LANGUISHING LANDS:
CONSERVATION BILLS STALLED IN CONGRESS
Conserving public lands, like national parks and national forests, has a long history of support from both sides of the aisle. But in recent years, this has changed. Congress has stopped advancing broadly supported legislation to protect even the most deserving of lands. While Congress has recently taken steps to increase the levels of protection in some places, it has not protected a single acre of new public land since 2009.

In this report, we analyze a selected legislative history of 10 high-profile conservation bills that have languished in Congress, sometimes for decades, despite meeting widely-held criteria for conservation. Legislation to protect these 10 places, often with the backing of both Democrats and Republicans, has been introduced into the House or Senate a combined 52 times over the last 30 years, but not a single bill has become law.
Since President Theodore Roosevelt created some of America’s first protected landscapes in the early 20th century, Congressional and executive conservation actions have been guided by a set of common sense principles: the area has unique natural, cultural and recreational resources; there is broad local support for protecting the landscape; and, there are officials championing conservation. While there have been disagreements over public land use policy in the past, more than one thousand bills meeting these criteria have moved through Congress and become law, no matter which party held control.

National parks, monuments, and conservation lands are a draw for millions of urban-dwellers attracted to America’s great outdoors and our nation’s rich outdoor tradition. Permanently protecting places can help preserve the cultural and historical heritage of all Americans.

Congress’s failure to enact land protection measures over the last few years does not stem from a lack of opportunity. In addition to the 10 pieces of legislation that we highlight, there are dozens of other public land protection bills sitting before Congress that have broad public support (Table 1). In today’s political climate, however, even the most nonpartisan issues are overwhelmed by Congressional dysfunction and partisanship—land conservation included.

In the face of inaction, President Barack Obama made it clear in his State of the Union address that he is prepared to show leadership on the issue and use his authority when necessary to conserve deserving lands. As he put it, “I’ll use my authority to protect more of our pristine federal lands for future generations.”

The President has already followed through on this assurance by recently protecting the 1,660-acre Point Arena-Stornetta Public Lands on California’s Mendocino Coast.

But there is still a lot of work to be done to find a balance between land conservation and energy development. Since President Obama came into office, nearly 7.4 million acres of public lands have been leased for oil and gas drilling, while only 2.9 million acres have been protected for future generations. Much of the blame for this imbalance falls on the shoulders of Congress, which has not sent President Obama a single conservation measure to protect new acres of public land since March of 2009.

With that said, Congress has begun to take positive steps in the first months of 2014 by passing legislation to increase the level of protection in parts of Michigan’s Sleeping Bear Dunes National Lakeshore. But much work remains, as numerous deserving places continue without protection, as seen in the chart below.
“Today, I signed the Sleeping Bear Dunes National Lakeshore Conservation and Recreation Act into law. This legislation protects a stunning, 35-mile stretch of Lake Michigan’s coastline as a wilderness area, and guarantees public access for hunting, fishing and other outdoor pursuits…Now it’s up to Congress to do even more. There are currently dozens of conservation proposals before Congress – many supported by Democrats and Republicans – that would protect important lands across the country and help grow our economy. Congress should act on these proposals, and in the meantime, I will continue to do my part to protect our federal lands for future generations to enjoy.”

Statement from President Barack Obama on Sleeping Bear Dunes, March 13, 2014

Land conservation provides Congress with an opportunity to breakthrough partisan gridlock. But should this deadlock continue, President Obama has an opportunity to follow through on the commitments he has made and to continue building his conservation legacy.

