



## Lead NEPA Story: Biden administration hustles to thin forests near giant sequoias

(Greenwire, 7/22/2022), Marc Heller, E&E News Reporter

The Biden administration will fast-track projects to thin forests in and around giant sequoia groves, easing environmental reviews in order to protect the enormous trees from severe wildfires.

The Forest Service said today it will remove potential wildfire fuel on 13,377 acres of national forest to protect a dozen giant sequoia groves, including taking out other trees and conducting prescribed fires. The agency said it aims to complete the work by the end of next

year but that some projects could extend into 2024.

“Without urgent action, wildfires could eliminate countless more iconic giant sequoias,” Forest Service Chief Randy Moore said in a news release, referring to fires since 2015 that officials estimate have killed as many as 19 percent of the trees. “We can and must do more to protect giant sequoias using all the tools and flexibilities available to us.”

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## Council on Environmental Quality: White House Environmental Justice director talks goals, accountability

(Greenwire, 7/22/2022) Kelsey Brugger, E&E News Reporter

Jalonne White-Newsome will never forget where she was in 2003 when a multistate blackout left 50 million people in the dark for days. She was in Detroit about to get married.

“When the grid went down, I was headed to get my wedding dress,” she recalled last week. “The lights start flashing. The radios went away. I had 12 bridesmaids, eight attendants, all coming from different parts of the country. Folks that were driving in had to get gas before they made it into Michigan. Folks stayed in hotels, they had to use the stairs. Refrigeration was an issue.”

White-Newsome spoke with E&E News three weeks into her new job as White House Council on Environmental Quality environmental justice director, a role that could require her to rely on her even-keel sensibilities during times of chaos.

“It was an experience,” she said with a laugh about the blackout, adding, “It was definitely a deeper appreciation for things that we take for granted.”

White-Newsome enters the White House at a trying time. The Biden administration has missed self-imposed deadlines laid out in an

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executive order and activists want the White House to do more on climate change, particularly with uneven progress on Capitol Hill.

The former environmental justice director, Cecilia Martinez, quit and told The Washington Post she got “dangerously close to burnout.” Criticism from leading environmental justice activists lobbed at Martinez and other White House staff had grown public and awkward.

Last week, White-Newsome met with some of those critics. The rare in-person meeting with leaders of the White House Environmental Justice Advisory Council was a chance to reset.

“It will take a level of toughness to get some traction where it’s been difficult to get things moving in government,” said longtime environmental justice activist Bob Bullard, an outside adviser to the White House.

White-Newsome has a doctorate in environmental health studies from the University of Michigan, where she researched the health impacts of extreme heat. She worked for the Kresge Foundation on sustainable water resources management. She set up a federal policy office for leading environmental justice organization We Act for Environmental Justice.

White-Newsome led a team that produced a report on how the electric vehicle transition has unintended consequences for Black and Hispanic Americans with high-paying jobs in the auto industry. She was a crusader for Detroit residents after the automaker Stellantis NV built a plant that spewed emissions in a residential neighborhood.

Early in her career, White-Newsome worked 14-hour days as a plant engineer at drywall manufacturer U.S. Gypsum Corp. but was laid off when the company went bankrupt.

“One day she’s going walk out the door and bump into herself coming in,” said Keith Cooley, president of Michigan League of Conservation Voters, who worked with her on the report. “She works pretty hard.”

## **What sparked your interest in environmental issues?**

I think my passion for people and the environment has been something that has been a part of my life since elementary school. It really started with science projects related to air and water, and then coming from a family that is deeply connected to advocacy for those folks that seem to not have a voice or be invisible to society.

## **What were the science projects?**

I tested water samples from the Rouge River in Detroit, from springs in upper Michigan, and tap water from my home and my grandparents’ home. I used a \$5 water testing kit from Home Depot to compare water quality, looking primarily at acidity and pH.

In high school, I conducted an experiment to determine how polluted air impacts the growth of different types of grass. I used my mom’s old diesel car as the pollution source, planting samples of different grass in trays, and sitting the grass behind the tailpipe as the car was running for different periods of time, over a length of days. The goal was to determine how pollution impacted the growth and health of grass.

