

For America's Heritage

THE PUBLIC LANDS Monitor

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2007 ANNUAL PLF MEETING

We are returning to Santa Fe, New Mexico, for the week of October 23-27, 2007. Note we have had to move the meeting to October because balloon races had filled up the entire town of Santa Fe in September. Arrangements have been made for the meeting to be held at Hotel Santa Fe in downtown Santa Fe. Please check out the hotel's website: www.hotelsantafe.com. You will find this hotel extremely unique (even for Santa Fe) and with a special price structure at \$99 per room! With this price, and all that is Santa Fe, we can expect a large PLF turnout! You can make reservations by calling 1-800-825-9876; Fax: 1-505-984-2211 or by Internet Mail: stay@hotelsantafe.com and tell them that you are with the Public Lands Foundation/Bureau of Land Management. If you plan to fly, it is cheaper to fly to Albuquerque and take a frequent bus to Santa Fe.

The theme for our meeting—KEEPING PUBLIC LANDS IN PUBLIC HANDS— is especially meaningful given the mid-term election changes that will surely affect many natural resource agencies. These changes will also challenge PLF as perhaps never before. The new BLM Director (designee) has been invited. The Board of Directors will meet on Tuesday, 10/23. As with past

sessions, a golf tournament and an “ice breaker” family barbeque will be held on Wednesday, October 24th with the main meeting beginning on Thursday morning. As you all know, Santa Fe and its environs are unique and ancient, with many interesting attractions for the entire family—so plan now to attend and enjoy the warm weather, see old friends, and perhaps meet some new ones. Activities are planned for spouses, so let us know if you have preferences. There is a lot to see and do in Santa Fe. It will be a good meeting!

NEW OFFICE FILES ESTABLISHED IN PLF ARCHIVES

The PLF Archives has established individual files on 92 BLM offices to collect historical materials related to BLM people, programs, and activities in those office locations. The Arizona PLF Chapter manages the PLF Archives, established in 1995 and housed at the BLM's National Training Center in Phoenix, Arizona. The Archives has a growing collection of nearly 1000 files of books, papers, photographs, video and audio interviews with BLM retirees, personal recollections, BLM and DOI publications, and other historical memorabilia that have been donated by BLM retirees and employees, and obtained

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The Public Lands Foundation supports keeping the public lands in public hands and the effective management of the lands and natural resources under the administration of the Bureau of Land Management. It encourages optimum implementation of the Federal Land Policy and Management Act, professionalism among employees, and the utilization of career employees throughout the BLM.

NEW OFFICE FILES ESTABLISHED IN PLF ARCHIVES

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from BLM offices. A list of these materials, organized by subjects and functions, is displayed on the ARCHIVES page of the PLF's web site at www.publicland.org (<http://www.publicland.org>).

By adding BLM office files to the PLF Archives, we hope it will encourage more BLM retirees and employees to send recollections, photos, papers, and other materials related to their experiences with BLM and its programs in specific office locations. The 92 BLM office files include the BLM State Offices and the historic District Office locations in each State, along with the Washington Headquarters Office, the Denver Service Center, the National Fire Center in Boise, and the National Training Center in Phoenix.

To view the new BLM office files in the PLF Archives, go to the PLF's web site (see above) and click on the ARCHIVES page. Then click on Materials Specific to a BLM Office and click on the specific office to view the list of historical materials that have been filed to date regarding BLM activities at that office location.

So, BLM retirees and BLM employees, please don't throw away those old pictures, papers and historical materials about programs and people from the offices where you spent your BLM careers. We have a place for them in the PLF's Archives, c/o BLM National Training Center, 9828 North 31st. Avenue, Phoenix, Arizona 85051. If you have questions, call or contact Archives Manager Glen Collins at 602-861-1605, email GlendonE@aol.com or mail to the above address.

COMBINED FEDERAL CAMPAIGN CFC # 11786

Attention BLM employees and PLF members!

The Public Lands Foundation is again a part of the 2007 Combined Federal Campaign. Again this year we have adopted an assumed name, called a "doing business as (d.b.a)" name, of "*Conservation and Protection of Public Land*". However, **this year we have a new CFC number. It is 11786.** So look for us under this name at our new CFC number. We have adopted this name just for CFC efforts in that our formal name of Public Lands Foundation does not describe to an uninformed person what it is that PLF does. We believe this d.b.a. will help do that.

We are still affiliated with the Conservation and Preservation Charities of America, a group of 30 national organizations, all dedicated to conserving and preserving the natural resources of our country. We ask current BLM employees to look for PLF in the CFC Catalogue, **CFC # 11786**, when the 2007 campaign begins this fall. The working children and grandchildren of PLF members can also find us listed in both the United Fund and CFC.

PUBLIC LANDS FOUNDATION AWARDS

Nominations are now open for **all three** of our annual awards. The criteria for the Lifetime Service Award, the Landscape Stewardship Award, and the Outstanding Public Lands Professional Awards can be found on our web site, www.publicland.org. Members are encouraged to submit their nominations early. The instructions for doing so are also on our web site.

CONSERVATION ADVISORY COUNCIL

American Forest & Paper Association
American Hiking Society
Bureau of Land Management (liaison member)
Independent Petroleum Assn. of Mountain States
Izaak Walton League of America
National Association of Counties

National Environmental Education & Training Foundation
National Rifle Association
National Wildlife Federation
Northwest Mining Association
Public Lands Council
Western States Tourism Policy Council
Wilderness Society

A ROLE FOR PLF - TO HELP BLM'S MONITORING PROGRAM

The Memorandum of Understanding (MOU) between BLM and PLF provides the procedures for PLF members and all BLM retirees to help BLM gather data to measure progress toward meeting resource objectives and achieving land health standards. Many PLF members are experienced with gathering data with up-to-date training by BLM, including methods for monitoring and inventorying wildlife habitat, vegetation community composition and riparian functionality. There are also opportunities for monitoring assistance in many other BLM programs.