<table>
<thead>
<tr>
<th>Table 1. Selection of Land Protection Bills Currently in Front of the U.S. House and Senate</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Rocky Mountain Front Heritage Act</td>
</tr>
<tr>
<td>The Devil’s Staircase Wilderness Act of 2013</td>
</tr>
<tr>
<td>The San Juan Mountains Wilderness Act</td>
</tr>
<tr>
<td>The Hermosa Creek Watershed Protection Act</td>
</tr>
<tr>
<td>The Central Idaho Economic Development and Recreation Act</td>
</tr>
<tr>
<td>The Alpine Lakes Wilderness Additions and the Pratt and Middle Fork Snoqualmie Rivers Protection Act</td>
</tr>
<tr>
<td>Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013</td>
</tr>
<tr>
<td>The Forest Jobs and Recreation Act of 2013</td>
</tr>
<tr>
<td>Oregon and California Land Grant Act of 2013</td>
</tr>
<tr>
<td>The Udall-Eisenhower Arctic Wilderness Act</td>
</tr>
<tr>
<td>The Pine Forest Range Recreation Enhancement Act of 2013</td>
</tr>
<tr>
<td>The Lyon County Economic Development and Conservation Act</td>
</tr>
<tr>
<td>Gold Butte National Conservation Area</td>
</tr>
<tr>
<td>The Columbine-Hondo Wilderness Act</td>
</tr>
<tr>
<td>The Oregon Treasures Act of 2013</td>
</tr>
<tr>
<td>The Arizona Sonoran Desert Heritage Act</td>
</tr>
<tr>
<td>The Tennessee Wilderness Act</td>
</tr>
<tr>
<td>The Wasatch Wilderness and Watershed Protection Act</td>
</tr>
<tr>
<td>Berryessa Snow Mountain National Conservation Area Act</td>
</tr>
<tr>
<td>Great Bend of the Gila National Monument Establishment Act</td>
</tr>
<tr>
<td>The Maine Coastal Island Wilderness Act</td>
</tr>
<tr>
<td>Valles Caldera National Preserve Management Act</td>
</tr>
<tr>
<td>Oregon Caves Revitalization Act of 2013</td>
</tr>
<tr>
<td>Browns Canyon National Monument and Wilderness Act of 2013</td>
</tr>
<tr>
<td>Virgin Valley Tourism and Lake Mead Preservation Act</td>
</tr>
<tr>
<td>Organ Mountains--Desert Peaks Conservation Act</td>
</tr>
</tbody>
</table>
It has been 23 years since the first legislation was introduced in Congress to permanently protect Colorado’s Browns Canyon. Browns Canyon, and the Arkansas River that runs through it, is one of the most popular whitewater rafting and kayaking destinations in the country. It boasts world class hunting and fishing habitat, alongside opportunities to hike, camp and mountain bike. Plus, Browns Canyon is situated only a few hours from Denver.

Since 1991, when legislation was first introduced, there have been 13 separate bills to conserve the landscape. Despite broad public support, none have passed Congress. In 2005, Representative Joel Hefley (R-CO) and Senator Wayne Allard (R-CO) introduced the Browns Canyon Wilderness Act to permanently protect the area. In the current session of Congress, Senators Mark Udall (D-CO) and Michael Bennet (D-CO) proposed the “Browns Canyon National Monument and Wilderness Act of 2013” to conserve the 22,000 acre Browns Canyon National Monument.

Situated minutes from the 100,000 residents of Las Cruces, New Mexico, the Organ Mountains-Desert Peaks area is teeming with historical and cultural significance. It is home to prehistoric rock art and ancient archaeological sites and the historic Butterfield Stagecoach Trail, and the rugged landscape served as a training ground for the Apollo moon missions. It is also a popular destination for campers, bikers, hunters, and horseback riders who are drawn to southern New Mexico’s rugged terrain.

In the current Congress, Senators Tom Udall (D-NM) and Martin Heinrich (D-NM) have introduced the “Organ Mountains-Desert Peaks Conservation Act” to protect nearly 500,000 acres as a national monument. The bill has broad support from local governments, tribal leaders, businesses, the Hispano community, and sportsmen’s groups. Designating the Organ Mountains-Desert Peaks National Monument is expected to generate $7.4 million in new economic activity for the region each year.
**Boulder White-Clouds—Idaho**

The Boulder-White Clouds represents the wild northern Rockies at its best: stunning scenery, crystal clear lakes, and abundant wildlife that attract hunters, anglers, photographers, and hikers alike. Visitors can explore the diverse landscape of central Idaho, hike the high mountain lakes, and may even be lucky enough to see a black bear, mountain lion or golden eagle.