## **Were your parents involved in environmental issues? What did they do?**

My father, Joseph White, was a lawyer and his ability to synthesize and make a compelling argument for anything, or anyone, in the courtroom, for a client or family, was amazing. When my dad was college student at Michigan State University, he was a part of a large group of Black students that advocated for the rights of Black students on campus. That never stopped.

And my mother, Terrie Henderson, has been an advocate for low-income families, for those needing a second chance at education, returning to the workforce for all of her life. My mom was born and raised in Detroit and has been an advocate for babies and children, particularly those children that have had to deal with multiple traumas — from family challenges to the impact of lead exposure.

**Your parents were involved in the horrific flooding in Michigan last year — that must have been pretty traumatic. What did you learn from the experience?**

That experience with my parents — literally having five floods in the span of two years — by no fault of their own. It was dramatic. When you think about the impact of floods, it's a physical thing because you're losing stuff that you can't replace.

Your home is damaged, but it's also the mental trauma in the fear that when it rains, it might happen again, and we might have to go through this thing again. And so even after the event happens, then it's like, 'OK, so how do we recover?' And I will say very plainly — that process of getting support, whether it be from local or state, whatever, was very difficult.

**How so?**

It was a little bit fuzzy, not transparent, and it definitely caused frustration.

One thing I think about is the access to information. Now, that might seem like not a big deal. But when you are just a regular person, like my parents in their 70s and late 60s, trying to figure out who do we need to send this report to get emergency funds or funds to live someplace. That information was not shared equitably in the different communities that suffered from flooding.

The second thing is — I'm going to bring in kind of my public health perspective — when things happen, healthy conversations around both physical health and mental health are not really a part of that discussion the way they need to be.

It's like — not only the fact that your home has been compromised. It could be sewage or whatever coming in. They're not aware that if I go down here and try and get this picture — they're being exposed and putting themselves in jeopardy. And so, my parents have experienced health issues because of their exposure.

But when those things happened, there wasn't a local health person on site to say, no, don't do that. Or bleach and water is not going to kill what's here.

Then the trauma that comes from it. And so when you continue to be in multiple crises — like many of our communities that suffer with multiple environmental justice concerns and have suffered years and years and decades — that does something to you. Stress kills, it's in the research.

**Let's talk about your new role as director of environmental justice at the Council on Environmental Quality. You started a couple weeks ago. What are your goals?**

What I would love to try and accomplish — and what I'd like to say, disrupt in a good way — is really how do we make sure that we do what we said we were going to do in the executive order. The team has been doing a great job of that.

I think the second thing is really making sure that folks understand, and agencies and some of our external partners, that environmental justice is a part of everything. So whether we're talking about health policy, whether we're talking about transportation, whether we're talking about where we get our energy, environmental justice cannot be an afterthought.

I think also it's making sure that we address some of the many legacy issues that we see in communities across this country. To really begin to right some of those wrongs, and create, again, the healthy, safe environment that everybody deserves.

I would say my vision is still being fortified. It's a little bit blurry now. But what I hope is that after however long I'm here that environmental justice is institutionalized through our agencies in ways that it hasn't been before, that environmental justice is not an afterthought.

**Right now is a crucial time for the Biden climate and environmental justice agenda. The outside environmental justice advisers have been fairly critical of the White House's pace in advancing some of its goals, like the Justice40 Initiative. How will you navigate the politics?**

I feel like whether you're in the federal government, or state government, your

community, there are always politics at play. The way that I try and approach it is really thinking about, OK, how do we make sure that one, we have a shared vision. There might be different ways that different folks are trying to get there, which is fine.

I definitely expect politics, I expect probably some bureaucracy. I'm all about — we can't do this alone. The CEQ EJ team can't do this alone. It has to be everybody. And that gets complex and complicated.

But if we continue to say, our vision is that we are trying to achieve environmental justice and this is what we're going to do, we have to stay on task. Of course, that takes patience. That takes making sure we have all the different perspectives that are needed to inform a policy. It's messy, but it's necessary.

**This week is the first week the co-chairs of the White House Environmental Justice Advisory Council are meeting with CEQ officials in person. How has that been?**

It's been great. And this has really been more to build relationship, get to know you. They're definitely talking about some business.

