



Today's News

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compiled for

Committee on Natural Resources

Rep. Nick Rahall, D-WV

Chairman

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Contents

Hastings in the News

Congress Considers Changes To Cabin Fees On Federal Land.....	3
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Members in the News

Lawmakers demand higher fish catch limits	4
Scientist decries catch shares decision.....	6
Oil Rig Sinks in the Gulf of Mexico.....	8
Ecological risk grows as Deepwater Horizon oil rig sinks in Gulf.....	11
Transocean Oil-Drilling Rig Sinks in Gulf of Mexico	13
Morro fishermen support idea of catch shares.....	15

National Parks, Forests and Public Lands

BLM decides on spraying strategy for grasshoppers.....	16
Wildhorse Island planning for more horses.....	18
Archaeologists inspect Iowa's Effigy Mounds for possible damage from unauthorized construction.....	21
Corralled Wild Mustangs Auctioned Off.....	22

Energy and Mineral Resources

Accidents Don't Slow Gulf of Mexico Drilling	23
Oil Rig Sinks, Raising Fears of Major Spill	24
Oil rig sinks in Gulf of Mexico.....	27
Industry seeks fast offshore study.....	29
Interior Secretary coming to Utah for resource talks.....	30

Water and Power

Lower Ark hears pipeline pitch	31
--------------------------------------	----

Oceans and Wildlife

Website helps catalog Southeast Alaska whales.....	33
Ariz. hatches program that relies on 'nest watchers' to look out for eagles	35
2 more eagles spotted in valley.....	37
Wisconsin has special affection for sturgeon, helping them thrive despite population decline.....	39
Mich. wildlife officials seek federal permit to kill wolves that repeatedly attack livestock	41
CO2-caused acidification causing rapid, major changes	42

Indian Affairs

Chickasaw Nation, Nat'l Park Service negotiating tribal management of national recreation area.....	45
Indian leaders ask Congress to streamline energy development rules.....	46
Chickasaw Nation in talks over land in south central Oklahoma	47
American Indian Supreme Court push.....	49
Tribal leaders welcome draft bill on energy reforms.....	51

Oregon Public Broadcasting (OR)

April 22, 2010

Congress Considers Changes To Cabin Fees On Federal Land

BY DOUG NADVORNICK

Hundreds of Northwest residents may be priced out of cabins they own on national forest land.

That's according to Washington Republican **Congressman Doc Hastings**. In a hearing on Capitol Hill Thursday, he said the Forest Service is charging too much rent for the land under the cabins.

Seattle resident Dick Almy's family built a cabin on national forest land near Lake Wenatchee more than 50 years ago.

It pays the government about \$1400 rent per year. But the Forest Service jacked it up to \$17,000 after reappraising the land. The agency says that's closer to the fair market value.

But Almy and other cabin owners say rent hikes like that will force many of them to abandon their cabins. They say only the rich will be able to afford them.

Washington Representative Doc Hastings told a House subcommittee that he wants to replace the agency's appraisals with a tiered rent system that's less volatile.

Doc Hastings: "The purpose of this bill is to keep the fees affordable for these people who are average Americans: factory workers, retirees, teachers. Of course, that won't happen unless we address this problem."

A Forest Service official says the agency needs a system that discourages cabin owners from trying to profit from the sale of their cabins.

The Standard Times (MA)

April 22, 2010

Lawmakers demand higher fish catch limits

By Steve Urbon

NEW BEDFORD — New England's congressional delegation Thursday went over the heads of NOAA officials and appealed directly to U.S. Commerce Secretary Gary Locke for relief from sharp commercial fishing restrictions that will take effect May 1, one week from Saturday.

Ten senators and 13 members of the House informed Locke that he, as secretary, has the legal authority to impose emergency rules changes without running afoul of the Magnuson-Stevens Act.

Meanwhile, the House Subcommittee on Insular Affairs, Oceans and Wildlife heard testimony on the predicted economic trouble coming from new rules that are expected to decimate commercial fishing in the Northeast.

In their letter to Locke, the lawmakers wrote, "While fishery management councils are bound under the (Magnuson-Stevens Act) to set (annual catch limits) that do not exceed the recommendations of their Science and Statistical Committees, the (Magnuson-Stevens Act) does not place that same requirement on emergency secretarial action."

"Therefore, we ask that you exercise the authority granted to your office ... and promulgate an emergency regulation increasing the (annual catch limits) of groundfish — especially the five choke stocks — sufficiently to minimize the risks of the failure of the sector management system while still preventing overfishing from occurring," the lawmakers wrote.

Choke stocks are those such as pollock that are tightly restricted with very low catch limits, but an entire sector of boats sharing catch allocations will have to shut down all fishing the moment a choke stock species limit is reached, which could be on the first tow of the year.

"Some fishermen have informed us that last year, with a single pass of their trawl, they landed more of one species, pollock, than they were allocated for the entire 2010 fishing year. We cannot expect fishermen to operate in an environment where quite literally the first tow they make could be their last," the letter said.

Lawmakers, local officials and fishing industry representatives have had no results in trying to persuade National Oceanic and Atmospheric Administration Administrator Jane Lubchenco to increase the allocations or delay implementation of sectors management in May.

Today's letter indicated that sector management is perhaps inevitable, and that for it to succeed, the catch limits would have to be raised.

Sen. John F. Kerry, D-Mass., who signed the letter, said later, "This is as tough a time economically as we've ever seen for working people, and it's been especially brutal for our fishermen. We need immediate action to ease the burden of the new federal fishing regulations on our fishermen and their families. I look forward to meeting with Secretary Locke and NOAA Administrator Lubchenco to find appropriate ways to increase fishing limits and maintain progress toward a sustainable fishery. I will also continue to work for federal funding to improve stock assessments, to help our fishermen with the new regulations and to implement a voluntary permit buyback for those who are interested."

Rep. Barney Frank, D-Mass., commented: "Moving to catch shares is a controversial step that will cause some turmoil in the fishing industry under the best circumstances.

"Increasing the catch limits would reduce this turmoil. I do not understand what argument there is for not taking this step, and I urge those who are seeking acceptance of the catch share decision to recognize that it is in their interest to see that it is implemented with as little harm to fisherman as is possible."

The co-signers of the letter included all of the senators from Maine, New Hampshire, Massachusetts and Rhode Island, and four House members from Massachusetts: Frank, John Tierney, Michael Capuano and James McGovern.

The testimony before the House subcommittee included input from one New Bedford representative, Brian Rothschild of the UMass School of Marine Science and Technology and chairman of Mayor Scott Lang's fishery task force.

Rothschild continued to refine his argument that sector management is a risk experiment, without clear direction and posing great risk to the local economy and the fishing industry.

He said the NOAA is being too risk-averse and is working with scant and outdated data, and that has to change if the fishery is to survive.

He called for a reform commission and for elections to the New England Fishery Management Council, which is now filled by appointment.

At the hearing, committee member **Rep. Frank Pallone**, D-N.J., questioned representatives from the recreational and commercial fishing communities about the catch shares program.

He expressed concern about catch shares and took issue with problems.

"Will fishermen be priced out and be denied access because of catch shares? Will they create consolidation and force job losses? Will regional management councils have the ability to choose which management tool to use if needed funds only come with catch shares? All of these issues remain unaddressed by NOAA and have grave consequences for the fishing industry."



April 22, 2010

Scientist decries catch shares decision

NOAA chief stands firm on May 1 start

By Richard Gaines
Staff Writer

Brian Rothschild, the chief marine science advisor to the New England commercial fishing industry, Thursday described the impending start of the groundfish catch share system as an "experiment" conceived in blithe ignorance that is on track to wreak unnecessary cultural, social and economic havoc.

But the May 1 launch of the regime will not be delayed, NOAA administrator Jane Lubchenco announced. Lubchenco made her decision public in a letter to New Bedford Mayor Scott Lang, who had — along with other elected officials — been urging the postponement.

The new system scheduled to debut May 1 has ratcheted down allocations to remove pressure of any kind on rebuilding stocks. "Risk averse" was Rothschild's characterization of the approach taken by the federal fisheries management bureaucracy.

Corroborating Rothschild's findings before a House subcommittee that has been at the vanguard of inquiries into the fisheries policy of the Obama administration, New Hampshire commercial fisherman David Goethel bluntly concluded the re-engineering of the industry was a "straight resource grab" and an "economic tool to force radical consolidation."

Rothschild and Goethel predicted massive business failures that will leave the industry in the hands of a small number of wealthy owners. Both said at least one half of the groundfish boats will be gone within a year or two. For a clear picture of what awaits the region, Goethel referred the lawmakers to a paper published last August by Julia Olson, of the New England Fishery Science Center at Wood Hole.

"The primary social impacts," she wrote, "range from employment loss, decreased income, decreased quality of life, changing relations of production, structural disadvantages to smaller vessel and firms, dependency and debt patronage, concentration of capital and market power, inequitable gains, regulatory stickiness, reduced stewardship, decreased community stability, loss of cultural values and so on."

From two other witnesses — Wayne Moody, a commercial fisherman from Moro Bay, Calif., and Julian Magras, chairman of the board of the St. Thomas Fishermen's Association — came cautionary tales of bureaucratic arrogance and the need of stakeholders to insist on their rights.

And from others, James Donofrio, executive director of the Recreational Fishing Alliance and Jefferson Angers, president of the Center for Coastal Conservation, came worries that, to Lubchenco and her team, catch shares seem to be the "be all and end all."

"Many believe catch shares are a panacea and can even bring about world peace," said Angers, who is based in Louisiana.

Donofrio, who led the organization and planning for the February mass rally of recreational and commercial fishermen in Washington, said it was obvious that certain environmental non-government organizations or ENGOs have a "close involvement with high ranking officials at NOAA."

The New Englanders were among eight witnesses invited to comment on the administration's catch share policy that was written before the 2008 presidential election by the Environmental Defense Fund, the working group for the paper headed by EDF's vice chairwoman Jane Lubchenco, now the head of NOAA and the government's top catch share missionary.

The hearing was the third in the past two months by the House Natural Resources Committee's Subcommittee on Insular Affairs, Oceans and Wildlife. The only witness Thursday to endorse catch shares was Bob Dooley, president of United Boat Catchers, a West Coast fishermen's association — and Dooley emphasized that the systems worked because he felt they were innovated from inside, voluntarily. The plan to impose catch shares on New England and elsewhere has drawn widespread opposition.

Chairwoman Madeleine Z. Bordallo, D-Guam, began the session noting that there are only 15 catch share programs with "mixed results" working in more than 100 U.S. fisheries.

But with Lubchenco — who has developed the plan in close coordination with the Environmental Defense Fund — pushing for more catch share management everywhere, Bordallo noted the problem was that, "once in place, it is very difficult to go back and deal with the unintended consequences."

Rothschild, dean emeritus of the School of Marine Science and Technology at University of Massachusetts Dartmouth, and Goethel, a member of the New England Fishery Management Council, also identified the mixed stock nature of the New England fishery and the government's insistence on regulating based on the status of the weakest stock as a flaw that will prove economically fatal to many of the small fishing boat businesses.

In the mixed stock fishery, "choke" stocks are those for which there is especially limited allocation, divided into shares in proportion to catch histories. When the overall allocation of the chock stock is caught, no more may be taken and no more allocation may be marketed. A combination of developments, the scientist and the fishermen recounted, have set the New England groundfishery's catch share fishing cooperatives or sectors up for rapid shutdown.

"I have (an allocation) of 190 pounds of white hake," Goethel said, and "when I catch it, I'm done for the year."

In his written testimony, Rothschild said he saw structural and conceptual problems with the catch share program for the groundfishery that make it "an experiment rather than an example of ... a well thought out policy." Like Goethel, Rothschild said it was essential to relax catch limits and provide more allocation for the fishery to give the experiment a chance of success. He also said it was essential to get an "independent" review of the status of the stocks.