The opportunities for helping BLM with its monitoring responsibilities are quite unlimited. Recently a group of PLF members stepped forward, joined by local members of the Defenders of Wildlife organization and the Boise District wildlife biologist, to monitor the habitat of the Southern Idaho Ground Squirrel, a candidate species. A school bus of elementary students and their science teacher also joined the group. The squirrel's habitat is being threatened by the constant encroachment of medusahead, which is spreading rapidly in this area by increasingly frequent fires. The USFWS and BLM have entered into a number of candidate species agreements with local landowners which specify that they will do nothing to harm the squirrels

and their habitat, in return for which those landowners will be exempt from "blame" if the squirrels continue to decline and perhaps become a listed endangered species.

We are certain that all BLM districts would have similar opportunities for PLF members to volunteer their expertise and time to help with their monitoring needs. We have asked BLM to develop a list of these priority monitoring needs. This list will be available soon for our members to consider. We encourage all our members who are able and willing to help with this important work to contact their local BLM office and offer their help.

Please let Keith Miller know of your contacts at r.keith.miller@att.net or at 480-451-9090. He will be the clearinghouse for this effort and can answer your questions and match your desires with a BLM request for help. Arrangements can be made to accommodate the time you have available, even if it is only a day or two. Just tell Keith the BLM districts you would like to revisit. BLM will provide needed training, transportation to the field and in some cases per diem. Here is an opportunity for you to join with your old associates and work as a team. Check our web site for BLM requests for monitoring help at www.publicland.org.



Volunteer Monitoring Team: Idaho Ground Squirrel Habitat. Boise District, April 20, 2007. Left to right: BLM retirees: Al Logogz, Ed Spang, Ken Egerman, Larry Hanlon, Gardner Ferry, Deane Zeller, and BLM Biologist, Tim Carrigan.

AUGUST L. “GUS” HORMAY - Father/Founder of Rest-Rotation Grazing

By Jack D. Jones, Montana

Editor's note: Gus Hormay was an important BLM range management figurehead during the 1960-1980 period when he was the evangelist for improved range conditions through the application of grazing systems. We wanted to honor Gus, who died in 1999, for his contribution and asked Jack Jones to prepare the following article.

August “Gus” Hormay developed a concept of livestock grazing designed to promote and maintain the growth of vegetation—all vegetation—under livestock use. Previous to that Dr. Arthur Sampson in his book, *Range Management, 1952*, described rotation and deferred grazing. Gus Hormay synthesized from that work and developed a coherent approach of principles and a concept of rest-rotation grazing and applied the concept at the Harvey Valley cattle allotment on the Lassen National Forest in California in 1952. His concept proved to be sound, practical and over a period of time resulted in the improvement of vegetation and soil conditions. This was followed with his publication “Rest-Rotation Grazing...A New Management System for Perennial Bunchgrass Ranges”, Research Report No.51, USDA, Forest Service, October 1961.

Gus transferred to the BLM in 1966 from the USFS as a range management advisor to train, assist, and advise BLM in developing rest-rotation grazing programs to improve the vegetative conditions on western rangeland. In 1974, Hormay initiated demonstration areas throughout the BLM to leave concrete examples of rest-rotation multiple-use land management. The Matador’s Sage Creek allotment south of Dillon was chosen as one of the first. As stated by Gus Hormay, “The Matador is a special allotment and of special interest to me.” It was set up as a demonstration area under Washington Office Instruction Memo No. 74-131 of April 14, 1974, which read as follows: “Gus will be retiring in about 3 years (he never did, however). Before he does, we think it’s a good idea to have him present his whole story and to leave concrete examples of rest-rotation multiple-use land management.”

Hormay described Dr. Arthur Sampson as one of the real pioneers in range management. “Sammy had preceded me in all of this when twenty-five years earlier he came up with what he called “deferral grazing”; you got reproduction and maintenance, but your plants were



August L. Hormay

left in a weakened condition, and you couldn’t realize optimum production. I was trying to find a better way. Resting plants for a longer period to maturity for food storage two years in succession is what is needed. I called my solution rest-rotation grazing.” Rest-rotation was proven to work on many ranges and all types of vegetation. Gus tested his concept for over 50 years and maintained photographs and records as well. Resting plants, all plants, for two successive growing seasons was the guiding principle of the concept.

Gus Hormay’s concept of land management is summed up in his remarks, “The range is so important to us all! Maintain vegetative cover! With grass we have the watershed, soil, the wildlife habitat, almost everything under control. Good range management is key to all multiple-use values we talk about, and grazing animals are the tools of a manager’s trade.”

He had written a number of scientific publications in clear understandable detail on how to apply rest-rotation grazing “on-the-ground”. The foremost was probably the one he wrote specifically for the Bureau of Land Management and U.S. Forest Service, “Principles of Rest-Rotation Grazing and Multiple-Use Land Management”, September, 1970, 26pp. Gus had planned to write a publication on rest-rotation grazing that “anyone can understand”, as he said in 1995, but his untimely death in 1999 halted completion of that project. However it was accomplished by Joe Egan, retired Montana Fish, Wildlife & Parks administrator and game biologist. The publication, entitled “Managing The Range with Livestock”, was completed in January 2000.

Neither the U.S. Forest Service or Bureau of Land Management today is promoting or practicing true rest-rotation grazing on the public lands, which is unfortunate after Gus Hormay provided written guidance and a demonstration area we have now. In Montana progress was being made within 3 years after Gus began training, advising and reviewing rest-rotation grazing allotments

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AUGUST L. “GUS” HORMAY

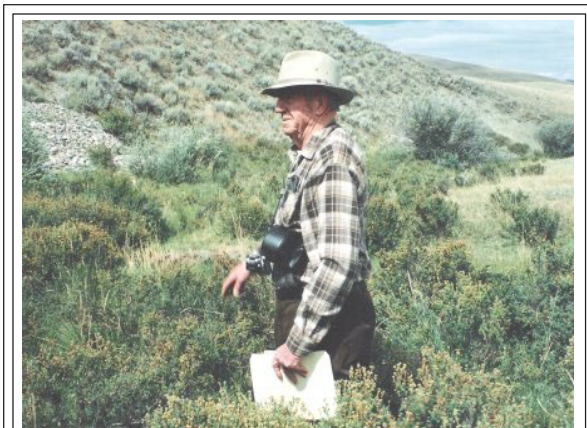
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on the ground in 1966. By the early 1980’s it all began to change because the grazing formulas that had been reviewed by Gus were deviated from and flexibility allowed with little supervision. BLM chose the path of proper use, utilization standards, and other outdated ideas.