But this is the first time that we've been able to be in person. And so I've just been thankful to be able to reconnect with the leadership and so thankful for what they been able to do and give over the past year and a half.

It was a reminder, again, that we can do whatever we want to in D.C., but communities need to see, taste, feel the changes.

**How will you measure your impact?**

I am a straight nerd. I think I was in third grade, and I had a Franklin planner. I would literally write down my goals and say, 'OK, this is what I've accomplished.' So I think there are a couple of ways that we need to test our success and hold ourselves accountable.

Part of that is looking at what we we've been tasked to do by the executive order. So basically, we need to get some things done. A lot of the things that we're working on is not going to like flip the switch and is not going to happen overnight.

And what I will say in my little bit of experience is that oftentimes we get titles, and we have letters behind our name and all that good stuff, and we feel like we know the answer. But really, those answers are already sitting in those communities.

Folks know what they need. They just might not know the route to get the information or get the access to the resources, yada, yada. So where I think we come in — the opportunity for the federal government and other levels of government — is to really listen and understand what barriers exist and try to remove those barriers.

*This interview has been edited and condensed.*

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## **Endangered Species Act: NOAA: Breaching Snake River dams 'essential' to save salmon**

**(Greenwire, 7/12/2022) Jennifer Yachnin, E&E News reporter**

The White House today touted a new analysis from federal scientists that found breaching a series of four dams in Washington state is "paramount" to efforts to restore salmon populations in the Pacific Northwest but stopped short of endorsing the action.

Another report also highlighted by the Biden administration underscored the steep costs associated with removing the dams, including higher consumer energy bills and the need to replace as much as 2,700 megawatts of power.

For more than 30 years, governments have poured billions of dollars into species mitigation

efforts for salmon and steelhead populations in the Columbia River basin, but the fish remain on the verge of extinction due to warming waters and predators.

In its draft report, NOAA recommended the breaching of the Ice Harbor, Lower Monumental, Little Goose and Lower Granite dams.

"The importance of the comprehensive suite of actions listed above cannot be overstated. It is also important to recognize that, within this suite, several centerpiece actions are paramount for specific stocks," the report states. "For Snake River stocks, it is essential that the lower Snake River be restored via dam breaching."

The report — which will be reviewed by state and tribal fisheries managers over the next 30 days before being finalized — also calls for establishing fish passage routes in the upper Columbia River, including the areas around Grand Coulee and Dworshak dams.

But in a statement touting the draft's release, the White House Council on Environmental Quality emphasized that "the administration has not endorsed the Columbia Basin Partnership Task Force's goals at this time or the particular actions identified in today's draft science report."

"Business as usual will not restore the health and abundance of Pacific Northwest salmon. We need a durable, inclusive, and regionally-crafted long-term strategy for the management of the Columbia River Basin," CEQ Chair Brenda Mallory said in a statement.

A draft proposal released last month by Washington Gov. Jay Inslee (D) and Sen. Patty Murray (D) likewise highlighted the benefits of removing the earthen dams for fish populations but did not actually call for the dams immediate removal.

Mallory also pointed to the other report out today that examines the impacts of removing

electric generation from those same four dams on the lower Snake River.

"These two reports add to the picture — that we are working alongside regional leaders to develop — of what it will take over the decades ahead to restore salmon populations, honor our commitments to Tribal Nations, deliver clean power, and meet the many needs of stakeholders across the region," she said.

The second report, commissioned by the Bonneville Power Administration, found that removing the four dams could result in annual costs of as much as \$860 million by 2045, and increase household electric bills by as much as 18 percent in that same period.

That analysis, conducted by the San Francisco-based Energy and Environmental Economics Inc., (E3), found that breaching the dams would require other energy sources to replace between 2,300 and 2,700 megawatts of power.

"Replacing the four lower Snake River dams while meeting clean energy goals and system reliability is possible but comes at a substantial cost, even assuming emerging technologies are available," the report states.

Breaching the earthen dams could also temporarily increase carbon emissions, before declining as state emissions policies "become more stringent."