EDF and the Pew Environment Group have insisted that the fisheries are in a fragile state, requiring radical attention from catch shares, but government science indicates the fisheries are recovering rapidly.

"For over a decade, fishery management in New England has been wasteful and inefficient," said Rothschild.

"Overfishing and a failure to rebuild stocks have been widely cited," he added. "A less-publicized aspect of waste are the hundreds of millions of dollars of fish that could have been caught without overfishing, but are not caught because of inflexible regulations.

"In addition," Rothschild said, "tons of valuable bycatch are thrown back in the ocean because of management regulations."

The New York Times

April 22, 2010

Oil Rig Sinks in the Gulf of Mexico

By CAMPBELL ROBERTSON and LIZ ROBBINS

NEW ORLEANS — The oil rig 50 miles off the southeast coast of Louisiana where an explosion occurred Tuesday night has collapsed into the Gulf of Mexico, a Coast Guard official said.

The rig had been taking on water from the firefighting efforts.

Petty Officer Tom Atkeson said on Thursday that the rig sank “sometime this morning.”

“We have multiple vessels on scene — all response vessels — and they are on scene there to help to mitigate the effects of the pollution,” Petty Officer Atkeson said in a telephone interview. He added that it was not clear how much oil had spilled into the ocean.

Nor was it immediately clear what, if any, environmental implications the rig’s collapse would have.

On Wednesday, as firefighters battled the fire on the rig, Rear Adm. Mary Landry, the commander of the Coast Guard’s Eighth District, estimated that 13,000 gallons of crude were pouring out of it every hour. At that time, officials said that the pollution was considered minimal, because most of the oil and gas was being burned up in the fire.

“But that does have the potential to change,” said David Rainey, vice president of BP, the oil company that leased the rig. Mr. Rainey is in charge of the company’s exploration in the Gulf of Mexico.

The rig, called the Deepwater Horizon, was positioned about 50 miles southeast of Venice, La., in water nearly 5,000 feet deep. Transocean, the Swiss-based company that owns the rig, said it had been under contract to BP since September 2007.

The Deepwater Horizon was a drilling rig, used to open wells in the sea floor; other types of rigs are built to produce oil from the wells once they are drilled. At the time of the explosion and fire, the Deepwater Horizon was in one of the final phases of opening a new well, construction of a cement casing to reinforce the well.

This can be a delicate procedure, because of the potential for an uncontrolled gas release from the drilled well that could lead to what is called a blowout. Mr. Rose said it was too early to say whether a blowout had occurred in this case, but it was considered a possible cause.

The Deepwater Horizon could operate in water as deep as 8,000 feet, according to Transocean’s Web site. It was 396 feet long and 256 feet wide, and was built in 2001 by Hyundai Heavy Industries in South Korea.

Workers from the rig who survived the explosion arrived at a hotel here early Thursday to reunite with their families as the search for 11 missing crew members continued in the Gulf of Mexico.

The survivors were taken by boat late Wednesday to Port Fourchon and then by bus to the Crowne Plaza hotel here near the New Orleans airport. All night long, family members stood in front of the hotel, anxiously waiting and desperately trying to connect with the workers by cellphone.

One survivor, who declined to give his name, said he was in bed on the rig when the explosion occurred.

“It caught me by surprise,” he said. “I’ve been in offshore 25 years, and I’ve never seen anything like that.”

Stanley Murray of Monterey, La., said his son Chad, an electrician, had made it off the rig just in time. A neighbor, Mr. Murray said, did not. “My son had just walked off the drill floor,” he said.

He said his son told him that the 11 missing workers could not have survived the explosion. “The 11 that’s missing, they won’t find them,” Mr. Murray said.

Coast Guard rescue teams searched the area by boat throughout the night, then resumed the air search, by plane and helicopter, on Thursday morning and continued throughout the afternoon.

Congressman Jim Costa, Democrat of California and the chairman of the Energy and Mineral Resources subcommittee, issued a statement on Thursday saying: “This incident is a grim reminder of the risks involved in developing public energy resources off America’s shores. My heart is with the families of the workers who were injured or are missing.”

Seventeen crew workers were injured, three of them critically, and were taken to hospitals in the region, said Adrian Rose, an executive for Transocean. The injuries included burns, smoke inhalation and broken legs. At least eight people were treated and released from hospitals.

Officials from the Minerals Management Service, a bureau of the Department of Interior, were assembling an investigation team and planned to interview the crew members — those who were unscathed or sustained only minor injuries, said Deputy Secretary David Hayes of the Interior Department.

Mr. Hayes said the Minerals Management Service had performed three inspections of the rig this year, including one in the past month, and found no cause for concern.

The explosion occurred without warning, Mr. Rose said.

“This would have happened very, very rapidly,” he said.

Most of the 126-person crew was able to leave the rig in lifeboats; some were picked up by other offshore vessels in the area. Most of the crew worked for Transocean; a small team of Transocean and BP executives had flown out to the rig before the explosion. Officials said about 40 of the people on the rig worked for other companies.

The rig’s lease was a lucrative one for the owner. “It’s been generating substantial day rates, in the neighborhood of \$500,000 a day,” said Greg Panagos, a spokesman for Transocean.

It was lucrative for workers as well. “The oil field workers today are well-paid, well-trained and very well-motivated,” said Robert Bea, a professor at the University of California, Berkeley, and an expert on offshore engineering and rig safety.

He said that a drill rig superintendent may earn \$100,000 or more a year, and that workers on the drill floor may be paid \$50,000 or \$60,000 a year.

The explosion occurred at 10 p.m. local time, which is generally when shifts change, Mr. Bea said. Though fatigue could be a factor, he said, it would be wrong to conclude that the fault was due entirely to human error: .

“This is an organizational disaster,” Mr. Bea said.

He said the investigation of the incident should examine a variety of potential causes — from equipment failure to rig procedures to institutional influences. The most deadly offshore drilling accident in recent years occurred in July 1988 in the North Sea off the coast of Scotland, where Piper Alpha, a rig owned by Occidental Petroleum, exploded and 167 people died.

That accident occurred at about the same time of night as the explosion on the Deepwater Horizon, Mr. Bea said.

Robert MacKenzie, managing director of the energy and natural resources group of FBR Capital Markets, said that in 11 years as an analyst, he could not recall another incident like the one off Louisiana.

“There are rigs that burn down, but it’s usually during the drilling process, and not when the rig is close to finishing the well,” he said.

Campbell Robertson reported from New Orleans, and Liz Robbins from New York.



April 22, 2010

Ecological risk grows as Deepwater Horizon oil rig sinks in Gulf

A well 'blowout' from the sunken Transocean Deepwater Explorer oil rig is spewing 7,400 barrels of crude oil a day, and could threaten Gulf of Mexico ecology.

By Patrik Jonsson, Staff writer

Up to 7,400 barrels of crude oil a day could be spewing into the depths of the Gulf of Mexico after Tuesday night's explosion aboard the semi-submersible Transocean Deepwater Horizon rig caused it to capsize and sink Thursday morning.

After listing for most of Wednesday, the \$600 million platform 41 miles off the coast of Louisiana sank in 5,000 feet of water at about 10 a.m. Thursday. Seventeen people were injured, and 11 are still missing from the explosion. The rest of the crew of 126 filed into lifeboats or jumped nearly 100 feet from the platform before being pulled from the water by Coast Guard rescue crews.

As the intense fire burned the spewing oil off on Wednesday, early indications were that the rig fire didn't present significant danger to the coastal ecosystem. But with the rig now sunk and the fire out, concerns are now growing that the situation could mirror a deep-water spill caused by a fire on the West Atlas rig off Australia last year, which environmentalists likened to a "disaster movie."

"This is already a serious accident, and if this crude is allowed to flow uncontrolled out of the well for days or weeks, the environmental impact could be really substantial," says Robert Bryce, an energy expert at the Manhattan Institute and author of "Power Hungry: The myths of 'green' energy and the real fuels of the future." "They now have to figure out how to stop the blowout from the well. There are a tremendous number of unknowns now."

Coast Guard officials estimated that up to 13,000 gallons of crude an hour was coming out of the exploratory hole 41 miles offshore of Plaquemines Parish, La. An early suggestion that damage would be minimal because the fire was consuming most of the fuel "does have the potential to change," BP official David Rainey told the New York Times.

A BP spokesman told reporters that contractors using remote-controlled submarines (ROVs) are on the scene attempting to plug the well pipe via something they called a "hot-stabbing" operation. Early efforts to plug the well were unsuccessful, BP reported.

The Coast Guard is also reporting that it is assembling environmental cleanup crews. "We are looking at dispersant options, and we have planes and vessels on standby, should it be necessary," Coast Guard spokeswoman Sue Kerver told the oil and gas industry newspaper Upstream.

The viscosity of the leaking crude could determine whether it floats to the top or becomes an underwater slick. A two-mile surface slick has been spotted flowing from the site, but it is not yet clear whether that originated from on-board diesel fuel or well oil.

On Thursday, lawyers filed a federal negligence suit on behalf of the 11 missing crew members against BP and Transocean. Transocean, an exploratory company based in Geneva, is leasing the rig to BP for \$500,000 a day. Both companies are on the forefront of deep water exploration.

The explosion, fire, and leak have put new focus on the Obama administration's decision to open up more deep water zones in the Gulf for oil exploration. Sen. Mary Landrieu (D) of Louisiana called for a swift and thorough investigation.

"It is critical that [federal] agencies examine what went wrong and the environmental impact this incident has created," Sen. Landrieu said in a statement. "These findings should be reported to Congress as soon as possible."

Added **Rep. Jim Costa** (D) of California: "This incident is a grim reminder of the risks involved in developing public energy resources off America's shores."

Even without the possible environmental damage, the Deepwater Horizon accident is likely to be the worst US offshore oil rig disaster since 21 crew members were killed in a blowout on a Gulf drilling barge in 1964.

April 22, 2010

Transocean Oil-Drilling Rig Sinks in Gulf of Mexico

By Jessica Resnick-Ault and Katarzyna Klimasinska

April 22 (Bloomberg) -- A Transocean Ltd. oil-drilling rig in the Gulf of Mexico sank after burning for more than a day, as attempts continued to find missing workers, the U.S. Coast Guard said.

The sinking of the Deepwater Horizon rig extinguished a fire that was burning after an explosion at 10 p.m. local time on April 20, said U.S. Coast Guard Lieutenant Commander Cheri Ben-Iesau. The guard said 115 of 126 workers aboard the nine-year-old vessel were rescued and it is searching for 11 people.

If rescuers conclude the 11 missing workers died, it would be the deadliest U.S. offshore rig explosion since 1968, when 11 died and 20 were injured at a platform owned by Gulf Oil Corp., according to data from the Minerals Management Service. A 1987 helicopter crash aboard a Forest Oil Corp. platform killed 14 people.

The family of missing roustabout Shane Roshto of Amite County, Mississippi, filed suit today against Geneva-based Transocean and London-based BP Plc, which leased the rig. The suit, filed in New Orleans federal court, said the blast threw some workers, including Roshto, overboard and killed others on the deck.

Michael Kersey, brother of 33-year-old rescued worker Jonathan Kersey, told reporters in the New Orleans suburb of Kenner, Louisiana, today that his brother "said it was the scariest thing he saw in his life."

His father, Jed Kersey, said that if his son decides to come back on rig after what happened "I won't try to stop him. He makes a lot of money out there."

Discharged Patients

Seventeen of the workers rescued were sent to hospitals for treatment. Jennifer Steel, a spokeswoman for West Jefferson hospital, said they had four patients and all were discharged yesterday.

Some of the 115 survivors and their families milled about the lobby of the Crowne Plaza Hotel in Kenner, where physicians and nurses set up an impromptu clinic to treat minor injuries. Rig workers still carried the safety helmets they're required to wear offshore.