Gus has been recognized nationally for his work. In 1957 he received a Superior Service Award from the U.S. Department of Agriculture and in 1971 a Distinguished Service Award from the U.S. Department of Interior. In 1972 he received an Outstanding Achievement Award and Service Award from the Society of Range Management for “his research accomplishments and for his practical and effective on-the-ground training of land managers in the principles of grazing management and rational uses of the country’s natural resources.” In 1992 he received the Partners In Public Spirit Award with the Matador Cattle Company’s managers. He also presented concrete evidence of the results since 1975 in a slide presentation at that session.

For me to write this piece about Gus, whom I first met in 1963, was quite a pleasure, and I thank the PLF. Gus left a legacy for us to follow, and his work has proven to be effective and practical on the ground where it counts. Benefits to the wildlife and fisheries resource speak for themselves by examining the Matador national demonstration area.

Gus found many new friends in the wildlife profession in Montana, and now they are carrying on what Gus



Gus on the Matador Allotment south of Dillon, MT, at Teddy Creek circa 1975.

always wanted. There is no new management scheme coming along, and nothing magical will come over the hill in range management. We have it now, and it’s proven to work effectively on the ground. For the good of public rangeland management and in honor of Gus Hormay, rest-rotation grazing remains the best solution and must continue.

2007 SPECIAL DUES PAYMENTS

We want to give special thanks and recognition to the members who have used one of our special dues categories to pay their 2007 annual dues. In addition to those members listed in the Spring issue of the newsletter, the following members have also paid their dues using our special categories. Several are already Life Members but continue to contribute to the Foundation. This extra financial support has been very helpful. Thank you. It is nice to know we are appreciated. If you have overlooked paying your 2007 dues, please consider using one of these special categories.

Sustaining Member (\$100)

Hatsuyo Hatanaka Frances Werner

Contributing Member (\$50)

Larry Koch	Harold Ramsbacher
Less Rosenkrance	Richard Barbar
Bob Rivers	Haruko Ishiyama
Clair Whitlock	Sonja Cox
Howard Gebel	Henry Ash
Dee Ritchie	Wayne Gardner

NATIONAL PUBLIC LANDS DAY

By volunteering on National Public Lands Day (NPLD) on September 28, 2007, PLF members will be helping improve and preserve this country’s habitats. Nationally, more than 90,000 volunteers are expected to take part this year. This is an opportunity for our members to lend a hand and pay back a little for their lives with BLM. BLM has 97 public land sites lined up where activities are available for all who are able to spend a day. Just call the nearest BLM office for the details, directions and transportation if needed. PLF has received a small but welcomed grant from the sponsor of this national program, the National Environmental Education and Training Foundation, which we will use in helping BLM offices organize the day’s events and acquire supplies, services and materials which are difficult for BLM to obtain on short notice. So, if you can, put your hands to work on the 14th annual NPLD.

MAJOR PUBLIC LAND ISSUES

H. R. 2262, The Hard Rock Mining and Reclamation Act of 2007. As expected, Congressman Nick Rahall has again introduced a bill to update the 1872 Mining Law. After a thorough analysis of his proposed legislation, we can endorse only portions of the bill. We support the limitations on patenting and a royalty payment but find the majority of the language to be anti-mining to the point of stifling mineral resources development on the public lands. We encourage our members to study all 73 pages of the proposed bill. After doing so, we believe you will agree that the majority of the bill contains restrictive regulatory language. The following letter (drafted by Glen Collins and his working group) was sent to the Chairman of the House National Parks, Forests and Public Lands Subcommittee:

June 7, 2007

Dear Chairman Kildee:

I am writing on behalf of the Public Lands Foundation (PLF) to express our support for Congressional action to update the Mining Law of 1872, and to tell you of our concerns about some of the provisions of H.R. 2262, the Hard Rock Mining and Reclamation Act of 2007, that has been introduced by Congressmen Rahall and Costa.

The Public Lands Foundation, incorporated in 1987, is a national, non-profit organization principally of retired, dedicated former Bureau of Land Management (BLM) employees. The PLF has a unique body of knowledge, expertise and experience in public land management. We offer a professional, objective, non-bureaucratic perspective on the management of the public lands. Our mission's focus is on responsible use and conservation of the public lands and natural resources under the administration of BLM and in keeping the public lands in public hands.

PLF has long advocated that the 1872 Mining Law be reformed to:

- eliminate some of the exclusive ownership and use rights that are granted to mining claimants,
- substitute some mechanism other than patenting to provide appropriate tenure for mine development,

- obtain a fair return of royalties to the public, and
- reclaim the land to the extent possible so that other uses may be made of the land.

We are pleased that H.R. 2262 would put limits on the patenting provisions of the 1872 Mining Law and would require payment of royalties for minerals removed from federal public lands. Section 101: Limitation on Patents provides an equitable way to phase out the patenting process. However, we believe that the language in Royalty Section 102 needs to be revised to redefine royalty. A required royalty of 8 percent of the net smelter return may not be equitable or economic for some mineral deposits, and it would not cover some locatable minerals, such as uncommon varieties of rock, which do not require smelting.

The mineral resources of federal public lands are important to national and local economies, and the Federal Land Policy and Management Act (FLPMA) recognizes that minerals are one of the multiple use resources to be managed on the public lands. Our main concerns about H.R. 2262 relate to the restrictive regulatory language in Titles III and IV that describe the permit system and reclamation requirements governing mineral development on the federal public lands. We believe these provisions will:

- discourage mining industry investments on federal public lands,
- curtail the flexibility which federal land management agencies have to manage mineral resources on federal lands,
- impose what many would consider unreasonable land reclamation requirements, and
- require large increases in federal staffing and funds to administer.

