

## Bush's environmental acts being undone

by **Shaun McKinnon** - Feb. 5, 2009 12:00 AM  
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Interior Secretary Ken Salazar canceled 77 oil and natural-gas leases on public lands amid eastern Utah's famed red rocks Wednesday and said he expects to undo or revise other last-minute Bush administration actions in the coming weeks.

The Bureau of Land Management auctioned the leases in December, but did so without considering the potential harm to 130,000 acres near two national parks, a wilderness area and the Green River, Salazar said.

He instructed the BLM to void the leases and return \$6 million in payments to the winning bidders.

"There were a number of decisions made by the Bush administration and, in my view, many of them were rushed, without going through proper environmental review," Salazar said. "We are looking at many of those matters. This is only one of a dozen or so."

Democrats in Congress and conservation groups have asked the Obama administration to reverse a raft of Bush environmental policies, including measures that let government agencies ignore the endangered-species law, eased air-quality rules and narrowed the definition of hazardous waste.

Salazar said his agency will seek a balance between resource use and preservation, acknowledging that some of the nation's needed energy resources are on public lands.

"It will take time to restore balance and to restore the type of thoughtful approach we should have," he said. "We have to make sure we have the right balance between development of our resources and protection of our environment."

Even before Obama took office, Democrats in Congress had begun introducing legislation to undo Bush's initiatives and environmental groups were waiting with boxes full of regulations they wanted rewritten and arks full of potentially endangered species.

"The Bush administration did their utmost to do the least amount of protection possible," said Noah Greenwald, biodiversity director of the Tucson-based Center for Biological Diversity, an advocacy group.

"For a while, we're going to have to be focused on cleaning up the Bush legacy," Greenwald added.

Bush made few friends in the conservation community during his two terms, gaining a reputation from the start that he would weaken environmental laws to favor private industry.

He stirred harder feelings in the waning months of his presidency with a series of regulatory changes and actions such as the oil and gas leases in eastern Utah.

Obama froze some of the pending regulations, granting a reprieve, for example, to the gray wolf, which was slated to lose its endangered status. But many of the new rules will take time or congressional action to undo.

Among the big-ticket policies conservation groups want to see repealed or rewritten:

- Government agencies can now approve logging, mining, road-building or other activities on public lands without assessing the effects on endangered species.
- The effects of climate change cannot be considered in determining whether a plant or animal species is threatened or endangered.
- The Environmental Protection Agency decided not to regulate carbon dioxide as a greenhouse gas, a move critics saw as a way to keep global-warming concerns out of U.S. regulations.
- Many streams, rivers and washes that flow only intermittently are now excluded from Clean Water Act regulations, freeing developers from some waste-disposal rules.

One of the first bills introduced in the House Natural Resources Committee last month would protect land near the Grand Canyon from uranium mining and exploration. Democrats tried to block exploratory work last year, but the Bush Interior Department forged ahead.

Rep. Raul Grijalva, D-Ariz., once a leading candidate for Interior secretary under Obama, wasted little time introducing a bill to restore the ban.

"The federal government and mining companies should not propose new mining when they still have not adequately dealt with the cleanup of old

uranium-mine sites," Grijalva said. Those sites, on the Navajo and Hopi reservations and along the Colorado River, remain contaminated decades after the mines closed, he said.

Grijalva chairs the subcommittee that oversees national parks, forests and public lands, as well as parts of the Bureau of Land Management and National Park Service.

The Grand Canyon Trust, a Flagstaff conservation group, is working with Grijalva and others to stop exploratory work that began last year at several sites after the Bush administration cleared the way.

The trust also supports wider reform of the nation's 137-year-old mining laws. Critics say the laws have allowed mining operations to underpay for ore extracted from public lands and leave mines in poor condition.

The mining-bill rewrote struggled to find traction during the Bush years and still face tough questioning from Senate Majority Leader Harry Reid, whose home state of Nevada supports a huge mining industry.

Mine operators are invoking the economic slowdown in opposing the bill, warning that the measure and its higher fees would cost the nation thousands of jobs.

"These are jobs and operations that can play a vital role in rebuilding America," said Hal Quinn, president of the National Mining Association. "But they cannot shoulder the world's highest royalty and remain competitive in the international marketplace."

Other business groups have sounded similar concerns about new environmental regulations.

William Kovacs, vice president of the U.S. Chamber of Commerce, applauded the Bush plan to prohibit the consideration of climate change in determining threatened or endangered species. He said it was a common-sense approach that would help move along proposed infrastructure projects and create jobs.

Worried that influential foes could still derail changes, even with Democrats in charge, some conservation groups are keeping legal options open.

The Arizona Wilderness Coalition, Wilderness Society, Sierra Club and other groups have filed suit to overturn management policies they say have damaged the Grand Canyon-Parashant and Vermilion Cliffs national monuments in northern Arizona.

The suit claims the BLM has ignored the proclamations that created the monuments and have allowed them to suffer damage from off-road vehicles, vandals and other uses.

The Center for Biological Diversity sued its way through the entire Bush administration and has several cases still in the courts aimed at protecting endangered species.

Greenwald said Bush left an abysmal record, protecting just 61 new species in his two terms, barely one-fourth of the 231 species added by his father, George H.W. Bush, in one term.