"We hope and pray they're all somewhere where they can be found," Dee Payne, a 29-year-old worker who said he witnessed the Deepwater Horizon disaster from a nearby rig, said of the missing workers. "You always think about it, you know -- we're dealing with gas, with things that are explosive."

BP agreed in September to extend its lease on the Deepwater Horizon rig for three years and pay an additional \$3.4 million a year in rent. The rig, which measured 396 feet (121 meters) by 256 feet, could drill wells as deep as 30,000 feet.

Rig Insurance

The company agreed to pay \$544 million, or \$496,800 a day, during the three-year period, Transocean said at the time. That was above the prior rent, which averaged about \$487,500 a day.

Transocean has property and casualty insurance on the rig, Gregory Panagos, a company spokesman, said yesterday. He wasn't able to give details on the coverage.

The government and the companies are monitoring the area for any oil spills.

"We have no reports of any of that spewing out into the water, but we were preparing in advance to mitigate any kind of environmental impacts," said Katherine McNamara, Coast Guard fireman, in a telephone interview.

BP sent seven oil-spill cleanup vessels to the scene, David Rainey, BP's vice president for Gulf of Mexico production, said at a press conference yesterday in New Orleans. The vessels are carrying 6,000 feet of floating boom designed to prevent any oil from spreading and more is ready ashore, BP spokesman Tom Mueller said today in an interview.

More Offshore Drilling

"We are determined to do everything in our power to contain this oil spill and resolve the situation as rapidly, safely and effectively as possible," Tony Hayward, chief executive officer of BP, said in a statement today.

President Barack Obama last month proposed expanding offshore drilling in some areas, including off Virginia's coast and off the western coast of Florida in the Gulf of Mexico.

"This incident is a grim reminder of the risk involved in developing public energy resources off America's shores," **Representative Jim Costa**, a California Democrat and chairman of the House Energy and Mineral Resources Subcommittee, said in a statement.

There are 90 rigs drilling in the federal waters of the Gulf of Mexico, Eileen Angelico, spokeswoman for the U.S. Minerals Management Service, said in an e-mail yesterday.

Drilling in federal waters of the gulf provides 1.7 million barrels of oil a day, according to the Minerals Management Service -- about 31 percent of total U.S. production as of January. The region supplies 6.6 billion cubic feet of gas a day, which is about 9 percent of U.S. production.

Transocean fell 56 cents to \$89.81 at 2:57 p.m. in composite trading on the New York Stock Exchange. BP fell 11.8 pence, or 1.8 percent, to 636.4 pence in London.

--With assistance from Angela Greiling Keane in Washington, Jim Polson in New York and Joe Carroll in Chicago. Editors: Tina Davis, Charles Siler

April 23, 2010

Morro fishermen support idea of catch shares

David Sneed

Morro Bay commercial fisherman Wayne Moody testified before Congress on Thursday about the needs of Morro Bay and California's other historic fishing towns. Moody testified before the House Committee on Natural Resources at the invitation of **Rep. Lois Capps**, D-Santa Barbara, who sits on the panel. Jeremiah O'Brien, another Morro Bay fisherman, attended the hearing but did not testify.

The topic of the hearing was catch shares, an increasingly popular fisheries management technique that allocates percentages of allowable catches to individual fishermen or groups of fishermen. Catch shares can prevent overfishing but can also threaten the livelihoods of fishermen from smaller ports, such as Morro Bay and Port San Luis, if the shares are not distributed equitably, Capps said.

"They are not a panacea and should be tailored to each community and be part of a comprehensive policy," she said. "If catch shares are not tied to landings, such as Morro Bay, they could be bought up by larger vessels from other communities."

Catch shares have already been implemented in other areas, such as New England, Capps said. The Pacific Fisheries Management Council is expected to decide later this year how they will be used along the West Coast.

In his testimony, Moody made three recommendations for the National Marine Fisheries Service when implementing catch shares. They are:

- Allocate them to landings such as Morro Bay that have formed community fishing associations. "This would allow them to stabilize their fishery economies," he said.
- Use on-board electronic monitoring systems to replace observers on smaller vessels. The \$300 to \$600 per day cost of having an observer onboard can only be borne by larger fleets.
- Be flexible and adaptive in implementing catch-share programs so they can be tailored for individual communities. Moody also gave an overview of the turbulent history of commercial fishing in San Luis Obispo County and local fishermen's efforts to find innovative ways to rebuild the industry.

"In 1985, approximately 15 million pounds of seafood products were landed in Morro Bay and its sister harbor, Port San Luis, mostly groundfish, with an ex-vessel value of almost \$19 million," he said. "By 2006, landings had dropped to 1.2 million pounds with an ex-vessel value of approximately \$2.9 million."

In 2005, The Nature Conservancy began buying up all local trawling permits and many of the trawling vessels. The Central Coast Groundfish Project, a community-based fishing group, was started to develop new, ecologically sustainable fisheries. The group is experimenting with switching to less-damaging fishing gear, sharing observer costs, improving log book performance and testing electronic monitoring systems, Moody said. Moody fishes for salmon and albacore aboard his 53-foot vessel, the *Capriccio*. He sits on the board of directors of the Morro Bay Commercial Fishermen's Organization.

April 22, 2010

BLM decides on spraying strategy for grasshoppers

By MATT JOYCE
Associated Press Writer

CHEYENNE, Wyo. (AP) - If Wyoming experiences a grasshopper outbreak this summer, pest control officials will treat U.S. Bureau of Land Management property in the state by spraying swaths of land with insecticide.

The BLM conducted an environmental study of methods to suppress the bugs and recently selected the "Reduced Area and Agent Treatment" method, known as RAATs. The plan, a common method of treating grasshopper infestations, involves spraying alternating strips of land with the insecticide diflubenzuron, which stops grasshoppers from growing.

Treating intermittent strips is more efficient than blanket spraying and is still effective because grasshoppers are exposed to the poison as they move in and out of the treated strips, pest control officials say.

The BLM decided against a similar alternative that would have required more restrictive buffers around certain bird and big game habitat.

The agency is taking feedback on its environmental study through Monday, but has already found that its preferred treatment would have no significant environmental effects, said Ken Henke, Wyoming BLM's weed and pest coordinator.

The 10 local BLM field offices in Wyoming will have a chance to place tighter restrictions on spraying if they wish, he said.

"If public comments come in, if there's something really significant we missed or some issue we just overlooked, that also could be addressed in the final (environmental assessment)," Henke said.

A federal survey of adult grasshoppers last fall indicated that northeast and north-central Wyoming could become infested with grasshoppers this summer. The insects are native to Wyoming, but outbreaks of certain pest species can be problematic because of their voracious appetites for grass.

Pest control officials consider outbreak levels to be about 15 grasshoppers per square yard -- enough to cause economic problems.

The BLM, which manages more than 28,100 square miles of federal land in Wyoming, doesn't actually treat any of its land. Its treatment decision would apply to spraying BLM land by county weed and pest districts and the U.S. Department of Agriculture's Animal and Plant Health Inspection Service.

The BLM expects to spend an estimated \$800,000 to \$900,000 this summer to pay for its share of county weed and pest district spraying efforts, Henke said.

Entomologists say diflubenzuron, which is sold commercially as Dimilin 2L, has a very low toxicity level for humans or other mammals. It also has little effect on bees.

Diflubenzuron disrupts insects from forming their exoskeleton, and therefore it doesn't affect organisms without exoskeletons, such as mammals, fish and plants, according to an APHIS study.

"The reason we keep it away from waterways and riparian areas is it could impair development of crawfish," Henke said.

Suppressing grasshoppers is important to protect forage for livestock and to protect rangeland for wildlife species that depend on it for food or winter cover.

"Our lands on the east side of the state are intermixed with private lands, and so being good neighbors to landowners, we have some responsibility to look at cropland protection as well," Henke said.

The BLM's preferred treatment also calls for using other pesticides for site-specific treatment of grasshoppers that have reached adulthood. The plan also contains spraying restrictions to protect water bodies, sage grouse leks, bees, the Wyoming toad, the Kendall warm springs dace fish, the blowout penstemon plant, the Colorado butterfly plant, the Ute ladies' tresses plant, the desert yellowhead plant.

April 23, 2010

Wildhorse Island planning for more horses

By VINCE DEVLIN

WILDHORSE ISLAND, Mont. (AP) - He has -- or at least had -- a name, the last wild horse on Wildhorse Island, though no one remembers it.

He also had ribs, and they were visible through his hide. It wasn't due to lack of food.

"He's getting up there in years," explains Jerry Sawyer, who manages the seven state parks located around Flathead Lake for Montana Fish, Wildlife and Parks. "We were not sure he was going to make it through the winter. His ribs were showing, even though there was plenty of forage. Things are just shutting down because of old age."

But it was a mild winter in northwestern Montana and the horse survived.

And now he's got a partner, a wild mustang transplanted to the island in December, and three to four more on the way later this spring.

What's an island called Wildhorse, after all, without wild horses?

The last horse standing on Flathead's largest island was the final surviving member of a group transplanted to the primitive state park in 1993.

FWP's management plan for Wildhorse, which otherwise teems with mule deer and bighorn sheep, calls for a herd of five wild mustangs to run free on the island's 2,164 acres, 99 percent of which is state park land. The herd's purpose is to honor the island's name, and a wild horse sighting is one of the most prized treasures for island visitors.

The last herd of five started dying off from old age in 2001. Two went in the last two years, leaving the one horse standing.

Sawyer estimates he's 25 to 30 years old -- very much "sunset" years in the lifespan of a typical horse.

The newest horse on the island is 6 or 7 years old. He originally ran free in Oregon or Washington, and was part of a Bureau of Land Management roundup who was adopted out.

"Someone had gotten it, and either it got loose or was let loose, and they couldn't find the owner," Sawyer says. "The horse was captured and returned to the BLM. They called us and said they had a horse in Missoula if we wanted it."

Since being transported by a barge to the island in December, Sawyer got reports that the newcomer and old-timer found each other.

"They're pretty social animals," Sawyer says. "At first they're pretty wary, but over time they work out who's the more dominant. There's always a lead horse in a herd."

Horses have been on the island since local Indians kept them there and out of reach of other tribes. The island's name dates back to the 1854 journal of explorer John Mullan, who called it the "Wild Horse" island. Mullan recorded the story of a Pend d'Oreille Indian whose father had horses stolen from him by the Blackfeet. To retaliate, the son stole horses from the Blackfeet and swam them out to the island for safekeeping.

Mullan reported a band of 60 to 70 of the animals on Wildhorse in 1854.

After the Flathead Indian Reservation was opened to homesteading a century ago, horses continued to be a part of the Wildhorse story. Sawyer says Col. Almond White, who bought all of the island's unclaimed land in 1915 -- and introduced the bighorn sheep to Wildhorse -- also kept horses there.

The Rev. Robert Edington and his wife, Clara Isabelle, constructed the Hiawatha Lodge -- the first, last and no-longer-standing resort on Wildhorse -- in 1931, and kept horses for the use of their guests.

In the 1940s and '50s, 100 Arabians and thoroughbreds were kept on the island by J.C. Burnett, a New Jersey osteopath who then owned most of Wildhorse.

The family of the last major landowner, Bourke MacDonald, made today's Wildhorse possible. With the exception of 52 lots sold around the three-mile-long island -- and with the help of the Nature Conservancy and the federal Land and Water Conservation Fund -- Wildhorse was sold at a fraction of its appraised value after MacDonald's death.

Since 1978, it has belonged to the people of Montana.

A group of local 4-H Club members helped in 1993 when three horses were taken to the island to join two already there, and the kids did name the horses during the operation, Sawyer says.

Officially, they're known as "46117" or whatever number they're given, but "they named them Blackie, Buck, Happy -- I can't remember exactly," Sawyer says.

