



# The Mountain Pact

## May 2020 Conservation Update

Even as many Americans were following stay-at-home orders in May 2020, activity continued on the federal public lands conservation issues affecting our mountain communities. In this issue, we report that over 100 local elected officials in all Western states signed The Mountain Pact's letter urging Congress to fully and permanently fund the Land and Conservation Fund (LWCF); COVID-19 is adding another challenge for the US Forest Service as it prepares to fight forest fires this summer; the Trump administration remains laser focused on its 'energy dominance' agenda, which includes giving relief to oil and gas companies on their lease and royalty payments; and much more.



### The Land and Water Conservation Fund and The Great American Outdoors Act

- The Mountain Pact, with support from the Western Leader's Network, sent a [letter](#) to Congress signed by over 100 Western local elected officials urging it to fully and permanently fund the Land and Water Conservation Fund (LWCF) as an economic recovery tool in a future stimulus measure. The letter and effort were covered by [E&E News](#), [Politico](#), [KUNR](#), [Colorado Politics](#), [Cowboy State Daily](#), [Arizona Daily Sun online](#) and [print edition](#), [Bozeman Daily Chronicle](#), [Idaho Mountain Express](#), [Durango Herald](#), [Colorado Business Journal](#), and [Cortez Journal](#). The City of Big Bear Lake, California and the Colorado communities of Boulder, Aspen, Longmont, Avon, Frisco, Ophir, Ridgway, as well as Eagle and San Miguel Counties also sent community-specific letters to their congressional delegations.
- Media outlets across the country continued to publish opinion pieces, including [one](#) by Mountain Pact staff member and former Flagstaff, Arizona, Vice-Mayor and City Councilmember Celia Barotz, and [another](#) by Frisco, Colorado, Town Councilmember Melissa Sherburne urging Congress to provide full and permanent LWCF funding in a coronavirus economic recovery bill or via the Great American Outdoors Act.
- More than 60 companies, including Patagonia, L.L. Bean, and The North Face [called on Congressional leadership](#) to help communities with the recovery from the coronavirus pandemic by passing [The Great American Outdoors Act, S.3422](#), which would permanently fund LWCF and provide funding to address the maintenance backlog on federal public lands.
- On May 21, [Senate Majority Leader Mitch McConnell said that the Senate will take up the Great American Outdoors Act](#) in June after it returns from Memorial Day recess.

## How the Coronavirus Pandemic is Impacting our Mountain Communities

- Fire officials are navigating the challenge of [how to make fighting wildfires safe in the age of COVID-19](#). Some of the [new protocols](#) designed to encourage social distancing include smaller fire camps, less shared transportation, and more screenings.
- Secretary of Interior David Bernhardt, following the direction of President Trump, is pushing for a [phased approach](#) to reopening parks without guarantees that it will be safe for park employees and visitors. The Coalition to Protect America's National Parks, a group of current and former park employees and volunteers, [said park sites should reopen only after staff](#) have been trained properly and provided personal protective equipment and housing that allows for social distancing.
- [A new coalition of outdoor groups has created the Recreate Responsibly initiative to provide guidance to Americans](#) on how to stay healthy while enjoying public lands. The Mountain Pact plans to join the coalition.



## The Trump Administration Agenda

- For the fifth time, Secretary of Interior David Bernhardt [reappointed](#) William Perry Pendley, as the Acting Director of the Bureau of Land Management (BLM), until June 5. Mr. Pendley, an anti public lands crusader, has served in this capacity since July 19, 2019. President Trump has never nominated anyone to serve as the Director of the BLM, a position which requires Senate confirmation. Immediately following this news, the Washington D.C.-based Public Employees for Environmental Responsibility (PEER) and the Idaho-based Western Watersheds Project filed a [federal lawsuit claiming the Trump administration's repeated use of temporary appointees](#) to lead large federal lands agencies violates federal law and the Constitution's "advice and consent" clause. Peter Jenkins, senior counsel at PEER, said, "They're just freewheeling around the Constitution and allowing these lower level political appointees to be running the show."
- More than 1,000 oil and gas companies [have deluged Bureau of Land Management \(BLM\) state offices with applications](#) to cut royalty payments or suspend oil leases following Interior guidance last month that promised the BLM staff would process the applications quickly during the COVID-19 pandemic. This was at the very time the agency is making clear its disdain for renewable energy by [sending out bills for retroactive rent payments to wind and solar companies](#).
  - Royalty payments are the legally mandated taxes on the revenue from resources drilled or mined on public lands. [The public should receive a benefit when a company profits from these resources](#), especially citizens in the states where the company extracted the resource. Under the new BLM policies, companies can drill for public resources while generating little public revenue.
  - You can read more about [The Mountain Pact's work on royalty payments in a recent report on our website](#).
- As Americans continue to follow stay-at-home orders, the Trump administration is [following a playbook put forth by influential](#)