Furthermore, the Citizen Suit section of H.R. 2262 will encourage and facilitate private citizen attempts to harass and block mineral development on the federal public lands.

Another factor to consider is the fact that, while the federal government spends billions of dollars annually
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MAJOR PUBLIC LAND ISSUES

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evaluate and manage the surface resources on federal public lands, it depends almost entirely on private industry to evaluate and develop the sub-surface resources. The BLM and other Federal land managing agencies need to have more authority to both evaluate and coordinate surface and subsurface activities on federal public lands. As proposed, H.R. 2262 will make it much more difficult to get that information.

The state land departments in many of the western land grant states have developed permit systems to administer and regulate mineral activities on the state trust lands that are intermingled with the federal public lands in the West. These state mineral permit systems have proven to be fair and workable for the states, the industry and the public. The state trust lands have a different mission than do the federal public lands. However, after the decision is made to allow mineral development on a specific tract of federal land, state mineral permit systems may be better models for how to administer a permit system than is H.R. 2262.

In summary, we endorse the limitations on patenting and the concept of royalty payments that are provided in H.R. 2262, but we believe that H.R.2262 comes across as anti-mining and goes too far in prescribing restrictive regulatory language that will stifle mineral resource evaluation and development on the federal public lands.

**TESTIMONY - HOUSE APPROPRIATIONS
SUBCOMMITTEE ON INTERIOR AND
RELATED AGENCIES - FY 2008
Bureau of Land Management 4/17/07
By George Lea, President, PLF**

Thank you, Mr. Chairman, for this opportunity to present your committee with our views on the Bureau of Land Management’s (BLM) budget request for FY 2008. As a national, non-profit organization principally of retired but still dedicated former BLM employees, the Public Lands Foundation (PLF) has a unique body of knowledge, expertise and experience in public land management. We are the only national

membership organization dedicated solely to the protection and professional multiple use management of BLM public lands. As retirees, we believe we can now offer an objective and non-bureaucratic view of what is really happening to the public lands and suggestions for improvement. It is important that the Committee understand that while we are supportive of BLM and its programs, we are not a “captive” of the Bureau and are independent in our views. Our mission’s primary focus is on improving the condition of the land and its natural resources and keeping the public lands in public hands. We strive to improve the effectiveness of BLM by encouraging professionalism among employees and to increase the public’s understanding of and support for the proper scientific management of these lands.

Overview

While the demands upon BLM public lands continue to increase, the total budget request of \$1.8 billion, which is a modest \$6 million increase over the 2007 actual level, is a step backward. It is significant to note that BLM will return more than \$4.8 billion in receipts in 2008, with 44% of the receipts returned directly to states and counties to support roads, schools and other community needs. We are unaware of any federal agency that returns such receipts compared with its budget. BLM emphasizes inclusion of local input in the process of conserving the environment and is a model of President Bush’s idea of cooperative conservation. In addition to 261 million surface acres, BLM also is responsible for 700 million acres of federal mineral estate throughout the nation. That is nearly a billion acres of precious assets, making BLM the largest steward of Federal lands.

We support the requested budget, particularly the increases to implement the Healthy Lands Initiative. However we see certain shortfalls in emphasis and/or the need for increased dollars in FY 2008, principally to increase staffing, in the following high priority programs to enable the Bureau to adequately address urgent natural resources issues.

Personnel Needs

BLM’s programs are labor intensive and do not lend themselves to contracting. BLM’s budget is directed toward the work force requirements needed to put trained natural resource specialists on the ground to manage

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HOUSE APPROPRIATIONS TESTIMONY

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the land. Any man-power or budget reductions will not only directly affect BLM's ability to properly manage and protect the public lands, but also would have a negative impact on the generation of receipts to the states, counties and the U.S. Treasury. Budgets often contain the false assumption that with a smaller budget and fewer personnel, the workload will decrease and less work needs to be accomplished. That is not the case for natural resources management agencies. It is the constant need to protect the land and the natural resources and the public's increasing service demands that drive the budget requirements.

For example, the 2000 Census found the West to be the fastest growing region of the nation; nine of the 12 fastest growing states are in the West where the growth rate averages 27% per decade—more than twice the national average of 13%. To demonstrate this constant need to protect the land, more than 22 million people live within 25 miles of the land the Bureau manages, and the BLM lands have become the outdoor recreation playground of the West. In 2008, over 58 million visitors are expected to participate in recreational activities on BLM lands.

BLM has always been the forgotten “step-child” in the family of federal land management agencies and has never had the personnel needed to match its responsibilities. Once again we believe the Committee needs to know the personnel needs of BLM and should encourage BLM to develop a five-year program to bring BLM's work force to a level adequate to protect the resources and perform the work needed.

Selling public lands

The 2008 BLM budget suggests legislation is needed to sell public lands to help reduce the federal budget deficit in 2008. The PLF strongly objects to a policy of accelerated selling of the public lands. The Committee is reminded that the Federal Land Policy and Management Act (FLPMA) of 1976 contains adequate authority for BLM to sell lands. Reducing the federal deficit in any meaningful degree would require a massive disposal of the public lands, which the public will not support.

PLF does not support retaining all public lands in public ownership. There are scattered, isolated parcels of BLM lands that should be in private ownership, and there are BLM lands in the vicinity of growing Western cities and towns that are needed for urban expansion. However, the bulk of the BLM lands have become the outdoor playgrounds of the West, and the public has repeatedly and strongly opposed any large-scale disposal of the BLM lands.