The move can be easy, or it can be difficult, he adds.

"Obviously, they're wild horses, so they're not used to people," Sawyer says. "I'm not a horse person per se, but I know the ones in '93 were pretty difficult. Once we had them in the trailer, we didn't let them go till we were on the island. We transported them trailer and all. Once you lower that loading ramp, they shoot out."

The single horse in December was much easier, and was taken out of the trailer before the ride over on the barge. Use of the barge is donated by Cromwell Island manager Scott Smith, and the lake has to be fairly calm for the trip.

The state is working to make Pryor Mountain mustangs the next batch of horses transplanted to Wildhorse, Sawyer says -- wild horses with Spanish and Portuguese bloodlines.

All will be geldings, one of the state's policies.

"Logistically, things have to fall into place," Sawyer says of the move, which he hopes takes place this month or next. "We want to get them from Great Falls, onto the barge and over to Wildhorse all in one day. You're looking at weather, winds and Scott's barge being available."

Once they're on the island, "We don't do anything with the horses," Sawyer says. "We don't have vets go out and check on them. Once they're out there, they're on their own for the rest of their lives."

And, he notes, they do well. There's plenty of forage, lots of protection from the elements, and virtually no predators to speak of.

"Coyotes," Sawyer says, "but they wouldn't do anything unless the horse was in a situation where it couldn't get up. Mountain lions will swim out to the island, but it's not very common, and even if they do, they'd go for something smaller than a horse."

Assuming all goes well with the next transplant, it will probably be another two decades before Wildhorse Island starts to run out of wild horses again.



April 22, 2010

Archaeologists inspect Iowa's Effigy Mounds for possible damage from unauthorized construction

Associated Press Newswires (APHO)

CEDAR RAPIDS, Iowa (AP) - A team of archaeologists under the direction of the National Park Service is working to determine if some unauthorized construction damaged the Effigy Mounds National Monument in northeast Iowa.

The monument features over 200 mounds in the shape of bears and birds created by prehistoric American Indians over 1,000 years ago.

The team is looking to determine what, if any, damage was done by construction of a maintenance shed and an elevated boardwalk. Work was stopped a year ago when Park Service staff found the required paperwork hadn't been completed.

The team has spent most of April conducting aboveground testing of the soil in an effort to pinpoint areas which may have been disturbed.

April 23, 2010

Corralled Wild Mustangs Auctioned Off

Horses Were Part of Herd Running Free North of Okeechobee

By Jerome Burdi Sun Sentinel Staff Writer Andy Reid contributed to this article.

The wild mustangs that galloped about 100 miles along the Kissimmee River into Okeechobee County are a step closer to being tamed. Fifteen of the horses were auctioned off by the Okeechobee County Sheriff's Office on Thursday for about \$5 each, said Richard "Kudo" Couto, whose Miami-based Animal Recovery Mission purchased 11 of the horses.

Two of the remaining horses were bought by another advocacy group and two were bought privately, Couto said. One pregnant mare sold for \$300.

"They are all going to amazing homes," Couto said.

The horses were part of a herd running free north of Lake Okeechobee and took more than seven months to be corralled.

This month, the Okeechobee County Sheriff's Office finally succeeded in using food to capture most of the horses. Four still remain on the loose.

As the story goes, Couto said, about a year ago a ranch owner in St. Cloud bought 100 horses from a federal Bureau of Land Management auction and had them shipped from Nevada. His dying wish was to have them live out the rest of their days on his ranch, but his son wanted to sell the land and dumped the horses. Some of those horses made their way down to Okeechobee County. The mustangs auctioned were about two years old and in good health.

"They've been through a lot," Couto said. "They are scared and confused and are not used to being enclosed."

It will take time, but the mustangs likely will become accustomed to their new lifestyle.

"It's just people spending time with the horses, they'll come around," Couto said.

The decision to corral them was made by the Okeechobee County Sheriff's Office. The mix of scrub land and swamps near the Kissimmee River isn't a safe home for horses, deputies said.

After months of sheriff's deputies leaving feed for the horses, the animals became tame enough that a nearby rancher was able to coax 15 of them into a penned field. The South Florida Water Management District considered the wild horses an "exotic species" that posed a threat to native habitat being restored north of Lake Okeechobee.

To Couto, mustangs are part of the fabric of the American landscape.

"They're the only wild horse left in the United States," he said. "They've been in our culture for hundreds of years."

The New York Times

April 23, 2010

Accidents Don't Slow Gulf of Mexico Drilling

By CLIFFORD KRAUSS

As the Coast Guard was trying to assess the potential environmental effect of the oil rig explosion near Louisiana, industry officials said Thursday that they did not expect drilling in the Gulf of Mexico's deep waters to be curtailed.

"It's a tragedy, but at the end of the day we are not going to stop doing things that need to be done," said Larry Goldstein, a director of the Energy Policy Research Foundation. Eleven workers remained missing Thursday, and several others were injured seriously.

Producing in the gulf has picked up momentum over the last decade, and it has become the major source of growth for domestic oil production for the United States. With production declining in Alaska and in the gulf's shallow waters, large oil companies have been moving rigs out to the deeper reaches of the gulf and discovering large finds every few months.

Oil industry executives said that an investigation into the cause of Tuesday night's explosion, on a rig named Deepwater Horizon about 50 miles off the Louisiana coast, could take many months, in part because a submarine-like robot would probably first need to seal off the well before an investigation could begin in earnest.

Company executives said that early reports suggested that the Deepwater Horizon, an exploratory rig, probably tapped into an unknown pocket of hydrocarbons that had not been found by prior seismic testing. The release of pressure up a well casing can happen, but safety valves and pressure release valves built in the rig and platform can usually prevent a serious accident.

The federal Minerals Management Service has recorded more than 500 fires on platforms in the gulf since 2006. At least two people have died in gulf platform fires over the last four years, and about 12 more were seriously injured before the accident on the Deepwater Horizon. No accident so far has measurably slowed the rate of discovery and production.

Kjersti Hornnes Torgersen, a vice president at Statoil, the Norwegian producer and fourth largest lease holder in the gulf's deep waters, said, "We will continue our drilling operations." Bill Tanner, a spokesman for Royal Dutch Shell, said, "We first need to find out what happened and apply those lessons to other exploration activities."

The fire and sinking of the Deepwater Horizon, built in 2001, means the loss of a \$650 million piece of equipment. Last year it drilled the deepest oil and gas well in history for BP in the gulf, a well 35,000 feet deep and under more than 4,000 feet of water.

The rig was owned and operated by Transocean, one of the biggest deepwater service providers. Despite the explosion, oil executives said more drilling could be expected around the gulf, including parts of the eastern gulf and other coastlines the Obama administration wants to open for development, over the next several months and years.

The gulf now produces more than 1.6 million barrels of crude a day, nearly a third of the country's production. Techniques learned in the gulf have helped oil companies explore deepwater reservoirs worldwide. Deepwater production is expanding in places like Brazil and around West Africa, and now represents nearly 10 percent of global production.

The New York Times

April 23, 2010

Oil Rig Sinks, Raising Fears of Major Spill

By CAMPBELL ROBERTSON and CLIFFORD KRAUSS

NEW ORLEANS — As prospects dimmed for the rescue of 11 workers missing from an oil rig that sank into the Gulf of Mexico Thursday, BP said Friday it was continuing efforts to contain an oil spill in a bid to avert a potential environmental disaster.

Efforts to contain the damage from the burning rig became profoundly more complicated when it sank midmorning on Thursday, leaving a one-by-five-mile sheen of what the authorities said was “crude oil mix.”

“I think it certainly has the potential to be a major spill,” David Rainey, a vice president for Gulf of Mexico exploration for BP, which was leasing the rig, said at a news conference.

BP’s chief executive, Tony Hayward, said Friday in London that the company has “assembled and are now deploying world-class facilities, resources and expertise, and can call on more if needed.”

Coast Guard helicopters, planes and patrol boats were in the final 12 hours of search-and-rescue efforts for the missing workers, said Rear Adm. Mary E. Landry, the commander of the Coast Guard’s Eighth District. She said interviews with some of the 115 survivors had indicated to officials that the 11 who were missing may have been “in the vicinity of the explosion,” a view echoed separately in interviews with reporters.

“As time passes,” she said, “the probability of success in locating the 11 missing persons decreases.”

The sinking of the rig, meanwhile, left the scope of the disaster troublingly uncertain. Admiral Landry and officials from BP and Transocean, the Swiss company that owned the giant rig, could not say with certainty whether oil and gas were still emanating from the well underwater, though Adrian Rose, a vice president at Transocean, said the response team “was not able to stem the flow of hydrocarbons” before the rig sank.

“If there is any other oil that’s coming from the well, it would be coming from the subsurface, so it would be coming from below the seabed,” Mr. Rainey said. “The well was just over 18,000 feet deep, and we don’t know from where in that 18,000 feet it would be coming.”

The authorities also do not know if some 700,000 gallons of diesel fuel aboard the rig were now part of the leak, having possibly been released in a series of explosions that responders observed Thursday morning before the rig sank.

Admiral Landry said the sheen on the surface appeared to be residual oil from the explosion Tuesday night and the raging fire that followed. But, she added, “we don’t know what’s going on below the surface of the water.”

The potential for environmental disaster from the spill would be greatest if the oil were to reach the Louisiana coast, some 50 miles away.

Fearing a potential environmental disaster, BP announced Thursday that it was dispatching a flotilla of more than 30 vessels capable of skimming more than 170,000 barrels of oil a day to protect sea lanes and wildlife in the area of the sunken platform.

Suggesting that the rig may be blocking the hole releasing the oil and gas, the oil company also said it was initiating a plan to drill a relief well that could send heavy mud and concrete into the cavity of oil and gas that drilling apparently punctured by accident.

“We are determined to do everything in our power to contain this oil spill,” said Tony Hayward, BP’s chief executive. “There should be no doubt of our resolve to limit the escape of oil and protect the marine and coastal environments.”

Oil industry executives expressed dismay over what some characterize as potentially the biggest blowout of an oil and gas well in the Gulf of Mexico in 30 years.

Industry executives said that there was no telling how much oil and gas would be released from the accident, and that the sinking of the rig could potentially put 5,000 feet of piping and other equipment over the hole, making it more difficult to plug. If the pocket of oil and gas that was punctured by the rig was small, the environmental damage would be minimal and easily controlled, they said.

But if the pocket is large, hundreds of thousands of barrels of crude could be potentially released, a worst case that no executive wished to speculate about publicly. That would not only embarrass the industry, they said, but would also require tankers and other shipping to change course on Gulf waters.

The accident may also serve as a disturbing reminder to states like Florida that offshore drilling holds environmental risks, even though the industry has long claimed that big spills are a thing of the past and that improved technologies have lowered the chances of spillage.

The acknowledgment that the missing workers may have been caught in the initial explosion would not have come as a surprise to some of the relatives of survivors, who heard detailed stories of the disaster in emotional phone conversations late Wednesday night.

“The 11 that’s missing, they won’t find them,” said Stanley Murray, whose son, Chad, survived the explosion, having been on the drill floor only moments before it was awash in flames.

The knowledge that some may not come back added a bitter pall to family reunions early Thursday, when buses full of crew members pulled up to an airport hotel near New Orleans where many of their relatives were staying.

“Looking out there, watching the rig burning, knowing they’re out there, it’s a horrible feeling,” said Stenson Roark, 26, an electronics technician from Philadelphia, Miss., who was still wearing his grease-covered red coveralls when he got into the car with his family to head home.

“It was almost 24 hours before I could make contact” with family, Mr. Roark said. He finally reached them through a cellphone that crew members passed around in the rescue vessel. “I held it together pretty good until that phone call,” he said.