"The long-term emissions impact of removing the generation of the lower Snake River dams will depend on the implementation of the Oregon and Washington electric clean energy policies," the report states.

House GOP lawmakers led by Washington Rep. Dan Newhouse have rallied against the removal of hydropower on the Snake River, arguing it would harm the local economy.

Editor's Note: The report, *Rebuilding Interior Columbia Basin Salmon and Steelhead*, may be viewed at <https://media.fisheries.noaa.gov/2022-07/icrb-salmon-steelhead-recovery-summary-draft-v2.5.pdf>.

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## NEPA: BLM pushes forward with Gunnison sage grouse protections

(Greenwire, 7/15/2022) Scott Streater, E&E News reporter

The Bureau of Land Management is not waiting to amend nearly a dozen land use plans in Colorado and Utah before taking steps to restrict man-made activities inside Gunnison sage grouse habitat.

BLM issued an instruction memorandum, posted on its website June 30, providing "interim guidance" on a series of recommended actions bureau field offices in the two states should take to protect the Gunnison sage grouse, which the Fish and Wildlife Service has listed as threatened under the Endangered Species Act.

That advice includes guiding energy development away from Gunnison sage grouse habitat and taking a more critical view of federal livestock grazing allotments within occupied habitat. These steps have caught the eye of ranching groups and the oil and gas industry, with one representative complaining that BLM is moving forward with remediation before completing a comprehensive analysis of the grouse population.

A week after BLM issued its interim guidance to the Colorado and Utah offices, the bureau announced it would start its range-wide analysis of Gunnison grouse — found only in southwest Colorado and southeast Utah — and that it was "considering" amending nearly a dozen resource managements plans (RMPs) governing the use of 7.6 million acres of federal lands to better protect the bird.

BLM has begun an environmental impact statement (EIS) analyzing the potential plan amendments, a process that's expected to take two years to finalize.

But in practical terms, the bureau's June 30 memorandum moves toward placing some of the measures BLM said it would be evaluating in the EIS into place right now.

That includes directing BLM field offices in both Colorado and Utah to:

- Analyze "and implement conservation measures that prohibit or limit energy

and discretionary mineral development within habitat and avoid, minimize, and mitigate surface disturbance and disruptive activities in habitat." Before issuing permits to drill to existing leaseholders, BLM would need to first consult with FWS, the Colorado or Utah wildlife office that applies, as well as the industry, on potential "management actions designed to avoid, minimize, and mitigate impacts to [Gunnison grouse] or their habitat" before approval.

- Review grazing allotments and determine if "livestock management practices" are found to be "a causal factor for not meeting or making progress toward meeting [Gunnison grouse] habitat objectives." If so, "then changes to grazing management practices will be incorporated into grazing authorization modifications or allotment management plans through consultation, coordination, and cooperation."
- Compile a schedule for grazing permit renewals by the end of August that prioritizes allotments within Gunnison sage grouse habitat. It calls for modifying permits in areas where livestock grazing is negatively impacting habitat to include seasonal or timing restrictions, possible caps on the numbers of cattle or sheep, as well as changes in the "duration and/or level of use."
- Apply buffers around Gunnison sage grouse breeding grounds, called leks, that keep roads, transmission lines, "solar developments, wind turbines, oil and gas wells" at least 4 miles away. The buffer also includes surface disturbance "continuing human activities that alter or remove the natural vegetation" within 4 miles of a lek. BLM can approve projects within the

buffer if after consulting FWS and state wildlife agencies it determines a smaller buffer "offers the same or greater level of protection" for the bird "and its habitat."

BLM said in an emailed statement that the instruction memorandum "is not a pre-decisional document" that telegraphs where the bureau is headed on Gunnison conservation efforts ahead of the EIS and resource management plan amendment process. It also stated that BLM is committed to working with "FWS, state agencies, counties, permittees, and private landowners" on the issue.

But the oil and gas industry and livestock ranching communities that are arguably the most impacted by the interim measures say they have concerns.

Despite there being "protections for the bird on the books that are working," BLM is using the RMP amendment process to "tie up energy and other productive land uses for years to come," said Kathleen Sgamma, president of the Denver-based Western Energy Alliance.