The current efforts to protect Boulder White-Clouds can be traced back to the early 1970s; over time, studies, agency recommendations and legislation have all pressed for protections. Since 2004, six bills have been introduced by Representative Mike Simpson (R-ID). In 2013, Representative Simpson reintroduced the “Central Idaho Economic Development and Recreation Act,” which would permanently protect the landscape and bolster Idaho’s $6.3 billion outdoor recreation economy. Since 1972, when the Sawtooth National Recreation Act passed and designated the Boulder-White Clouds as a wilderness study area, no bill has made it through Congress and become law to complete the needed protections.

**California Desert—California**

In 2009 and again in 2011, Senator Dianne Feinstein (D-CA) introduced the “California Desert Protection Act” to protect 1.6 million acres of ecologically and economically critical lands in southern California. One of the top recreation areas in the United States—and at the doorstep of one of the fastest growing regions in the nation—recreationists bring more than $230 million each year to the area’s economy. The proposal would protect critical waterways in the water-short region, conserve important wildlife migration routes, and preserve popular recreational and historical trails, including the famous Route 66. Importantly, the effort to permanently protect the California Desert has broad support throughout the region, with backing from more than 100 cities, Indian nations, businesses and community groups.
Gold Butte—Nevada

Visiting Nevada’s Gold Butte is like taking a trip back in time. Once home to a historic mining town, Gold Butte, the area is a draw for visitors interested in early pioneer history and ghost town exploration. It also holds thousands of examples of Native American rock art etched into the area’s sandstone cliffs. Alongside cultural and historical artifacts, Gold Butte’s 350,000 acres is a draw for hikers, campers, and other outdoor enthusiasts attracted to the rugged mountains, unique Joshua tree and Mojave yucca forests. Gold Butte also holds impressive wildlife, including big horn sheep, kit fox, and Gila monsters. 

Efforts to protect Gold Butte have been ongoing for more than a decade. Legislation to conserve the area was first introduced in 2008. Senator Harry Reid (D-NM) recently introduced the “Gold Butte Conservation Area Act” into current session of Congress and a companion House bill was introduced by Representatives Steven Horsford (D-NV) and Dina Titus (D-NV).

Alpine Lakes—Washington

The Alpine Lakes Wilderness, less than an hour from Seattle, is the most visited wilderness area in the country. In 2013, a bipartisan group of senators and representatives from Washington State proposed a 22,000-acre expansion to the existing Alpine Lakes Wilderness, famous for its snowcapped peaks, old growth forests, and fast flowing rivers.

Expanding Alpine Lakes, along with protecting the impressive rivers flowing through, will enhance recreational opportunities—including hiking, hunting, kayaking and wildlife viewing—for the three million people living in the region. First introduced seven years ago, expanding the Alpine Lakes Wilderness is a community-driven effort with strong support from local elected officials, businesses, recreation groups, and the faith community.
Pine Forest Range — Nevada

Featuring some of the best big game habitat in Nevada, alongside cold water streams, impressive scenery and unique ecology, the Pine Forest Range offers world class hunting and fishing, in addition to some of the best camping, rock climbing, and hiking in the state. Legislation to permanently protect the 26,000-acre Pine Forest Range—the “Pine Forest Range Recreation Enhancement Act of 2013”— has support from Nevada’s full bipartisan Congressional delegation.

The creation of legislation to conserve the Pine Forest Range has been marked by a collaborative stakeholder process, which was applauded in a resolution by the Nevada State Legislature. Nevadans have made their voices heard: They want permanent protections for the Pine Forest Range. But Congress will need to act.