The relatives of the missing had little to do but wait. Updates were coming in telephone calls once an hour, or were supposed to be, for Rhonda Burkeen of Philadelphia, Miss., whose husband, Dale, was among the missing. Carolyn Kemp, grandmother of Roy Wyatt Kemp of Monterey, La., was praying, but was already speaking of him in the past tense.

Mary Ellen Kleppinger of Zachary, La., was missing two men: her 38-year-old stepson, Karl Jr., who had been on the rig, and, in more recent hours, her husband, Karl.

“He just left me a note,” Ms. Kleppinger said. “ ‘Gone looking for Karl. Be home soon.’ ”

Jordan Flaherty contributed reporting from New Orleans, and Liz Robbins from New York.

Los Angeles Times

April 23, 2010

Oil rig sinks in Gulf of Mexico

11 still missing; The search continues as officials begin to assess possible environmental risks.

Richard Fausset

PORT FOURCHON, LA.

As the odds of survival for 11 missing workers diminished Thursday, officials warned that the dramatic explosion and fire that sank an oil rig off Louisiana may pose a serious environmental threat if oil is leaking thousands of feet below the surface.

"It certainly has the potential to be a major spill," said Dave Rainey, vice president of Gulf of Mexico exploration for the oil company BP, which leased the Deepwater Horizon, the \$600-million mobile offshore rig that vanished underwater Thursday morning.

Throughout the day, rescue aircraft and Coast Guard cutters scoured the gulf for signs of the workers who were missing after the Tuesday evening explosion. Coast Guard Rear Adm. Mary E. Landry said the probability of their survival was decreasing, despite warm waters and calm seas.

Landry also said that preliminary interviews with some of the 115 survivors suggested that some of the missing workers "may have been in the vicinity of the explosion."

Adrian Rose, vice president of Transocean Ltd., the rig's owner, said survivors told them the missing workers might not have been able to evacuate.

"We haven't confirmed that yet, and search and rescue efforts are continuing," he said. "I know that everyone at Transocean shares a deep sense of loss today, especially the crew members of the Deepwater Horizon who work and live together as a family on board the rig offshore."

Beyond the immediate human drama, numerous questions remained unanswered. The cause of the explosion remains unclear, although Rose and government officials have speculated that it was the result of a "blowout," or high-pressure surge of oil or natural gas.

Also pressing were the mysteries 5,000 feet below the sea, where a remote-controlled submarine was trying to ascertain whether oil or gas was flowing out of the well.

In a Thursday afternoon news conference, Coast Guard and oil company officials said it was not clear whether the 18,000-foot-deep well was still leaking.

Earlier in the day, Coast Guard firefighter Katherine McNamara said the rig had been spurting crude oil at a rate of 336,000 gallons per day, though nearly all of it was burning off in the incessant fire.

In the afternoon, after the rig sank, Landry said that it was not yet possible to know how much oil and gas, if any, was seeping from the well head.

Another possible environmental threat was the 700,000 gallons of diesel oil stored in the rig. Explosions and fires continued on the rig until it sank about 10:22 a.m. Thursday. Landry said it was unclear how much, if any, of the diesel had leaked or blown up.

Two underwater pipelines near the rig have been shut down for fear that they might be hit by the sinking oil rig, which is longer than a football field.

A 1-by-5-mile sheen of a crude oil mixture has appeared on the water's surface near the site, which is roughly 40-plus miles southeast of Venice, La. Landry said it was "probably residual" oil and other substances from the explosion and fire.

Thus far, there has been no effect to the fragile Louisiana coastline, officials said. Deputy Interior Secretary David J. Hayes, who also spoke from New Orleans, said the government was watching the slick carefully.

The Coast Guard had already positioned special ships to skim the oil and were preparing to send planes to spray dispersants. These, typically, are solvents and other agents that change the chemical and physical properties of oil and may reduce the threat to the shoreline.

Rigs like the Deepwater Horizon are not moored to the ocean bottom, nor do they pump oil. They float over a location, holding position with GPS systems and propellers, and drill wells for future oil production.

Introduced to the seas in 2001, the Deepwater Horizon was on the cutting edge of the offshore industry. It was capable of operating in more than 8,000 feet of water, according to the company's website, and last summer it set a record for drilling the world's deepest oil and gas well of more than 35,000 feet at another site in the gulf.

Just before the explosion, the rig's crew was preparing to plug the well and abandon it, leaving it ready for later extraction efforts.

Rose said Thursday the fact that the rig drilled to such extreme depths, and in such deep water, did not increase the possibility of danger or an accident.

Three people were hospitalized with critical injuries. But the bulk of the workers -- more than 90 -- arrived safely on shore at Port Fourchon early Thursday, and were taken to a hotel near the New Orleans airport.

After sunrise, rig workers were milling, somewhat dazed, around the hotel lobby. At one point, a burly worker on crutches with a bandaged leg faltered on his walk toward a breakfast room. A tight scrum of family members held him up.

Rig worker Heber Morales said he hadn't begun to process what had happened. "It just hasn't set in yet," he said. "I don't know what's going to happen next. I'm just going back to Houston."

Houston Chronicle

April 21, 2010

Industry seeks fast offshore study

Agency hears views on drilling plan at meeting in Houston, Seismic concerns raised

MONICA HATCHER

Energy industry representatives on Tuesday asked the government agency responsible for leasing offshore lands for drilling to expedite and even expand an environmental impact study of the effects of seismic surveying off the Atlantic coast. That work will allow geological data to be collected in an area off limits to exploration and drilling for more than two decades.

The U.S. Minerals Management Service on Tuesday hosted in Houston the first of 13 meetings to gather public comments for a so-called programmatic environmental impact statement that will look at the potential harm caused by seismic work to marine life and ocean habitats, as well as alternatives and mitigation measures. The meetings - 12 others are scheduled in six cities on the East Coast this month - come only weeks after President Barack Obama unveiled a plan to lift an offshore drilling ban for much of the Eastern Seaboard and other areas. When the study is done, scientists should be able to begin collecting and analyzing geologic data so that the government can proceed with lease sales and drilling for oil and natural gas, as well as a host of other activities, from siting wind turbines to excavating sand and gravel.

The meeting drew about 40 people largely from the industry to the Houston Airport Marriott. Several spoke publicly. They expressed support for the agency but repeatedly urged it to focus on documented instances and scientific reports of the environmental impact of seismic work, rather than speculation, when drafting the study. The seismic industry maintains marine mammals are not harmed by surveying, which involves emitting loud blasts of compressed air into the water to capture acoustic images reflected off the seabed. It also says it follows strict federal rules to ensure mammals are a safe distance away when seismic work is being done.

Jennifer Smith, the only environmental activist to speak Tuesday, asked the MMS all the same to carefully consider the potential harm to whales and sea turtles. Some of the nation's biggest oil and services companies, including Royal Dutch Shell, BP and Halliburton, pressed MMS to quickly proceed with the study, which MMS said should be done by 2012.

Estimates by the Department of the Interior and others regarding the potential of areas of the Outer Continental Shelf "are just that - estimates," said Terry Rooney, a senior environmental adviser with BP. "The fact is, we will not know how much is there until we explore."

Seismic activity has not taken place in the Mid- and South- Atlantic region, which runs about 250 miles offshore from Delaware to the middle part of Florida, since the early 1980s. Since then, new technology has vastly improved the ability of geologists to winnow the most prospective areas from the ocean floor, said Walt Rosenbusch, a member of the International Association of Geophysical Contractors. He and Andy Radford, a policy adviser with the American Petroleum Institute, asked the MMS to consider broadening the scope of the environmental study to include the North Atlantic region, which runs from Delaware northward.

"Exploration and production companies need geophysical data that they can use to tie paths to current production data from offshore Nova Scotia to the U.S. Atlantic basins," Rosenbusch said, pointing out that adding the area to the study would require minimal additional cost and time.

But Bruce Mitchell, a manager with Shell's North Atlantic exploration group, said his company wanted timely lease sales to proceed as scheduled. "We don't want to see a delay necessarily, waiting for all of the data that possibly could be acquired in the area prior to the sale occurring. The two things can occur to some extent in parallel."

April 22, 2010

Interior Secretary coming to Utah for resource talks

Robert Gehrke

Interior Secretary Ken Salazar will be in Utah next week to participate in talks on resource issues in the state during a contentious time between Utah and the federal government.

"I think it's significant that he's willing to come here under any circumstances," said Gov. Gary Herbert, who announced the secretary's visit. "The fact that he's coming when the climate is a little more shrill and there's some antagonism out there is even more to his credit."

During its recent session, the Utah Legislature passed legislation that Herbert signed directing the attorney general to go to court to attempt to seize federal land under eminent domain authority.

Rural Utah lawmakers are still angered that Salazar withdrew 77 oil and gas leases after a federal judge ruled the lease sale was illegal. And Utah's congressional delegation has been on alert after a memo from the Interior Department indicated that two sites in Utah were under consideration for designation as national monuments.

Herbert said Salazar will meet for much of Monday morning with the governor's Balanced Resource Council, which is a task force Herbert created to address natural resource issues. There will be a public meeting later in the day where individuals can ask questions of the secretary.

"I want this to be a productive and friendly gathering," Herbert said. At the same time, he is hoping it produces concrete results. "If we don't do something, if nothing comes of it, then this will be a failure. It will be an exercise in futility."

The Pueblo Chieftain

April 23, 2010

Lower Ark hears pipeline pitch

Aaron Million explains benefits

By Chris Woodka

Apr. 22--Aaron Million Wednesday invited the Lower Arkansas Valley Water Conservancy District to sign on to his plan to bring water from Flaming Gorge Reservoir in Wyoming to Colorado's Front Range.

"We have a fairly short window to get other users into the project before the train leaves the station," Million told the board at its monthly meeting.

The Lower Ark board agreed to consider Million's proposal at its May meeting. The district is only being asked to declare an intent to participate, and would not pay any money at this time, Million said.

Million has submitted a list of potential customers ranging from Cheyenne, Wyo., to Douglas County in Colorado to the U.S. Army Corps of Engineers, which is evaluating the Regional Watershed Supply Project.

Million's company would not own the pipeline if it is built, but instead turn it over to a special district made up of cities or agricultural districts interested in using the water.

Million did not provide details on what kind of financial investment that would take or how much water would cost under the plan, but said the pipeline would have obvious benefits to Colorado by providing an additional source of clean water, improving water quality and relieving pressure on agricultural water rights.

The project also fits in with both the Colorado River Compact and the Upper Colorado River Compact by developing the state's share of water, Million said.

"There are opportunities in the Arkansas Valley to alleviate pressure on agricultural resources," Million said.

The Green River carries more water per mile than the Colorado and a Bureau of Reclamation study found 165,000 acre-feet could be developed without adversely affecting wildlife or power generation, Million said.

"It would add storage and risk protection for the entire region, which includes the Arkansas Valley," Million said.

The 560-mile pipeline would cost between \$2 billion to \$3 billion to build, take water from above and at Flaming Gorge Reservoir and follow an energy line corridor along Interstate 80. It would incorporate several reservoirs along the way, including one on Williams Creek in El Paso County.

More than 1 million acre-feet of new storage is possible, along the 3.8 million acre-foot capacity of Flaming Gorge. There would also be opportunities for in-pipeline hydroelectric power generation, Million said.

A second group, the Colorado-Wyoming Coalition, a coalition of water users that was organized by the South Metro Water Supply Authority that includes Donala Water and Sanitation District in the Arkansas River basin, along with major players in the South Platte basin, wants to develop the pipeline as well.

Million said his plan differs substantially because he would provide some water for agriculture -- "at ag prices" -- that would be protected by conservation easements. He proposes cost-plus pricing for municipalities. The projected price of water could be between \$15,000 to \$20,000 per acre-foot at the high end of the scale, Million said.