While the boundaries of the range-wide assessment cover 7.6 million acres, the region also includes 17 million acres of subsurface federal mineral estates. About 1.5 million acres are so-called split estate, meaning the minerals are underneath lands not owned by the federal government, and thus not covered by BLM's planning decisions.

"It's another example of the Biden Administration enacting more regulations and restrictions on energy production at a time of high-energy prices," Sgamma said in an email.

The ranching industry has concerns about how this new direction could impact ranchers on federal grazing allotments in the two states.

"Studies have shown that livestock grazing is not correlated to the decline in Gunnison sage grouse numbers. The BLM's management of grazing allotments should always be rooted in the facts, not in emotional appeals or the political whiplash of a new administration," said Kaitlynn Glover, executive director of Public Lands Council, a trade group representing the interests of the ranching industry.

Glover, who is also executive director of natural resources for the National Cattlemen's Beef Association, added, "The BLM should let permittees continue their voluntary work to conserve bird habitat."

Instead, BLM is putting measures in place to manage public lands for an "anticipated outcome" in the EIS to come, said Brent Tanner, executive vice president of the Utah Cattlemen's Association.

"That's where our concern is," Tanner said. "If it's truly an environmental assessment to see what's on the ground, we recognize the federal government has to go through certain processes. But when you start getting the management solutions before you get the review, you're managing for the illness before it's diagnosed."

### **A complicated issue**

There's little question that the Gunnison sage grouse — the genetically unique, smaller cousin of the greater sage grouse — is struggling.

Western Colorado University, in a summary of the Gunnison sage grouse's history and current status published in May, reported there are now only a maximum of 3,500 birds left in the world.

That's fewer than the roughly 3,900 birds on the range when FWS listed it as a threatened species under the Endangered Species Act in 2014.

BLM, which manages about 42 percent of the Gunnison grouse's occupied range, mostly in western Colorado, will have to play a major role in the bird's recovery.

BLM says its recommendations to field offices in the latest memo goes hand-in-hand with the "Final Recovery Plan and Recovery Implementation Strategy" for the threatened Gunnison sage grouse adopted by FWS in 2020.

The instruction memorandum "emphasizes existing conservation measures or priority actions" for federally listed species, like the Gunnison sage grouse, BLM said in its statement.

"The IM addresses preliminary issues that have come to the BLM's attention through the consultation process" with FWS, it says, adding that BLM is required by the ESA to implement "management actions that conserve federally

listed species and the ecosystems upon which they depend."

"The IM does not preclude or restrict activities on BLM-administered lands but recommends avoidance of sensitive areas and highlights the need identify preliminary issues that the BLM will analyze" in the EIS, according to the statement.

BLM states in the *Federal Register* notice last week that the "primary" need to consider the RMP amendments is to "address the range-wide downward population trend" of the bird "and issues related to land management that may affect habitat."

But the range-wide assessment is also a condition in a legal settlement finalized in April to a federal lawsuit against BLM filed last year by the state of Colorado, challenging the bureau's approval of Trump-era revisions to the Uncompahgre RMP. The state did so, in part, because of the involvement of William Perry Pendley, whom a federal judge had ruled in 2020 was illegally performing the duties of BLM director.

The settlement gives the bureau two years after publication of the notice of intent to complete the range-wide Gunnison amendments — roughly by the end of June 2024.

BLM will continue to "confer" on the evaluation with FWS, and work closely with stakeholders like the oil and gas and ranching industries.

But BLM's actions to date "are nowhere near enough" to protect the bird, said Ryan Shannon, a staff attorney at the Center for Biological Diversity.

CBD and the Western Watersheds Project in December 2020 filed a lawsuit in the U.S. District Court for the District of Colorado accusing the Interior Department and the Forest Service of failing to take action to address "catastrophic population losses" of grouse. That lawsuit remains active.

"The Gunnison sage grouse needs more than paper exercises to save it from extinction," Shannon said. "We have to end oil and gas development in sage grouse habitat and limit livestock grazing while sage grouse are raising their young to save these special birds."