The BLM budget before this committee proposes that the Federal Land Transportation Facilitation Act be amended to allow BLM to sell all lands identified suitable for disposal in all updated management plans. FLPMA already provides BLM this authority. However, the budget proposal would direct that a portion of the proceeds from the sale of BLM-managed lands be available for the acquisition of other non-federal lands (in-holdings) in national parks, refuges and monuments. We object to using BLM lands as a “cash cow” in this manner. The public land system that BLM administers has the same importance and integrity as the land system managed by the National Park Service, for example; and that integrity needs to be respected. All federal land management agencies, including the Forest Service, have many lands that are difficult to manage and that could be sold. Congress should provide the authority that these agencies need to sell these lands, with the proceeds going to the acquisition of in-holding lands within that agency.

Healthy Lands Initiative: We support the \$15 million increase for the Healthy Lands Initiative. This new program is directed toward lessening the impact of energy development and other resource use activities (such as grazing and recreation) on the potential conflicts with needs of wildlife and habitat conservation in six priority geographic areas. To a large extent the area to receive special consideration is the sagebrush-dominated landscapes associated with managing at-risk species, such as the sage grouse, to prevent listing of the grouse and to better assure recovery for those listed as threatened and endangered. The six landscape-sized areas are located in southwest Wyoming, southern Idaho, Utah,

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southeast Oregon, northern Nevada, Colorado and western parts of New Mexico where declining health of sagebrush threatens to reduce access for energy development and other public uses such as recreation.

National Landscape Conservation System (+\$18 million): This is a system of unique landscapes including 32 National Conservation Areas, 15 National Monuments, 177 Wilderness Areas, 38 National Wild and Scenic Rivers and 12 National Scenic and Historic Trails. The Administration's FY 08 request is the lowest level of funding ever requested for this important program. It is important not only for the protection of the valuable resources involved, but also important for augmenting local economies that depend upon recreational uses of BLM lands. Increased funding is needed to develop partnerships with Gateway communities; increase the number of rangers for enforcement and resource protection; increase visitor management as the growth in visits increases exponentially, and enhance the science studies in the outdoor laboratory opportunities presented by these unique areas.

Illegal Immigrants Impacting Public Lands (+\$4 million): Undocumented aliens coming from Mexico into the United States and crossing public lands administered by BLM continue to damage or destroy valuable natural and cultural resources, abandon vehicles, pollute with their trash and human waste, and create serious safety risks to employees and the visiting public. This increase in funding is necessary to implement BLM's share of an interagency plan to mitigate these and other impacts caused by undocumented aliens crossing public lands in Arizona, California and New Mexico.

Mining Law Administration (+\$22 million): There is an urgent need to keep pace with the growing number of mining claims which require adjudication, notices which require review, and plans of operations requiring BLM approval. In 2005, 57,494 new mining claims were filed due to the increase in gold prices and a renewed interest in uranium deposits on BLM land.

There are more than 320,000 active mining claims on BLM lands, not a small program. The Mining Claim Location and Maintenance fee has risen to produce \$54 million, yet the Administration proposes to allocate only \$32 million to handle this increasing workload. This is another example where reducing funding does not reduce the need to protect the land.

Selling Subsurface Mineral Estate: This budget reflects a proposal to fund BLM's land acquisition program with a combination of appropriations from the Land and Water Conservation Fund and receipts from the sale of the subsurface mineral estate to the surface owner, generating an additional \$5 million. Section 209 of FLPMA authorizes the selling of subsurface mineral estate "with no know value". The Administration proposes an amendment to FLPMA to establish a minimum sale price of \$10 per acre for this subsurface mineral estate. Based upon our members' experience, the \$10 is much too low. It is our view that a \$20 per acre value would be more appropriate, along with a 2% override royalty established to be held effective in perpetuity. The American public owns this subsurface lands estate, and no one can predict what the future may hold as to mineral values. For example, some day stone and gravel may have values far exceeding other mineral values. It should be noted that reaching the expected \$5 million level of receipts from the sale of the subsurface estate would involve selling 500,000 acres and would require increases in staff and funding for processing sale applications.

Fire Fighting Funds: As the Committee knows, BLM has historically borrowed funds from programs that carry over funds from year to year to pay fire fighting costs. The borrowed money is repaid through supplemental appropriations. This system has generally worked well. However, should these funds not exist, this would cause serious disruption of on-going programs. It is our understanding that the Forest Service has such a problem, as may other federal land management agencies. The procedures for funding fire suppression should be changed. The cost of funding fire suppression should be taken out of the agency's budgets and made available by a separate fire suppression fund.

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Cultural Resources (+\$4 million): We are disappointed to see the reduction in this important program, particularly when the program received a long overdue increase for FY2007. We have been asking for the Congress for many years to recognize the extensiveness and value of the public lands as a national storehouse of cultural and historic treasures. With the increase in recreational uses of the BLM lands, these cultural resources require constant protection, restoration and surveillance.

Wild Horses and Burros (+\$4 million): The Administration has imposed a \$4.7 million reduction for FY 2008 based on the false premise that the projected wild horse and burro population levels would be down to Appropriate Management Levels (AML) by the end of 2007 and no longer need the funding. However, at this reduced level of funding, BLM would be able to gather only 300 animals, required in a court decision in Wyoming, and would not be able to remove the annual reproductive increment of 5000 to 6000 animals which must be gathered and adopted each year to maintain the AML. As of September 30, 2007, the BLM estimates they will have approximately 31,000 animals in long- and short-term holding facilities. These holding costs consume over half of the BLM's wild horse and burro program (\$18 million). In previous years Congress has provided additional funding in order to remove animals from the public lands and to reach the AML, and it would be most unfortunate to reduce funding at this point.

Cost Recovery: BLM does not have the authority to implement cost recovery fees for Applications for Permits to Drill (APDs), Geothermal Permits to drill, geophysical and geothermal exploration permits. The 2008 budget proposes to repeal provisions of Section 365 of the Energy Policy Act, which prohibits BLM from implementing cost recovery fees for processing APDs. This change would allow BLM to recover the cost of processing these types of applications. We support this change. The total cost of processing a permit averages \$4,500, a cost that surely would not severely impact the financing of exploration nor reduce the number of permit applications. More than 10,000 APDs are anticipated in 2008.