Tennessee Wilderness — Tennessee

 Introduced by Senators Lamar Alexander (R-TN) and Bob Corker (R-TN), passage of the “Tennessee Wilderness Act” would permanently protect 20,000 acres of the Cherokee National Forest and create the state’s first new wilderness area in decades. Protecting new acres in the Cherokee National Forest has broad local support, with backing from nearly 75 percent of east Tennessee voters.

Efforts protecting the Tennessee Wilderness show that conserving America’s outdoor heritage cuts across party lines. As Senator Alexander put it, “I grew up hiking the mountains of East Tennessee, and conserving these areas gives future generations of Tennesseans the same sort of opportunity. This legislation takes important steps toward protecting our natural heritage, and gives the millions of people who visit Tennessee each year an additional reason to come and enjoy our outdoors.”
Hermosa Creek—Colorado

Legislation to permanently protect Colorado’s Hermosa Creek has bipartisan support from both Colorado Senators Michael Bennet (D-CO) and Mark Udall (D-CO), alongside backing from Representative Scott Tipton (R-CO). The bill, which was developed locally by a diverse coalition of water users, ranchers, business leaders, outfitters, recreationists, and community officials, would protect nearly 108,000 acres of Hermosa Creek.xvii

Hermosa Creek is a crown jewel in southwestern Colorado, and a draw for sportsmen, mountain bikers, horseback riders, and numerous other outdoor enthusiasts. The legislation maps out a plan for use and management of the area, which balances competing uses while ensuring pristine lands remain protected for generations to come.

Berryessa Snow Mountain—California

Berryessa Snow Mountain, located just one hundred miles from San Francisco and Sacramento, features spectacular scenery and recreation opportunities like hiking, biking, and camping. The area is also rich in biological diversity, including a large population of wintering bald eagles. And notably for a state as populous as California, it is largely undeveloped and undisturbed.xviii

Led by Senator Barbara Boxer (D-CA) and Representative Mike Thompson (D-CA), 11 members of California’s Congressional delegation are sponsoring legislation to permanently conserve the landscape. The Berryessa Snow Mountain National Conservation Area Act of 2013 would protect 350,000 acres of public land as a national conservation area, meaning that development would be restricted and the area would be managed for its other important characteristics, like recreation and wildlife conservation. The bill is widely supported by more than 200 businesses, local conservationists and recreation groups, like the Blue Ribbon Coalition and the International Mountain Bike Association.xix
Of the 10 selected conservation opportunities analyzed, 52 separate pieces of legislation were introduced into Congress between 1984 and 2014, many with bipartisan backing. Along with dozens of other locally-supported conservation bills, Congress has preferred inaction on these efforts despite Americans’ continuing support for conservation.

Legislation that protects deserving landscapes, has backing from the community and has support from local, state and national leaders deserves a vote. In the face of Congressional inaction, it is incumbent upon President Obama to continue showing leadership by pressing Congress and, when necessary, exercising his executive authorities to conserve land.

The Obama administration is moving in a good direction on this front. The president recently used the Antiquities Act to expand the California Coastal National Monument to include Point Arena-Stornetta Public Lands. Interior Secretary Sally Jewell has also visited Las Cruces, New Mexico to hear from local supporters about the proposed Organ Mountains-Desert Peaks National Monument.

Years of hard work go into protecting public lands: community meetings; scientific, social and economic analyses; drafting legislation; and advocacy efforts. Permanently protecting public lands is not easy, nor should it be. At the same time, good conservation bills should not be the victim of a dysfunctional Congress. Congress needs to start acting on them sooner rather than later.
REFERENCES


[vi] Ibid.


REFERENCES


The Equal Ground campaign is dedicated to helping restore balance to the management of America's public lands. America has a proud bipartisan tradition of presidents and Congresses working to enrich our nation’s conservation traditions while supporting responsible energy development. But land conservation efforts in Congress have stalled in the last five years while energy development has boomed, contributing to an imbalance that leaders need to work to address.