**Editor's Note:** The Notice of Intent to Amend Multiple Resource Management Plans Regarding Gunnison Sage-Grouse (*Centrocercus minimus*) Conservation and Prepare an Associated Environmental Impact Statement, Colorado and Utah, was published at *Federal Register* 87:40262-40266 (July 6, 2022).

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## **Endangered Species Act: Biden administration tosses Trump habitat rule**

**(Greenwire, 7/20/2022) Michael Doyle, E&E News reporter**

The Fish and Wildlife Service today formally reversed a key Trump administration Endangered Species Act rule, erasing a regulation that made it easier to shrink critical habitat.

In a highly anticipated move that pleases environmentalists, the federal agency announced that the rescinding of the critical habitat rule will be published tomorrow in the *Federal Register*.

"This rule will allow our biologists to ensure critical habitat designations contribute to the conservation of ESA-listed species," Fish and

Wildlife Service Director Martha Williams said in a statement, adding that "today's action helps the Service implement the ESA in ways that support sound science and citizen participation."

The *Federal Register* publication starts a 30-day countdown to the time when the rule rescission takes effect.

A public comment period on the proposal to rescind the critical habitat rule drew about 29,000 public submissions. The FWS said that roughly 28,800 were similar statements from

individuals indicating their general support for rescission of the rule.

“ We are thrilled to see the Biden administration take this important step towards restoring Endangered Species Act protections,” Andrew Carter, senior conservation policy analyst for Defenders of Wildlife, said in a statement, adding that “our health and well-being depends on our nation’s rich biodiversity, and the Biden administration needs to take every possible step to shore up the law responsible for saving it.”

Under the ESA, critical habitat is considered "essential for the conservation of the species."

Any federal agency seeking to authorize, fund or carry out an action on designated land must first consult with the FWS to ensure the action is not likely to destroy or damage a critical habitat.

The ESA further states that critical habitat is to be designated "on the basis of the best scientific data available and after taking into consideration the economic impact, the impact on national security, and any other relevant impact."

The law allows exclusion of areas if "the benefits of such exclusion outweigh the benefits of specifying such area as part of the critical habitat," unless the exclusion "will result in the extinction of the species concerned."

The revoked Trump administration rule expanded the categories of "other relevant impacts" that may be considered when assessing critical habitat. These additional categories included public health and safety; community interests; and the environment, such as increased risk of wildfire.

In January 2021, just before leaving office, the Trump administration dramatically cut by 36 percent the critical habitat for the northern spotted owl, reducing it to 6.1 million acres from 9.6 million acres.

The FWS stated at the time that the reason was, in part, the economic impacts of the critical habitat designation. "We have reevaluated the relative impact of even a 'relatively small' economic loss for rural communities already faced with impacts including the initial listing of the species," the agency said.

The American Forest Resource Council, as well as several counties in Washington, Oregon and California, among others, had all urged the FWS for more exclusions.

Today, the agency said that the Trump-era rule “limits or undermines” its role as the expert agency and “constrains the Service’s discretion, thus decreasing the agency’s ability to further the conservation of endangered and threatened species.”

In particular, the FWS challenged the Trump administration’s position that the agency would “always undertake” an analysis of excluding critical habitat “whenever a proponent of an exclusion provides credible information supporting the exclusion.”

The FWS said it also challenged the Trump administration’s policy that the agency would “always exclude” areas from a critical habitat designation whenever the benefits of exclusion outweigh the benefits of inclusion. The agency now says that those mandates were overly rigid and difficult to apply.

“Determining the benefits of exclusion and the benefits of inclusion is not always straightforward,” the agency said today, noting that “while some of these benefits of inclusion can be quantified and monetized, others may be hard to quantify or monetize but may nevertheless be significant.”

Last month, the Biden administration revoked another Trump administration rule that restricted the areas that could be considered critical habitat. The Trump regulation had limited protections to areas that could currently support species and excluded areas that were previously occupied and could be restored.

“Trump’s disastrous efforts to weaken the bedrock law protecting our nation’s wildlife from extinction are dead, and good riddance,” said Noah Greenwald, endangered species director at the Center for Biological Diversity.

**Editor’s Note:** The Final Rule, Regulations for Designating Critical Habitat, was published at *Federal Register* 87:43433-43447 (July 21, 2022).