Range Improvement Fund: The FY2008 BLM budget again proposes to eliminate the Range Improvement Fund (\$10 million) to further deficit-reduction efforts. A further stated justification is that the Department proposes to change the grazing regulations to give title to range improvements to grazing permittees, thus reducing the need for the range improvement fund and give the grazing permittee an incentive to bear the costs of such improvements. It should be noted that the current grazing regulations encourage grazing permittees to contribute toward range improvement projects and further protect a permittee's financial investment in improvements by authorizing a grazing permittee to be reimbursed for their financial contribution to range improvements should they lose the use of such improvements. It is also important that the Committee understand that the Range Improvement Fund is not used exclusively to benefit the grazing permittee. The fund is also used on high priority watersheds to maximize the potential for overall improvement and protection of those watersheds by improving the vegetation, habitat conditions and health of rangeland ecosystems to benefit livestock, fish and wildlife habitat, riparian values, watershed protection and other resource values. The funds are thus not tied to an individual grazing permit or a specific grazing allotment but are used for a rather wide variety of projects not necessarily benefiting directly a grazing permittee. We believe it is important for the Committee to also appreciate the fact that the financial aspects of livestock grazing are normally not lucrative enough for permittees to pay for all the needed range improvements. The benefits of the Range Improvement Fund out-weigh the small contributions to deficit reduction that eliminating the fund would make. For the above reasons, the PLF does not support the budget proposal.

Fixed costs: We congratulate the Administration for including an increase of \$30 million to fully fund BLM's fixed costs.

Mr. Chairman, we hope these comments for priorities for BLM's FY 2008 budget request and our ideas for changes will be of value to your committee. We remain sincere in our efforts to see the public's land managed well.

SMALL TRACTS

Support for the Public Lands Corps. We recently wrote the House Appropriations Committee to fully fund the Public Lands Corps Healthy Forest Restoration Act of 2005 (P.L.109-154). The Public Lands Corps Act improves the existing relationships between the Corps and public land management agencies and focuses on disaster relief and prevention and other priority projects that reduce wildfire risk, protect watersheds, address bark beetle and other insect and disease infestations, and restore forest ecosystems.

New BLM Director. Well, just maybe someone is listening to us. The rumor has been confirmed that the next BLM Director will be James Caswell, a retired Forest Service employee and a former BLM employee who is currently working in the Idaho state government (Sec. Kempthorne's buddy). When confirmed, Jim's appointment as BLM Director will be a giant step forward to getting a career professional as the director, which we have been advocating for 20 years. We had written Secretary Kempthorne urging him to select a professional land manager, as well as suggesting the same need to Assistant Secretary Alred in our recent one-on-one meeting with him. So, maybe they are listening to us. I know of no other organization that has actively supported this. So, once again, the "Power of Experience" can pay off, and just maybe we can influence major decisions relating to BLM and its programs, demonstrating again that we are not just a "Social Organization".

National Range Inventory. For more than 20 years, PLF has encouraged the three federal agencies dealing with the management of rangelands to come together and adopt the same range inventory study procedures. While the BLM, FS and the NRCS (formerly the Soil Conservation Service) agree that this is a good idea, no real progress has been made, indicating that they really do not believe it is a worthwhile effort. The Society for Range Management and Congressional committees have all supported the idea of having a common procedure to measure range condition and trend. However, the effort is not completely dead in that the three agencies have recently agreed to take part in a field trial of a common inventory procedure this summer in central Oregon. We are looking forward to the results of this test. It is way past the time for a consistent approach and standard for a national rangeland inventory across the west.

The Southern Nevada Water Authority is proposing to construct and operate a groundwater transportation and development project on public land in rural Clark, Lincoln, and White Pine counties to convey up to 200,000 acre-feet per year of groundwater to the Las Vegas and Coyote Spring valleys. BLM is preparing the EIS, by private contractor, to analyze the impacts of granting rights-of-way for the pipelines. A group of 13 federal, state and local agencies has been formed to assist BLM in preparing the EIS.

Wyoming's project gets green light. BLM has approved the Atlantic Rim coal-bed methane gas project, opening the door for up to 1,800 new coal-bed methane wells and 200 conventional oil and gas wells near Rawlins. The new development will occur in an area where up to 2780 conventional gas wells have been approved and where another 10,190 wells are pending approval. (Sounds like the area is an industrial sacrifice zone on public lands where "multiple use" is supposed to be the guiding management principal.) The project is expected to yield some 1.35 trillion cubic feet of natural gas—enough to heat nearly 20 million homes for a year.

PLF POSITION STATEMENT

The Role of Science in BLM Land Management Decisions

From time to time PLF issues policy papers on current important public land issues. The following is a new position paper on the role of science in BLM decision-making. All 30 papers can be found on our web site at www.publicland.org. These papers help guide the Foundation, its members, and Board of Directors to present a professional and uniform explanation of the issues to the public.

EXECUTIVE SUMMARY

Science is important for supporting land management decisions and helping to outline their consequences. The Bureau of Land Management (BLM) must state clearly the role of science in resource management decision-making and act accordingly. The use of science within BLM has received critical media attention. Recent media debates about perceived conflicts between scientists, policy makers and political appointees have led the public to question public policy decisions and have eroded the public trust. The Public Lands Found-

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PLF POSITION STATEMENT

The Role of Science in BLM Land Management Decisions

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ation (PLF) believes BLM needs to reinforce its institutional commitment to the application of science to land management decisions. Also, BLM would benefit from increased partnerships with public and private science providers in making informed resource management decisions. The use of the best available science is critical when developing public land policy. A clearly understood and transparent relationship between scientists and policy makers can be highly productive and beneficial to BLM and the public.