conservative think tanks to use the pandemic as justification for curtailing or eliminating environmental rules and oversight. So Far, nearly 100 environmental laws have been rolled back, including the Clean Water Rule that protected countless critically important streams and wetlands; a rule that prevented coal companies from dumping mining debris into local streams; and an Obama-era freeze on new coal leases on public land.

- A Houston based company, SAExploration Holdings, Inc. that specializes in mapping underground pockets of oil and gas in Alaska and elsewhere has received \$6.8 million from the Paycheck Protection Program designed to help mom-and-pop businesses survive. Since last year, the Securities and Exchange Commission and the Justice Department have been investigating the company for alleged financial wrongdoing.
- As part of a federal leasing push in Utah and across the West, the Trump administration is expected to auction more than 110,000 acres of federal land for oil and gas development near Arches, Canyonlands, and Capitol Reef national parks. Local public officials and environmental groups say this will threaten some of the region's most iconic natural areas and



tourist attractions. The Trump administration has proposed a new resource management plan that will allow energy and other development closer to cultural sites considered sacred to New Mexico's Pueblos and other tribal groups within the Chaco Culture National Historical Park. Because of the coronavirus pandemic, virtual meetings are replacing in-person public comment with tribal groups very concerned that their voices won't be heard because they don't always have consistent internet access. Secretary of

Interior David Bernhardt, in response to repeated requests by tribal leaders and a recent letter by the entire New Mexico congressional delegation, has indicated he will likely extend the public comment period for 120 days although he hasn't yet issued a formal notice of extension.

- A federal judge in Montana vacated hundreds of oil and gas leases across 145,000 acres of the state saying that the BLM failed to take into account the impact drilling will have on regional water supplies and the global impact that the increased drilling would have on climate change. The case now goes back to the BLM so it can conduct the legally required environmental analyses before reissuing the leases.
- A federal judge has dealt a blow to the Trump administration's efforts to increase domestic oil and gas production on public lands saying Interior department officials failed to protect habitat for the greater sage-grouse, a declining bird species, when it issued energy leases on hundreds of square miles.
- With little explanation, the Trump administration pauses some oil and gas leasing on some public lands in the West as the price of oil plummets because of the coronavirus pandemic.

## **The Fight Against Climate Change**

- Despite the Trump administration's efforts to revive the ailing coal industry by weakening pollution rules governing coal-burning power plants, for the first time ever the United States is set to produce more

[electricity from renewable sources than from coal.](#)

- A [federal judge threw out a lawsuit aimed at reinstating an Obama-era moratorium on new coal leasing on federal lands](#) saying that the Trump administration performed the required assessment when it found there were no significant impacts caused by resuming coal leases. The judge indicated that the parties who want to pause the leasing could challenge the sufficiency of the administration's assessment.
- [The global drop in electricity demand will drag on long after countries lift stay-at-home orders, leading to the biggest annual drop since the Great Depression and fundamentally reshaping power markets.](#) The prolonged slowdown will increase economic pressure on older, uneconomic power plants -- especially those that burn coal -- and help speed the transition toward cleaner and cheaper wind and solar. It will also contribute to the biggest annual decline in greenhouse gasses from energy ever.

*You can read the PDF version of this and other Conservation Updates [here](#).*

*Stay current on Mountain Pact happenings by following us on [Facebook](#) and [Twitter](#).*

www.themountainpact.org | info@themountainpact.org