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## Lead NEPA Story (continued from page 1)

Giant sequoias, among the largest and oldest trees in the world, only grow in California. Some are several thousands of years old.

The Forest Service said it would spend about \$21 million on work in two forests, Sequoia National Forest and Sierra National Forest. Of that amount, the most — \$15 million — would be on the Sequoia Forest, covered by appropriations in last year's bipartisan infrastructure law, the agency said. A total of 11,945 acres would be treated there, including preparation for prescribed burning.

Most of the expected work has already received initial review under the National Environmental Policy Act, the Forest Service said. Reviews may be completed next year, but work will begin this summer in places, the agency said, accelerating the process by nine to 12 months in most groves and more in others, compared to what a NEPA review would typically entail.

While the language doesn't address land overseen by the National Park Service, the NEPA workaround resembles what a bipartisan coalition of lawmakers has been seeking throughout federal sequoia groves, led by House Minority Leader Kevin McCarthy (R-Calif.), Natural Resources ranking member Bruce Westerman (R-Ark.) and Rep. Scott Peters (D-Calif.).

Their bill, the "Save Our Sequoias Act," would allow certain forest thinning and prescribed burns to begin before NEPA analyses are completed. The bill would also create a new categorical exclusion from NEPA that federal agencies would be required to follow, without a NEPA analysis ahead of time — an approach that's raised objections from some environmental groups, and concerns from an outside group that supports the bill but is seeking revisions, the Nature Conservancy. The proposal doesn't amend the NEPA law itself.

A spokesperson for Natural Resources Republicans, Rebekah Hoshiko, said the administration's move could be a step toward putting similar provisions into law. Codifying them could avert legal challenges to forest

projects, as the bill would waive administrative and judicial review in certain situations.

So far, Natural Resources Chair Raúl Grijalva (D-Ariz.) hasn't indicated he'll schedule a hearing or markup on the legislation.

Grijalva and House Agriculture Committee Chair David Scott (D-Ga.) said in a joint statement, "Today's emergency action is a sad reminder that climate change has pushed one of the most iconic species in the world, Giant Sequoias, which have stood for thousands of years, nearly to the brink. Fortunately, the U.S. Forest Service has the expertise and authorities — and critical funding from the Bipartisan Infrastructure Law — to restore fire-adapted conditions in these groves."

They added, "Any public figure who talks about saving our Sequoias or any other species should, at a minimum, first be required to recognize that climate change is real, is caused by burning fossil fuels, and must be dealt with immediately and systematically. Without that pledge, anything else they may say or suggest can't be taken seriously."

The administration's move toward faster action on sequoia groves is a positive step, said Bill Imbergamo, executive director of the Federal Forest Resource Coalition, representing companies that harvest timber from national forests. But wildfire threats stretch across much bigger tracts of the national forest system, where fuels reduction is urgently needed, he said.

"We're pleased to see the Federal government move to protect these magnificent groves of sequoias," Imbergamo said. "Unfortunately, tens of millions of acres of National Forest System lands are equally prone to catastrophic fire, and this Administration has yet to begin implementing the 'emergency' authority to reduce fuel loads that Congress gave them 8 months ago."

He added, "The extent of the fire threat on the National Forests has been known for decades, and we continue to see fires that burn entire National Forests in one summer. If the Administration truly grasped the situation on the

National Forests, we'd expect them to be proposing much more than this.”

Giant sequoias have adapted to wildfire over their long lives, which helps the ancient trees set seeds. But hotter fires that reach trees' crowns have helped kill many since 2015. Still more may die from damage already inflicted, say groups urging protections.

Land managers and forest ecologists credit prescribed burns and other fuels-reduction work for helping trees in one area, the Mariposa Grove, survive the recent Washburn Fire.

Less dead wood and other fuel helps keep fires contained to forest floors, proponents say, although the subject raises debate.

Defenders of Wildlife, which opposes the "Save Our Sequoias Act," said the administration's moves show that protections can be put in place without such legislation.

"Today's announcement illustrates just how many tools the administration has at its disposal to combat wildfires. There is no need to erode bedrock environmental law," said Bart Johnsen-Harris, the group's senior governmental relations representative.

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