BACKGROUND

Land management is complex because the natural and social systems that are affected are complex. Full consideration of relevant scientific information can improve land management decisions. It can expand the number of options considered, and it can increase the probability that intended outcomes will be achieved. The Federal Land Policy and Management Act of 1976 (FLPMA) directs BLM to use science in its decision-making process:

In the development and revision of land use plans, the Secretary shall use a systematic interdisciplinary approach to achieve integrated consideration of physical, biological, economic and other sciences. [Section 201, FLPMA]

Policy development is rightfully a political process. When done well, it involves defining the issues; gathering the best scientific knowledge and technology, pertinent facts and opinions about the issues; and then designing a policy to address the issues in a scientifically sound, socially acceptable, economically feasible and legally possible manner. Poor public policy results when scientific knowledge and facts are ignored, suppressed or distorted to further a particular political agenda. Likewise, poor public policy can occur when narrow scientific analysis is used to dictate and justify complex policy choices that involve social and political outcomes. Both misuses of science by policy makers and by scientists (and science providers such as U.S. Geological Survey, Agricultural Research Service, academia, etc.) impact the public's trust in BLM's decisions.

BLM, as defined by FLPMA, is not by itself a scientific research organization; rather, BLM is a resource management agency that uses science to inform its land management decisions and policies. Scientific research provides data and knowledge for BLM decisions in land use planning, National Environmental Policy Act of 1969 (NEPA) analyses and policy options.

Fundamentally, quality resource management depends on the interface of science and policy. Within BLM the interface between science and policy occurs primarily at the field management level when land management decisions are made or at the national level when policies are developed. At the present time, the linkage between science and policy-making is often informal and serendipitous.

Most science providers have rules (policies, manuals, guidelines, codes of ethics, etc.) for producing science, getting peer review, and interfacing with policy makers. BLM does not. Thus, BLM must rely on luck, opportunity and its limited institutional capabilities to link science and policy.

BLM does not have a separate research organization. However, it has a wide variety of highly-qualified resource professionals and researchers inside and outside of the agency who provide scientifically based information to inform the policy-making processes.

Whether science is the underpinning or the driver of policy is not always clear. Science should be neutral to policy, and both scientists and policy makers need to understand this. Science provides the facts on which good analysis and policy can be based. Scientists and policy makers must work together to make decisions on complex biological, physical and social science issues.

As long as there have been professional resource managers, there have been scientists in the field of resource management. Current media attention indicates that those who promote and oppose current BLM policy decisions both use science to justify their policy positions.

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PLF POSITION STATEMENT

The Role of Science in BLM Land Management Decisions

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Advancements in policy often lag behind advancements in science and technology. And conclusive science is often not available within practical timeframes to inform management decisions. Within BLM, the informal linkage of science and policy leads to further diminishment of science influencing policy. Recent expansion of concepts such as ecological restoration, landscape scale analysis, and multiple species habitat conservation plans are just examples. Best Management Practices based on scientific analysis of their consequences and efficacy would be an example of an appropriate and timely linkage of science and policy.

Historical BLM efforts have made a start at increasing its institutional capability and commitment to the use of relevant science, but much still remains. On September 26, 2000, the BLM Director approved BLM's Science Strategy (available at www.blm.gov/nstc) which sets forth an overall approach to science with the following three primary objectives:

1. "to delineate the role of science in BLM decision making and public land management;
2. to establish a clear process for identifying science needs and priorities and to assure that those needs are reflected in the Bureau's Strategic Plan and budget; and
3. to provide a mechanism for communicating the Bureau's science needs, sharing its science and results, and highlighting its science opportunities on BLM-managed public lands."

From the mid-1970s to the mid-1990s, BLM used a Science Coordination Committee with representatives from each State and the Headquarters offices to address science needs. This committee played an important role by providing, among other things, internal coordination of calls for research priorities from agencies such as the U.S. Geological Survey, Agricultural Research Service, U.S. Forest Service, etc. The committee was discontinued for a couple of years (about 1996 to 1998), re-established in 1998, and then disbanded again within the last few years. BLM Science Advisor positions in the Headquarters office also were eliminated. Over

time, Science Coordinator positions were created in several directorates to provide some focus on science at the Headquarters level. Their success has been directly proportional to priority given to science by their Assistant Director, and a commitment by one Assistant Director did not necessarily translate into a commitment by all Assistant Directors.

A Science Advisory Board (a Federal Advisory Committee Act—FACA—committee) was established in about 1996, which consisted of representatives from outside of BLM. Its charter was allowed to lapse within the last few years.

PLF Annual Meeting

At its annual meeting in Golden, Colorado, in September 2006, PLF was privileged to have Patricia Limerick, Professor of History, University of Colorado, Boulder, Colorado, as a luncheon speaker. Professor Limerick spoke about the history of western expansion and the importance of science to decision-making. Later in the meeting, a panel composed of a BLM scientist and a BLM manager spoke on "Science in BLM Decision-making." Panelists emphasized the need for scientists who understand BLM laws and programs and can explain their findings in terms that managers can understand and use in decision-making. BLM panelists also recognized that NSTC has limited capability to create new science and that its basic role is linking field management to relevant science.

PLF CONCLUSIONS

BLM's use of science is part of a continuing public dialogue. Patricia Limerick has stated: "In shaping the West's past, present, and future, no factor is more interesting and consequential than the role of science." She goes further to explain a number of circumstances that reflect BLM's role, as mandated by FLPMA in the "new west". These include such concepts as BLM's ability to promote partnerships among diverse interests, skill at advancing ecological restoration and rehabilitation of degraded habitats, landscape scale analysis, and skill at adapting to local variation. This management occurs within a context of multiple risk and

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PLF POSITION STATEMENT

The Role of Science in BLM Land Management Decisions

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multiple demands, commonly known as multiple use management. We concur with her conclusions, and proffer that BLM, as the largest federal land manager with the most diverse land management responsibilities, has a continuing and expanding role in the American west to continue its legacy of promoting, utilizing, and advancing sound science for land management decisions. And PLF calls upon BLM to increase its institutional capability and commitment to use relevant science in policy development, NEPA analyses and land management decisions.

PLF believes BLM's Science Strategy clearly articulates a process for effectively using science and technology in BLM land management decision-making. However, PLF also believes BLM management needs to make an even stronger commitment to a) implementing this Strategy than it has in the recent past, b) acquiring the resources needed to assure science is given appropriate consideration in natural resource management decisions, and c) share that commitment with its staff, constituents and the public. BLM needs to walk the talk.