The Arkansas Basin and Denver Metro water roundtables are studying whether to form a task force to study both Million's proposal and the Colorado-Wyoming Coalition plan.

The Southeastern Colorado Water Conservancy District board heard Million's proposal in February, but decided to wait until the roundtable process is completed rather than commit to the project.

April 22, 2010

Website helps catalog Southeast Alaska whales

By SHANNON HAUGLAND

SITKA, Alaska (AP) - A comprehensive catalog of the humpback whale population of Southeast Alaska is now just a quick click away.

Whale biologist Jan Straley and research technician Jennifer Cedarleaf have created an online guide of the humpback whales of Southeastern Alaska at <http://www.alaskahumpbacks.org>.

The site gives viewers a chance to find and learn about the whales they may have seen after a day on Southeast waters, and to contribute their own photographs to the site.

Straley said the website has already received many visits since its launch earlier this month. She believes it will encourage more people to get involved in learning about humpbacks, and build on the whale research already collected in Southeast waters.

"It engages people in the stewardship of the marine resource, and helps people understand about what whales are here, why they're here, and how long they've been here," Straley said. "It's information for people to learn about humpback whales."

The site was created with the help of 16 different research groups. Three contributed most of the photos: J. Straley Investigations, University of Alaska and Glacier Bay National Park. Other collaborators include NOAA, Cascadia Research Collective, the Whale Trust and the Alaska Whale Foundation.

Straley said the idea for the site came out of a collaboration with the National Park Service to create a printed catalog of the area's whales over 10 years ago. The book was a hit, but is no longer available.

"A lot of people still ask for the catalog and it's out of print," said Straley. "It makes sense to have something that's more dynamic, that we can add photos to, as opposed to having a print catalog that is out of date almost as soon as you print it."

The online guide can incorporate photos as they are sent in, said Straley, and she and Cedarleaf are able to add new information on whale research as it develops.

The 1,900 humpback whales identified on the website were observed in coastal waters from British Columbia to Southeast Alaska. Straley estimates that between 3,000 and 5,000 humpbacks are in the region, which means the website has captured 20 to nearly 60 percent of these on camera.

Cedarleaf built the website from the ground up.

"I knew nothing about websites when I started this," she said. She worked at it on and off, while doing other research projects, and now, after two years, it's nearly done.

The website guides you through the process of entering your own photos in the "Contribute Sightings" section. If you want to match the whale you photographed to the photos on file you can follow the link to the "Fluke ID Catalog."

One page tells you how to identify a humpback whale by matching photographs of the flukes.

"Matching humpback whale flukes can be simple, and it can be quite challenging," the site says. "Hopefully after reading this short article you will have great success in matching your photographs to our catalog."

Whales are identified by features in the underside of their fluke, categorized and given their own number on the Web page. Distinguishing features -- such as injuries and scratches -- can also help identify a whale.

The site has a lot to offer the casual observer as well as the avid whale enthusiast, with articles on research, general information and numerous stunning photos of whales in action.

But it's Straley's and Cedarleaf's hope that the site will become a valuable tool for them as well, to get a more complete picture of what's going on with the humpback whale population of Southeast.

"There was a whale we hadn't seen in a while," Cedarleaf said. "We had a photograph from a cruise ship passenger, and it was that whale (Straley) hadn't seen for five or six years. She thought it had died. And there it was. It gives us more information: people are on the water every day of the summer, and we aren't out there. It's really helpful for us for sighting histories."

Cedarleaf said some kinks still need to be worked out. Internet Explorer, for some reason, is the best browser for using certain features of the website, she said, but she is determined to make it work as well with other browsers.

Among the features they want to add is one that keeps a record of how many "hits" the site gets.

But both Straley and Cedarleaf can see the potential appeal of the website, given the general popularity of humpback whales with visitors and residents.

"People are interested in humpbacks because there are so many of them here," Cedarleaf said. "They breach, they show their flukes almost every time they dive. They're more interactive than other whales can be."

Humpbacks also do some things that other whales don't do as often, such as breaching, and "spy-hopping" -- when whales pop their heads up and take a look around.

Straley said she is grateful that Cedarleaf took this project on. Cedarleaf has been working with Straley for about 10 years, and "knows the whales inside and out," Straley said.

The project was funded by an Alaska Native-Hawaiian Indian grant from the U.S. Department of Interior, and included volunteer work by Mt. Edgecumbe High School students.

April 23, 2010

Ariz. hatches program that relies on 'nest watchers' to look out for eagles

By HAYLEY RINGLE

MESA, Ariz. (AP) - Ernie O'Toole looks into the camouflaged spotting scope intently, pointing to a tall green cottonwood tree about a mile away.

A mama desert nesting eagle pops up every now and then, feeding at least one of her young nestlings, while the dad eagle flies nearby off the Lower Salt River Recreation area in the Goldfield Breeding Area.

"It's something to see with the feeding," said O'Toole, a nest watcher from Colorado who has degrees in biology and ecology. "You see the (mama) bird bite off very gently and reach down to feed (the nestling). It's really a kick to watch. I love just the kick you get out of seeing these magnificent birds."

O'Toole is one of 20 nest watchers with the Arizona Game and Fish Department's Arizona Bald Eagle Nestwatch program. The nest watchers work in teams of two to monitor, protect and educate the public about this symbolic species.

The watchers are independent contractors who travel from across the country to spend more than 40 hours a week watching, waiting and writing down the birds' every activity during the nesting season. The nest watchers collect data on where the eagles forage for food, their response to humans, including the tubers along the Salt River, and their behavior.

"The eagles are a symbol of our country," said O'Toole, 68, a retired aerospace engineer. "For them to come back the way they have is great. They (their population) was really dwindling."

The bald eagle population has grown more than 600 percent in Arizona over the past 30 years, thanks in part to the Bald Eagle Nestwatch Program, according to the Arizona Game and Fish Department spokeswoman.

Arizona has 61 breeding areas, 51 breeding adults and 102 bald eagles, said Kenneth "Tuk" Jacobson, a bald eagle management coordinator with the Arizona Game and Fish Department.

The nest watchers work 10 days on and four days off, and monitor one breeding area from about February to July, or whenever the young eagles fly from the nest. The nest watchers live in tents or RVs on site.

The goal is to protect the eagles during their most vulnerable time, when the birds are having their chicks and preparing the little ones for their lives away from the nest.

This particular eagle family off the Lower Salt River was breeding later than usual. Although it's unknown why, the nest watchers said it could be because the female bird took longer to get to know her new mate.

The female eagle's mate took off last year and was never found, and she had to raise her chick alone, which is uncommon and had never been documented before, said Jean Spilker, a nest watcher with O'Toole. The nestling did survive, she added.

This year, the mama eagle's nestling hatched April 14, and the new dad is sticking around to help, Spilker said. O'Toole has named him Stealth because he comes and goes in a blink of an eye.

As if on cue, the male eagle flies down to the river, hangs out for a little bit, and then flies back to the tree, hanging out on a branch near the nest.

"He spends a lot of time on that branch," said Spilker, 39, from Oregon. "He's an attentive father."

Seasonal closures of nest areas keep people from disturbing the eagles.

The nest watchers work eight hour days throughout the week, and work from dawn to dusk on the weekends watching the eagles and their nest.

"I'm passionate and committed to trying to save the bald eagles," said Spilker, who has an anthropology degree and enjoys working with raptors, birds that hunt and kill other animals.

The desert nesting eagle's protection status has been called into question throughout the past couple of years.

The U.S. Fish and Wildlife Service took the bald eagles off the Endangered Species Act protection list in 2007, but the Center for Biological Diversity and Maricopa Audobon Society sued. The federal court ordered that the state's desert nesting bald eagle population be put back on the protected list, Jacobson said.

After a review that took two years, the findings released in February said the desert nesting eagles still didn't qualify to be on the endangered species list as a distinct population segment. Currently, the eagles are still protected, and it's unsure when that injunction will be lifted, Jacobson said.

However, the injunction is being contested by the Center for Biological Diversity as the group continues to try to protect the desert nesting eagles, which nest in Arizona, he said.

Jacobson stressed whatever is decided won't change the Arizona Game and Fish's nest watchers program, and the desert nesting eagles will still be protected under the Bald and Golden Eagle Protection Act enacted in 1940.



April 22, 2010

2 more eagles spotted in valley

By Bob Downing

Apr. 22--There are at least two additional bald eagles hanging out in the Cuyahoga Valley north of Akron.

The two adult birds with 61/2-foot wingspans have been spotted in recent weeks in the Cuyahoga Valley National Park at the Lock 29 Trailhead in Peninsula, along the Cuyahoga River between Bolanz and Ira roads in Cuyahoga Falls and near the great blue heron nests off West Bath Road in Akron.

There have been additional reports of bald eagles near downtown Akron and in Cuyahoga Falls.

National Park Service biologist Meg Plona said park staffers and volunteers have been searching for a new bald eagle nest from the hamlet of Boston south to Akron -- to no avail.

That included checking whether eagles might have settled in with herons at West Bath Road on Akron property near the city's sewage treatment plant or at a smaller heronry off Akron Peninsula Road near Wetmore Road in Boston Township.

It appears unlikely that the two adult eagles -- both with white-feathered heads; the female is larger -- have nested this year in the Cuyahoga Valley, she said.

That's because a photograph of the birds taken last week off West Bath Road shows them together, something that would not happen if the birds had nested and were caring for eggs or young, she said.

But the birds' continued presence in the Cuyahoga Valley increases the likelihood they might return and nest next year, Plona said.

The Cuyahoga Valley park has one active bald eagle nest: along the Cuyahoga River just north of state Route 82 in the Pinery Narrows area in Brecksville. Two eaglets hatched there March 31, she said.

Park officials were unsure whether there were more than two bald eagles in the Cuyahoga Valley park until the Pinery Narrows' eagles settled in with their eggs, Plona said.

Once that happened and reports of adult bald eagles continued to trickle in, officials could confidently say a second pair was in the Cuyahoga Valley, she said.

Eagles are monogamous and mate for life. They typically begin building a nest in January and February, with peak mating in late February and March.

The eggs incubate for 35 days and most hatch by late April. The eaglets leave the nest at 10 to 13 weeks. Adults typically return to the same nest every year.

Rob and Peg Bobel of Akron came across two adult eagles perched in a tree along the Cuyahoga River by the Towpath Trail between Ira and Bolanz roads in Cuyahoga Falls.

Motorist Mary Ann Romito of Cleveland reported a low-flying adult bald eagle flapping overhead as she drove on Ira Road between Akron-Peninsula and Riverview roads in Cuyahoga Falls.

A park volunteer reported seeing one adult bald eagle in a wetland near the Lock 29 Trailhead in Peninsula. The eagle collected grass used to line nests and flew away. It returned to gather more grass several times.

Such behavior, including picking a nesting site, could be part of the pair's bonding and preparations for mating next year and not tied to a nest this year, Plona said.

Brian Gresser, Akron's sewage plant administrator, said he saw two eagles poking around in the herons' nests off West Bath Road two days before Christmas.

Then there were no signs of the eagles at the heronry area until last week, he said.

The eagles were seen for several days, most often in the trees along the Cuyahoga River on the north side of West Bath Road, across from the herons' nests, he said.

An injured adult bald eagle was found near the Mustill Store along the Little Cuyahoga River on March 4. The Ohio Department of Natural Resources' Division of Wildlife captured the bird, but it was so badly injured that veterinarian Dr. Gary Riggs called for euthanizing the bird.

It is possible the dead bird had been the mate of one of the new eagles in the Cuyahoga Valley and has been replaced by a newcomer, said Damon Greer of the Ohio Division of Wildlife.

This year, Ohio has an estimated 250 active bald eagle nests, up from 215 in 2009, Greer said.

