Reduce human-induced avian mortality

In many cases, simple actions could be adopted to reduce human-induced avian mortality in others, additional research and testing are needed. Top causes of avian mortality not due to habitat loss are: collisions with windows, cell towers, wind turbines, transmission lines, and automobiles; pesticides; and cats.

Responsible Official: USGS Director

POLICY RECOMMENDATIONS - BUDGETARY

1. Fund bird-related research and monitoring

Investment in research and monitoring of birds and large-scale drivers of bird populations and habitat change (such as deforestation, urbanization, climate change, collisions, cats) is cost effective. The new administration should expand the \$1 million initiative proposed by Interior for FY09 to support such research and monitoring.

Responsible Officials: USGS Director, Assistant Secretary for Policy, Management and Budget

THE FIRST 100 DAYS

The 2009 state of the birds report is scheduled for publication and distribution on or about March 16, 2009, in conjunction with the 74th North American Wildlife and Natural Resources Conference in Washington DC. Because the report will be issued under the sponsorship of the North American Bird Conservation Initiative (NABCI), a cooperative group of federal wildlife and land management agencies, state wildlife agencies, and conservation-oriented nongovernmental organizations, the report should be a strong consensus document promoting a proactive conservation agenda for the next four years. High-level administration support for this document at this venue is an easy way to launch the new administration on a strong cooperative conservation path.



DEPARTMENT OF THE INTERIOR U.S. GEOLOGICAL SURVEY

The administration will also have the opportunity to support the \$1 million initiative to fund research and monitoring of migratory birds, specifically work to strengthen the use of birds as indicators of the health of the environment.





APPENDIX A

CONTACT INFORMATION





APPENDIX

CONTACT INFORMATION

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APPENDIX

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APPENDIX B

TOP ISSUE SUMMARY





APPENDIX

TOP ISSUE SUMMARY

CROSCUTTING ISSUES

CLIMATE AND ENERGY (TOP PRIORITIES)

1. Work with Congress to pass legislation in 2009 that revitalizes our economy and delivers energy and climate security
2. Tackle global warming using the executive branch's powers under existing laws
3. Restore America's global leadership on global warming

AMERICA'S ARCTIC AND THE CIRCUMPOLAR ARCTIC

4. Develop a comprehensive Arctic conservation energy plan
5. Take a precautionary approach to industrial activities in the Arctic
6. Initiate international negotiations

LAND AND WATER CONSERVATION FUND

7. Increase the Land and Water Conservation Fund

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY

8. Restore CEQ's leadership role on environmental policy
9. Charge CEQ with a lead role on climate change and energy strategy
10. Strengthen the appropriate use of the National Environmental Policy Act

OFFICE OF MANAGEMENT AND BUDGET

11. Reaffirm the primary role of Substantive law and agency expertise in regulatory decision making
12. Increase openness and transparency within the federal government and with the general public
13. Allow Robust Scientific Input into Decision Making

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

14. Provide the president with the clear and objective scientific advice needed to make informed policy decisions
15. Restore scientific integrity
16. Protect and support federal scientists

DEPARTMENT OF DEFENSE

ARMY CORPS OF ENGINEERS

17. Prioritize protection and restoration of ecosystems in project planning
18. Implement Water Resources Development Act of 2007 reforms
19. Reform the regulatory process governing the use of the nation's navigable waters to prioritize protection of aquatic resources



APPENDIX

TOP ISSUE SUMMARY

DEPARTMENT OF THE ARMY (NOT INCLUDING CIVIL WORKS)

20. Reduce energy usage through conservation and researching, developing and deploying renewable energy
 21. Environmentally restore existing facilities and reform procurement practices to reduce the environmental footprint
- Account for environmental values in installation planning and management

DEPARTMENT OF AGRICULTURE

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

22. Ensure regulation and screening of plant imports
23. Strengthen regulation of genetically engineered crops
24. Reform US Department of Agriculture Wildlife Services

FARM SERVICE AGENCY

25. Reinvigorate the Conservation Reserve Program
26. Halt policies promoting native grassland conversion
27. Improve conservation compliance

FOREST SERVICE

28. Manage the National Forest System to secure climate benefits
29. Restore scientific integrity in forest service planning and management
30. Reform Forest Service's budget to reprioritize rising expenditures dedicated to fire suppression, reflecting public needs, and ensuring transparent decision making and effective oversight

NATURAL RESOURCES CONSERVATION SERVICE

31. Improve effectiveness of working lands conservation programs
32. Improve agency effectiveness
33. Maintain value of Wetlands Reserve Program

RESEARCH, EDUCATION AND ECONOMICS

34. Dedicate a fair share of USDA REE resources to sustainable agricultural programs
35. Restore capacity of the National Agriculture Statistics Service to provide regular and frequent reports on the use of agricultural chemicals
36. Advance a sustainable bioenergy future