Practicing science in a political environment is always challenging, especially without rules and guidelines. Practicing science in a highly decentralized organization also is difficult. Current trends in diminishing the role of BLM's science organization and eliminating the technology transfer and linkage between science and policy are troubling. Budget cuts in this arena provide only short-term benefits and further reduce BLM's capability to manage the public lands based on relevant scientific concepts. There are opportunities for BLM to reinforce its capability and commitment to the development and use of sound science. We also believe there are opportunities to further define and refine a linkage between science and policy. The Forest Service, as an example, has clear roles and relationships between researchers and policy makers (See Mills, et al).

There are opportunities to formalize roles and relationships between scientists and policy makers, so that media misinformation and the loss of public trust can be avoided. BLM must protect itself from the

manipulation of science by institutionalizing the linkage between science and policy and strengthening the roles for scientists, practitioners and managers in policy development.

BLM's new Managing for Excellence initiative, among other things, proposes to establish a single National Operations Center (NOC) in Denver, Colorado. This will give the NOC a senior executive to lead and manage the organization. NOC will centralize NSTC, the Lands and Resources Project Office, the National Information Resources Management Center, the National Human Resources Management Center, the National Training Center, and the National Business Center under a single Director who will be responsible for servicing the entire BLM. PLF is on record in support of NOC, considering it a means of increasing the visibility and stature of NSTC and the other important offices and their service to the field and Headquarters offices of the Bureau.

BLM should avoid the short term expediency of downsizing NSTC. Even under current budget constraints, it is important that BLM commit to maintaining the current capability of the Center and to the role of science and technology in resource management. A centralized control is needed to ensure that BLM's limited research and development dollars are well-spent for the benefit of BLM as a whole. NSTC is the natural location for this operational work.

The Managing for Excellence initiative should advance and promote the role of NSTC in the sound development of national policy. This should lead to an advanced role for NSTC to develop scientific analyses of land management choices, based upon the best available science from within and outside BLM, with consequences and implications identified for policy makers to consider.

The BLM is well-served by a modest centralized science organization like NSTC, led by a senior executive serving on the BLM leadership team, operated in cooperation with the entire BLM organization, and supplemented with various scientific experts who are located at other BLM duty stations.

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PLF POSITION STATEMENT

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PLF RECOMMENDATIONS

The Public Lands Foundation recommends:

1. Roles for Scientists and Managers: BLM establish clear roles and ethical guidelines for policy makers and scientists (i.e., researchers) which foster independent and objective scientific input into policy formulation. This role statement should be unique to the BLM multiple use mission (as compared to single use management) and focus on the complexity of multiple risk assessment in highly complex habitats and landscapes. The Forest Service's guidelines for scientists and managers are an excellent template for BLM to consider. (See Mills, et al, 2002).
2. Scientific Analysis of Policy Implications: BLM establish guidelines for disclosing scientific consequences that can guide options and alternatives to be considered in proposed land management decisions.
3. Science-based Infrastructure: BLM increase its commitment to the BLM Science Strategy and create an infrastructure to support science in land management decision-making.
4. Science Advisory Board: BLM re-establish a Science Advisory Board to provide independent counsel to the Director on linking policy proposals to relevant and current science findings, and to discuss the potential consequences of proposed new policy based on scientific interpolations.
5. Linking Science and Resource Management: BLM establish a National Operations Center in Denver, as provided for in its Managing for Excellence initiative, to strengthen the linkage of science and resource management decision-making and to provide increased visibility and stature to NSTC and other operational offices.

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"Bureau of Land Management Science Strategy," BLM/RS/PL-00/001+1700, September 26,2000, 19 pages. Available at www.blm.gov/nstc.

IN MEMORIUM

The PLF regrets to inform you that the following long-time BLM employees have passed on:

Walter C. Hankins—BLM State Administrative Officer at Boise, ID and PLF Life Member on April 22, 2007, in Boise, ID.

Robert Hostetter—BLM Forester and Public Affairs Officer in OR, WA State Office, PLF Life Member and founder of the OR/WA BLM Retirees Association, on April 22, 2007, in Beaverton, Oregon.

Richard (Dick) Petrie—BLM District Manager at Prineville and Baker, OR, Phoenix, AZ, and Idaho Falls, ID and Deputy State Director, Operations at Boise on October 15, 2006.

Denny Chung—BLM Land Law Examiner at Riverside, CA and Budget Officer at the Denver Service Center and AZ State Office, on April 2, 2007 in Phoenix AZ.

Kenneth D. Baker—BLM Oil and Gas Specialist in AK and Great Falls, MT on 4/3/07, in Soldotna, AK.

Robert R. Smith—BLM Forest Engineer at Coos Bay and Medford, OR on April 5, 2007, in Medford, OR.

Reed Staider—BLM Recreation Specialist in the UT State Office in February 2007 in Taylorsville, UT.

Homer Byrd—BLM Range Conservationist and Area Manager in Safford District AZ on 5/3/07 in Safford, AZ.

Clinton (Clint) Oke—BLM Range Conservationist in OR, AZ, and NV and Assist. District Manager in Elko; PLF 2002 Outstanding Public Land Professional Awardee and member PLF Board of Directors as State Representative for NV on June 1, 2007, in Elko, NV.

MEMORIAL CONTRIBUTIONS

A contribution in memory of **Bob Hostetter** has been received from Bill Leavell, and a contribution in memory of his wife, **Marlene Spang**, has been received from Ed Spang.

Public Lands Foundation

P.O. Box 7226 Arlington, VA 22207

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Public Lands Foundation Goals

- Keep lands managed by the Bureau of Land Management (BLM) in public ownership and open to use by the public.
- Support multiple use management under the Federal Land Policy & Management Act.
- Encourage professionalism by BLM employees.
- Increase the public's understanding of and support for the proper management of the public lands.

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