That includes nests at Nimisila Reservoir in Green, at Wingfoot Lake in Suffield Township, at Walborn Reservoir in Marlboro Township, at Killbuck Marsh in southern Wayne County, at Chippewa Lake in Medina County, along Tinkers Creek in Aurora and at Lake Rockwell near Kent, he said.

Greer said he has no information about two additional nests in Portage County: along Breakneck Creek and near Lake Milton.

Ohio's 215 nests last year produced at least 197 eaglets. The record is 222 eaglets in 2008. But Ohio had no information about 55 of the nests in 2009, so the number of eaglets hatched probably was higher.

Ohio had dropped to four eagle nests on Lake Erie in 1979 because of pesticides and loss of habitat. After its comeback, the bald eagle was removed from the federal endangered species list three years ago.

April 23, 2010

Wisconsin has special affection for sturgeon, helping them thrive despite population decline

By CARRIE ANTLFINGER
Associated Press Writer

SHAWANO, Wis. (AP) - It's been a tough fight for the whisker-snouted sturgeon.

The fish survived whatever killed the dinosaurs and have struggled against habitat destruction and overfishing. Now many of its 25 species are endangered, but a small pocket in upper Wisconsin boasts of having one of the world's largest concentrations of the fish.

The success is because of the state's strict spearing limits, poaching laws, restocking efforts and the popular -- and well-protected -- spring spawning, which mostly finished last week.

"If we can restore the sturgeon population in the Great Lakes and manage the current population effectively, then we know we are doing a pretty good job of managing the other aspects of the aquatic community," said state sturgeon expert Ron Bruch.

In Lake Winnebago there are now around 40,000 lake sturgeons, likely where the population was in the 1800s, Bruch said. In the 1950s, it was 10,000. Whereas in the Great Lakes system, there are now about 156,750, less than 1 percent of what it was in early 1800s, said Rob Elliott, a U.S. Fish and Wildlife Service biologist.

Thousands from around the state and elsewhere visit the Lake Winnebago system tributaries to watch the enormous fish writhe and splash as they lay eggs in shallow, moving water. The fish, which grow up to 300 pounds and look like a cross between a catfish and shark, are close enough to touch.

"Some people say they are awful homely, awful bad looking, but to me ... they are beautiful fish, just like a beautiful blonde," said 73-year-old Pat Wudtke, who's speared sturgeon for 50 years during the state's annual season.

For the past decade, Wudtke also has been among the hundreds who volunteer to protect the fish from poachers.

"I'll do everything I can to preserve them," Wudtke said.

People love the animals because of their unique look, that the species is prehistoric and their size, Bruch said.

"This is the only place really in the world that you can see them to this extent," he said.

The spawning spectacle pumps \$350,000 into three nearby cities, some of which have signs directing people to the spawning sites.

The fish's success in Lake Winnebago has Bruch concerned. Though only a few cases of poaching are reported each year, he worries there will be more since other areas have a sturgeon shortage and demand is high. And he thinks the taste of lake sturgeon caviar compares with the high-priced kind.

There also are reports of poaching of white sturgeon in California as its caviar has grown more popular, said Ellen Pikitch, executive director of the Institute for Ocean Conservation Science in New York. It is illegal to fish wild white sturgeon in California and sell its meat or eggs, but people can sell farm-raised white sturgeon. It's also illegal in the U.S. to sell lake sturgeon meat and its eggs from the states.

In the Black and Caspian Seas the beluga sturgeon is overfished for its caviar, which costs up to \$5,000 a pound.

Wisconsin does allow sturgeon spearing, with thousands huddled in shanties on a frozen Lake Winnebago. Spearers are allowed one sturgeon per person. Most get none. The DNR ends spearing when 5 percent of the population is taken.

The spearing is why the group, Sturgeon for Tomorrow, started in 1977, because they wanted to keep that tradition alive, said a founder, Bill Casper. Bruch credits the group for part of the sturgeon's success. It runs the sturgeon guard program and raises funds for research and hatcheries, among other things.

But some say even one speared sturgeon is too many.

"If they were not removed from the water," Pikitch said, "They would have opportunity to spawn many, many times in a long lifetime."

April 22, 2010

Mich. wildlife officials seek federal permit to kill wolves that repeatedly attack livestock

Associated Press Newswires (APHO)

TRAVERSE CITY, Mich. (AP) -- Michigan officials are seeking federal permission to kill gray wolves that repeatedly attack livestock and pets.

The state Department of Natural Resources and Environment has petitioned the U.S. Fish and Wildlife Service for authority to use lethal control.

A permit is required because wolves are on the federal endangered species list.

Russ Mason, the DNRE's wildlife chief, says the state can judge when killing problem wolves is necessary and more humane than trapping and relocating them.

The Fish and Wildlife Service is accepting public comments on the state's application through May 20.

Michigan has about 580 wolves in the Upper Peninsula. Officials say a few may have migrated to the Lower Peninsula.

April 23, 2010

CO2-caused acidification causing rapid, major changes

Lauren Morello, E&E reporter

When oyster larvae began dying in record numbers at Pacific Northwest hatcheries in 2008, shellfish farmers weren't sure what was happening.

Growers quickly realized that a bacterium, *Vibrio tubiashii*, played a role. They worked with scientists to design new filtration systems to keep the bacteria out of the ocean water that feeds the tanks where oyster larvae grow to seed. But that didn't solve the problem.

"That's when we folks turned to pH and realized that the *Vibrio* was secondary to that," said Bill Dewey of Taylor Shellfish Farms, a family-run business that has farmed shellfish in the Pacific Northwest for more than 100 years.

The ocean water growers were pumping into their tanks was more acidic than normal -- so acidic that it was dissolving the shells of the oyster larvae faster than the larvae could grow them.

Taylor Shellfish Farms and other Pacific Northwest shellfish growers believe theirs is one of the first fisheries affected by ocean acidification -- a phenomenon caused by the same carbon dioxide emissions that drive climate change. Scientists say it could reshape life in the world's seas, from the tiny plankton at the base of the food web on up to fish and shellfish species that show up on dinner plates.

"The chemistry of the ocean is changing at an unprecedented rate and magnitude due to anthropogenic carbon dioxide emissions," warned a report released yesterday by the National Academy of Sciences. "The rate of change exceeds any known to have occurred for at least the past hundreds of thousands of years."

30 percent more acidic than at the dawn of industrial age

Having absorbed one-third of the CO₂ produced by human activities over the last two centuries, oceans are now 30 percent more acidic than they were at the start of the Industrial Revolution. By the end of the century, if CO₂ emissions continue on the current trajectory, the world's oceans could become 150 percent more acidic.

In the Pacific Northwest, acidification is intensified by seasonal upwelling, a natural ocean circulation pattern that pulls water from the deep ocean onto the continental shelf each spring.

A 2008 study led by Richard Feely, a scientist at the National Oceanic and Atmospheric Administration's Seattle lab, found evidence that waters off the Pacific coasts of Canada, the United States and Mexico have reached levels of acidity scientists had predicted wouldn't occur until 2050.

The researchers found that water stirred up by the annual upwelling is now rich in carbon dioxide -- absorbed by the oceans about 50 years ago, when CO₂ emissions were much lower -- that gradually made its way down to water about 150 meters below the ocean surface.

"What's most troubling to me is that the water that's coming up in these upwelling events is 50 years old," said Taylor Shellfish Farms' Dewey. "Even if we stop our CO2 emissions today, we still have 50 years of hurt coming before it starts to get better."

Sixty percent of the oyster larvae at the Taylor hatchery on Dabob Bay in Quilcene, Wash., died in 2008. Eighty percent died last year. The company is coping, in part, by moving more of its oyster operations to its facility in Kona, Hawaii.

"We've been expanding that facility as rapidly as we can to take on additional oyster larvae production," Dewey said. "We produce seed for our company but also sell seed to oyster farmers up and down the West Coast and all over the world. When we have that kind of production problem, that affects other growers, as well."

Acclimate or go extinct

James Barry, a marine biologist at the Monterey Bay Aquarium Research Institute who helped write the National Academy of Sciences report, said marine species faced with more acidic waters have limited options: Begin to acclimate, which in the course of a few generations may produce genetic adaptations, or go extinct.

But experts say it's still hard to predict how ocean acidification might transform marine ecosystems.

A 2008 study by J. Timothy Wootton at the University of Chicago documented changes in mussel beds off Tatoosh Island, Wash., that scientists linked to a drop in pH. As water there became more acidic, the number of mussels and stalk barnacles dropped. But other organisms thrived, including including smaller acorn barnacles that also build calcium carbonate shells.

And at Taylor Shellfish Farms, some species have proved to be more adaptable than others.

"We're not seeing it with clams," Dewey said. "We're able to buffer the seawater in the hatchery water to allow us to grow clams and mussels. But that does not work for oysters. Something else is going on where the ocean chemistry is keeping the ocean larvae from surviving."

On a global scale, Barry said a major cause for concern is recent research that suggests the world's coral reefs, which support fisheries and tourism, "are in real trouble" due to a combination of changing ocean chemistry and other environmental problems, like destructive fishing practices.

"The changes we expect to occur by the end of this century will be the largest and most rapid ocean chemistry shift in hundreds of thousands of years," he said.

Looking for a research strategy

The issue hasn't escaped lawmakers' attention. A law enacted last year directs the federal government to create a wide-ranging strategy to monitor, analyze and predict the course of ocean acidification.

The National Academy of Sciences study released yesterday aims to help federal agencies understand where research is needed. It recommends, among other things, modifying the U.S. ocean observing network to measure different factors related to ocean acidification and monitoring marine life to understand how biological systems will respond to changes in ocean chemistry.

Such research is urgently needed, the report noted: "Despite the potential for socioeconomic impacts to occur in coral reef systems, aquaculture, fisheries and other sectors, there is not currently enough information to assess these impacts, much less develop plans to mitigate or adapt to them."

At a Senate hearing yesterday, a commercial fisherman who trawls the waters of the Gulf of Mexico made a more emotional plea for government action.

Donald Waters, who described himself as a fisherman "for the better part of four decades," said ocean acidification hasn't affected his business catching red snapper and king mackerel out of his home port in Pensacola, Fla. But he said he fears what the future may bring.

"To me, this is just devastating," he said. "It's something you can't imagine -- if you lost the jobs, the men, the boats -- if our oceans turned more or less poison."

Dewey, the Taylor Shellfish Farms spokesman, is also looking to the future.

"The one thing that's daunting about this particular issue is that to resolve what's causing it -- it's massive," he said. "It's convincing the world that they need to stop emitting so much CO₂. And so that is what makes it different than a lot of the problems we face ... [but] we're still optimistic that science can help us adapt our hatchery processes."

April 23, 2010

Chickasaw Nation, Nat'l Park Service negotiating tribal management of national recreation area

Associated Press Newswires (APHO)

SULPHUR, Okla. (AP) - The Chickasaw Nation and the National Park Service are negotiating for the tribe to begin managing the Chickasaw National Recreation Area.

Tribal administrator of the Division of Self-Governance says Chickasaws have a historic relationship with the area in southern Oklahoma. Administrator Tom John adds that the negotiations are not for tribal ownership of the area.

Recreation area Superintendent Bruce Noble says tribal management is only a possibility. He says the discussions are too early to know what may occur.

John says the tribe's plan would be to expand existing historic, cultural and recreational activities.

The area is in the Arbuckle Mountains and includes streams, lakes, springs and valleys and offers boating, fishing, hunting and camping.

April 22, 2010

Indian leaders ask Congress to streamline energy development rules

By **MATTHEW BROWN**
Associated Press Writer

BILLINGS, Mont. (AP) - American Indian leaders on Thursday asked Congress to streamline the development of energy projects on tribal lands by curbing some federal oversight and providing incentives for companies to strike deals with reservations. Reservations from Oklahoma to Montana and Alaska sit atop large amounts of oil, natural gas and coal. Others in wind-swept regions of the Northern Plains and on the West Coast have huge renewable energy potential.