DEPARTMENT OF EDUCATION

37. Seek passage of the No Child Left Inside Act
38. Support the reauthorization of the National Education Act
39. Establish a Presidential Comprehensive Climate Change Education and Readiness Initiative



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TOP ISSUE SUMMARY

DEPARTMENT OF ENERGY

- 40. Help the U.S. achieve cost-effective energy efficiency
- 41. Increase supplies of renewable energy in an environmentally responsible manner
- 42. Cut funding for fossil and nuclear energy

DEPARTMENT OF HEALTH AND HUMAN SERVICES

CENTERS FOR DISEASE CONTROL AND PREVENTION

- 43. Improve public health monitoring programs
- 44. Improve global warming health preparedness

FOOD AND DRUG ADMINISTRATION

- 45. Reduce exposure to endocrine-disrupting chemicals in our food
- 46. Ensure the safety and quality of bottled water
- 47. Ban the use of the pharmaceutical Lindane

DEPARTMENT OF HOMELAND SECURITY

- 48. Integrate environmental protection into the Department of Homeland Security's mission
- 49. Comply with environmental law at the U.S. Mexico border
- 50. Reinvigorate U.S. Coast Guard enforcement of marine conservation and pollution laws

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

- 51. Restore balance to the BLM's oil and gas program
- 52. Preserve lands in their natural condition
- 53. Restore the use of science in agency planning

BUREAU OF RECLAMATION

- 54. Establish a new mandate for the 21st Century
- 55. Respond to climate change
- 56. Transition from a customer service agency to a public service agency

FISH AND WILDLIFE SERVICE

- 57. Reinvest in, and reform the management of, the National Wildlife Refuge System
- 58. Respond to climate change
- 59. Restore and improve implementations of the Endangered Species Act

MINERALS MANAGEMENT SERVICE

- 60. Reinstate MMS Outer Continental Shelf protections



APPENDIX

TOP ISSUE SUMMARY

61. Increase study and research in order to make better choices if, when, where, and how industrial activities are permitted
62. Reform MMS so that oil and gas royalties are collected in a transparent, accountable, and fiscally prudent manner

NATIONAL PARK SERVICE

63. Protect and revitalize our heritage with American jobs
64. Ensure sound management and leadership
65. Protect and restore native biodiversity and adapt to climate change

U.S. GEOLOGICAL SURVEY

66. Accelerate research on climate change impacts and adaptation
67. Restore and enhance the Cooperative Research Unit Program
Promote the upcoming state-of-the-birds report and increase funding to USGS research and monitoring capacity

DEPARTMENT OF JUSTICE

70. Revise policies on access to the courts, transparency and legal excellence
71. Align litigation positions with policy direction
72. Launch environmental protection and enforcement initiatives

DEPARTMENT OF STATE

73. Restore American leadership in international climate policy
74. Reassert U.S. leadership in conservation of the world's natural resources
75. Develop and promote a coherent international approach to the sound management of chemicals

U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

76. Reform and revitalize foreign assistance
77. Lead globally on climate change adaption and resilience

DEPARTMENT OF TRANSPORTATION

78. Spur development and market dissemination of low and no carbon technologies and fuels
79. Reform surface transportation policy
80. Make climate change a cross-departmental priority

DEPARTMENT OF THE TREASURY

81. Promote clean energy resources and reduce global warming pollution
82. Green the multilateral development banks
83. Undertake a new engagement with China



APPENDIX TOP ISSUE SUMMARY

ENVIRONMENTAL PROTECTION AGENCY

- 84. Protect, restore, and enhance natural resources that provide Americans' water supply and protect and clean the nation's waters
- 85. Protect Americans and our environment against three of the most dangerous forms of air pollution: fine particles, smog, and toxics such as mercury
- 86. Promote environmental health and safety
- 87. Reduce emissions quickly and deeply enough to avoid the worst effects of global warming
- 88. Reaffirm environmental justice policies

AMERICAN INDIAN ENVIRONMENTAL OFFICE

- 89. Increase the breadth and impact of the American Indian Environmental Office
- 90. Conduct tribal baseline environmental and environmental health assessments
- 91. Improve the environmental capacity of Indian Tribes

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

- 92. Promote a systematic approach to protecting, maintaining, and restoring marine ecosystem health and resilience
- 93. Protect imperiled species
- 94. Establish healthy national and global fisheries





American Rivers

Center for International Environmental Law

Defenders of Wildlife

Earthjustice

Environment America

Environmental Defense Fund

Friends of the Earth

Greenpeace

Izaak Walton League

League of Conservation Voters

National Audubon Society

National Parks Conservation Association

National Tribal Environmental Council

National Wildlife Federation

Natural Resources Defense Council

Oceana

Physicians for Social Responsibility

Pew Environment Group

Population Connection

Rails-to-Trails Conservancy

Sierra Club

The Trust for Public Land

The Wilderness Society

Union of Concerned Scientists

World Wildlife Fund