But existing government rules make it easier for energy companies to pursue projects on non-tribal land, some members of Congress and tribal leaders say. As a result, tribes often miss out on the chance to develop their natural resources.

"Tribes in some of the poorest counties in America have vast renewable energy resources that can help them overcome poverty," said Joe Garcia, Chairman of the All Indian Pueblo Council of New Mexico.

Garcia and other tribal representatives want the Senate Indian Affairs Committee to intervene through legislation proposed by Sen. Byron Dorgan, the North Dakota Democrat who chairs the committee. The tribes want to eliminate federal drilling fees, pare down the Interior Department's bureaucracy, and shield tribes from state and local taxes on energy projects.

Dorgan's bill has yet to be introduced. The tribal leaders' requests were welcomed Thursday by both Democrats and Republicans.

"Energy development means jobs," said Sen. John Barrasso, a Wyoming Republican. "It means income for families. It means paying the heating bill."

Nationwide, energy royalties paid to tribes through the federal government totaled more than \$334 million in 2008, the most recent year with figures available. That was down sharply from 2007, driven largely by a drop in oil and gas prices.

More than 2 million acres of tribal land have been developed for oil, gas and coal, according to the government. Estimates show 15 million acres more have the same potential, with additional land suited for wind, solar and other renewable energy projects.

In 2005, Congress tried to promote development by making it easier for tribes to enter agreements with private companies.

Witnesses at Thursday's hearings said those changes weren't enough. They also criticized changes instituted since 2005, such as a \$4,000 fee for drilling on public lands -- including reservations, which are held in federal trust.

Past efforts to roll back that fee nationwide met with strong opposition from environmental groups. Yet Alexis Bonogofsky, tribal lands coordinator for the National Wildlife Federation, said her group would give the issue wide berth if reservations were involved.

"We would rather tribes pursue renewable forms of energy," Bonogofsky said. "In terms of the traditional fossil fuel industry, it's up to each tribe to decide what they want to do. We put tribal sovereignty over everything we do."

April 23, 2010

Chickasaw Nation in talks over land in south central Oklahoma

PARK Deal with federal agency would shift management to tribe

BY MICHAEL BAKER

SULPHUR — The Chickasaw Nation is negotiating with the National Park Service to take over management of the Chickasaw National Recreation Area in south central Oklahoma.

"We are exploring the possibility of compacting to manage the Chickasaw National Recreation Area because the Chickasaw Nation has a positive historic relationship with the area," Tom John, administrator for the Chickasaw Nation Division of Self-Governance, said in a written statement Thursday.

"Possibly is the operative word," recreation area Superintendent Bruce Noble said. "It's really far too early to tell what the outcome of that might be."

Any deal would be governed by the Indian Self Determination Act, which allows tribes to work with national parks on certain programs and projects, he said.

Both park tribal officials said they are not negotiating a change in ownership.

"We are negotiating for a compact to manage the Chickasaw National Recreation Area, not for title to the property," John said.

If an agreement to manage the area is reached, there would not be any immediate changes — such as a casino — at the recreation area, John said.

"In order to conduct gaming, title to the property must be in the name of the Chickasaw Nation, which is not a part of the compact negotiations," he said.

"Eventually, we plan to expand on existing historic, cultural and recreational activities available to the public."

Murray County Commissioner Billy Frank Lance said the Chickasaw Nation has a good track record in the county of about 13,000 people where the Chickasaw National Recreation Area is located. A lot of the tribe's projects have helped the county get through the economic downturn, he said.

"They don't do anything second class that they do," Lance said. "I'm sure it will be something that will be welcomed by a lot of the people."

Other projects under way

The Chickasaw Nation has several projects, such as construction in Sulphur on a nearly \$22 million hotel patterned after a hotel built for the 1904 World's Fair. The tribe also plans on opening a cultural center, Lance said.

John said plans to manage the park would fit with the Chickasaw Nation's long-term goals for the southern Oklahoma area.

"Our long-term goals include expanding upon existing partnerships and developing a more unified approach to economic development and tourism in the region," he said.

The area in the Arbuckle Mountains includes streams, lakes, springs and valleys and offers boating, fishing, hunting and camping opportunities.

INDIAN COUNTRY

April 21, 2010

American Indian Supreme Court push

By Rob Capriccioso

WASHINGTON – Justice John Paul Stevens' retirement from the U.S. Supreme Court has some tribal legal advocates calling for an American Indian replacement.

Stevens, who announced April 9 he would retire in late June or early July, has served on the court since 1975. A member of the court's liberal voting bloc, he slowly grew stronger on tribal issues, including sovereignty, during his tenure, legal observers said. Still, the consensus is, he had a long way to go.

"Justice Stevens' record on Indian issues is a mixed bag," said Chris Stearns, a Navajo attorney for Hobbs Straus Dean & Walker and a commissioner with the Seattle Human Rights Commission. "His 35-year tenure on the court meant he was involved in some of the most significant cases in Indian law history.

"He wrote the Supreme Court's 1989 opinion affirming the Boldt decision upholding Washington tribal fishing rights and rejecting the state of Washington's appeal led by then-Attorney General Slade Gorton. That case remains one of the most profound recognition of the power of treaties."

Stearns added that Stevens was "the lone voice of reason" on the court during the controversial Carcieri decision of 2009, in which he argued in favor of the Narragansett Tribe's position.

On the other hand, Stearns noted that Stevens sometimes dissented against tribal interests in cases favoring tribes, such as Cabazon, which involved gaming, and Holyfield, which involved the Indian Child Welfare Act.

Matthew L.M. Fletcher, director of the Indigenous Law and Policy Center at Michigan State University, expanded on Stevens' anti-tribal decisions, saying that his legacy in Indian law is "very, very bad."

Fletcher said that Stevens was particularly tough in the area of federal Indian law preemption cases, where all tribal taxation cases fit.

"During the 1970s and through the 1980s, the tax cases were hit and miss because the court was unsure how to handle them. But in 1989's Cotton Petroleum case (authored by Stevens), the court placed the advantage squarely with the states and local governments. From then on, the court only took cases far out of step with its settled understanding. ..."

Fletcher also believes Stevens would "have eviscerated tribal sovereign immunity long ago," since he often has argued against any form of immunity, tribal, federal and state, for decades, to little or no avail.

Many Indian law experts believe the Supreme Court is weak on tribal issues because it has never had any knowledgeable members of that field.

To remedy the situation, some Native American-focused organizations are rallying for an Indian face on the bench. John Echohawk, director of the Native American Rights Fund, has been floated as the most common name, even receiving a nod in The Nation publication, which is influential in some Washington circles.

Richard Guest, a legal expert with NARF, said officials with his organization are soon to have a meeting with White House officials regarding Echohawk's qualifications, which range from tribal and federal expertise to nonprofit and legal aid issues.

"We believe we have a strong case to share regarding John Echohawk – not only because he is a strong Native American legal authority, but he also has diversity of perspective."

The National Native American Bar Association is also pushing for a Native candidate, sending the White House a letter April 14 to make that case.

"Our first goal is to try to get a Native person in there," said Heather Dawn Thompson, the immediate past president of the organization. "It's always a long shot, but we actually think we have as good a shot as anyone else."

Reasons for hope include a USA Today poll last year that indicated a majority of American people saying they'd like to see an Indian nominated to the court.

Plus, Thompson said the wide-ranging legal experience of Indian law experts should be a factor.

"Every Native attorney is a constitutional scholar, by definition. In this field, you just have to be a state and federal law expert. ... every single issue that could come up is addressed in this field."

Fletcher took a hesitant view of the likelihood of a Native selection.

"Sadly (very, very sadly), John Echohawk (or any other American Indian, or Indian law-focused practitioner) is definitely not a serious contender. Most realistic possibilities for the Supreme Court nomination are already federal or state judges in order to avoid the obvious question, 'What is the nominee's judicial experience?' And there simply are not any American Indians on the federal bench, and only a small handful on state appellate benches."

The NNABA has long made the case that the absence of Indian federal judges across the board needs to be remedied, especially since such cases tend to disproportionately affect Native Americans.

Among the non-Indian names mentioned for the bench, none are notable on Indian issues, and there is little consensus on who would be best in terms of tribal affairs.

President Barack Obama is expected to make a decision on his selection by summer. No matter the candidate, a tough confirmation battle is expected in Congress, given the increased politicization in that body lately.

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Tribal leaders welcome draft bill on energy reforms

Noelle Straub, E&E reporter

Tribal leaders yesterday largely praised a draft bill aimed at streamlining energy permitting for the nation's 562 federally recognized American Indian tribes but called for stronger provisions on consultation, transmission and funding.

A draft of the proposed Indian energy bill, released last month by Sen. Byron Dorgan (D-N.D.), is meant to address a maze of federal policies that have deterred both tribes and potential business partners from pursuing development.

American Indian reservations hold vast conventional and renewable energy reserves, but barriers to development include what Dorgan called a 49-step permitting process for energy projects akin to "walking through a thick glue," as well as lack of tribal access to the transmission grid and difficulties securing financing.

"What we're trying to do with this legislation is to remove impediments and to create incentives, both," said Dorgan, chairman of the Senate Indian Affairs Committee.

The draft bill would create up to three "one-stop shops" that would allow tribes to expedite permit approvals they today must obtain from four different Interior agencies. The offices would be within regional Bureau of Indian Affairs offices and aim to ensure the timely processing of leases, permits and royalties.

Dorgan said he asked Interior to open a similar one-stop shop near the Fort Berthold Reservation in North Dakota and that one year later the number of producing wells grew from 10 to 49 and more than \$180 million has been paid to the tribe.

While most tribal leaders support the proposed energy offices, Matthew Box, chairman of the Southern Ute Indian Tribe, raised concerns about them. Much has been accomplished in working with officials from the various Interior agencies, Box said, and his tribe fears that those officials would not be the ones selected to fill the positions in the new offices.

Ralph Andersen, CEO of the Bristol Bay Native Association, said tribes should be consulted in the appointment of directors to head the offices and that tribes should be allowed to provide the offices' services under self-determination compacts or contract agreements.

Dorgan said he understands that there have been plenty of good ideas that have not worked out because they are not implemented the right way but that he believes the one-stop provisions would work to streamline the permitting process.

The legislation also would create a program to assist tribes in comprehensive energy planning, provide technical and scientific assistance, allow permits for energy leases to be bundled with those that secure right of ways needed to access the resources, provide home weatherization grants, amend or extend several energy tax credits and establish some demonstration projects, among other provisions.

Joe Garcia, testifying on behalf of the National Congress of American Indians, said the bill provides a solid foundation his group hopes to build upon. He and other tribal leaders stressed that energy development on tribal lands is moot if tribes do not have access to the transmission grid. Garcia's group wants more robust language in the bill to ensure that tribal projects have equitable consideration in the transmission queue and that there should be a priority for transmitting energy from federal and tribal lands.

Tribes also should be able to receive direct funding from the Energy Department under its state energy program and weatherization program, Garcia said, and states and counties should be prevented from imposing taxes on tribal energy projects. Several tribal leaders called for more funding for tribal energy efficiency and conservation programs and home weatherization.

Box opposed the comprehensive energy planning process, saying it would increase the need for National Environmental Policy Act reviews not required on adjoining private lands.

Vice Chairman John Barrasso (R-Wyo.) this week offered proposed amendments to the draft bill, including one that would provide tribes more flexibility and funding to consolidate so-called fractionated lands that have been divided into small parcels when passed down over generations.

The committee began working two years ago to identify obstacles to Indian energy development, holding two hearings and a series of roundtables throughout Indian Country. Dorgan and Barrasso last September released a "concept paper" with a framework of proposals aimed at addressing some of the biggest obstacles to energy development on tribal lands.