



## Coalition To Protect America's National Parks Weekly National Park System Report

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### Incidents

#### **Rocky Mountain National Park Court Affirms Conviction Of Man Who Killed Wife In Park**

An appeal to the U.S. Supreme Court by a Colorado man convicted of shoving his wife off of a cliff to her death in Rocky Mountain National Park has been denied.

Harold Henthorn, convicted in 2015 in the murder of his wife, Toni Bertolet Henthorn, filed a petition for a [writ of certiorari](#) with the U.S. Supreme Court, seeking a re-examination of a 10th Circuit Court of Appeals decision affirming his conviction.

Henthorn, through his attorneys, had argued before the 10th U.S. Circuit Court of Appeals that U.S. District Judge R. Brooke Jackson should not have allowed evidence in the death of his first wife, Sandra "Lynn" Henthorn to be introduced in the case of his second wife's death.

In 1995, Henthorn stopped to change a tire on a Jeep. Shortly afterward, Sandra Henthorn was crushed as the Jeep fell on her. Just as in the death of Toni, Henthorn collected large insurance claims on his first wife.

"This case presents us with the difficult issue of whether a district court presiding over a murder trial abused its discretion in admitting evidence of prior, similar incidents, including whether the defendant killed his second wife in circumstances similar to those that led to the death of his first wife," the 10th Circuit Court decision said in July.

The Denver-based appeals court determined that Jackson properly admitted the evidence in question. "The probative value of the evidence was not substantially outweighed by its potential for unfair prejudice."

Toni, in September 2012, plunged 128 feet to her death during a hike to celebrate the couple's 12th wedding anniversary. Henthorn is serving a life sentence in federal prison.

His petition was denied by the Supreme Court on Monday, January 8th.

Source: *Denver Post* [news story](#).

#### **Sequoia National Park Four Employee Vehicles Mashed By Falling 150-Foot Pine**

On the afternoon of January 9th, a 150-foot-tall, 38-inch-around Jeffery pine fell on four vehicles parked in Lodgepole Market's employee parking lot.

There were no injuries to staff or visitors. The cause of the tree falling is still unknown and park officials are looking into the situation.

Rangers are encouraging visitors to maintain awareness of their surroundings when hiking, camping, and traveling through Sequoia and Kings Canyon. They are also being advised to avoid spending prolonged periods under dead or partly dead trees or branches.

According to state officials, there are roughly 129 million dead trees in California because of drought and bark beetles— 25.2 million of those trees are in Tulare County.

"The number of dead and dying trees has continued to rise, along with risks to communities and firefighters if a wildfire breaks out in these areas," said Randy Moore, regional forester of the U.S. Forest Service. "It is apparent from our survey flights this year that California's trees have not yet recovered from the drought, and remain vulnerable to beetle attacks and increased wildfire threat."

Source: *Visalia Times-Delta* [news story](#).

## **News From Around Washington**

Reports from Capitol Hill, the White House, the Department of the Interior, the National Park Service and other related agencies and NGO's.

### **Department of the Interior Zinke Proposes Massive Reorganization Of Interior Agencies**

On January 10th, a story appeared in the *Washington Post* by Juliet Eilperin and Darryl Fears entitled "Interior Plans To Move Thousands Of Workers In The Biggest Reorganization In Its History." Here are key excerpts:

"Interior Secretary Ryan Zinke launched an unprecedented effort Wednesday to undertake the largest reorganization in the department's 168-year history, moving to shift tens of thousands of workers to new locations and change the way the federal government manages more than 500 million acres of land and water across the country.

"The proposal would divide the United States into 13 regions and centralize authority for different parts of Interior within those boundaries. The regions would be defined by watersheds and geographic basins, rather than individual states and the current boundaries that now guide Interior's operations. This new structure would be accompanied by a dramatic shift in location of the headquarters of major bureaus within Interior, such as the Bureau of Land Management and the Bureau of Reclamation.

"As part of the reorganization, Zinke brought 150 Senior Executive Service staffers to Washington this week to explain his proposal, get their input and split them into working groups that discussed ways to streamline the Bureau of Land Management, Bureau of Reclamation, Fish and Wildlife Service and other key agencies. Participants identified alternative cities outside Washington, Denver and Albuquerque where thousands of employees could live with suitable schools and homes they can afford. The department has 70,000 employees...

"Moving thousands of employees around the country would require congressional authorization. Zinke said the Trump administration plans to negotiate the reorganization in the upcoming budget approval process. During the Great Depression, Congress had delegated 'consolidation authority' to the president but then withdrew it when the law's sunset provision was triggered in 1984...

"Any attempt to undertake a broad overhaul of Interior is likely to encounter some level of congressional opposition, and several Democratic senators expressed initial skepticism about the plan.

“At a budget hearing in June, Zinke defended a \$1.6 billion proposed budget cut at Interior, saying he planned to shave 4,000 positions from the workforce. In September, he said a third of Interior’s staff was ‘not loyal to the flag,’ meaning the Trump administration.

“[Former Secretary Sally] Jewell cited those remarks. ‘I will say most people view this not as an attempt to streamline but an attempt to downsize’ Interior’s workforce, she said.

“Zinke said he regretted the way he framed the loyalty remark in a speech to mostly oil and gas industry executives because it left room for misinterpretation. He said reorganization is necessary and can be done...

“Interior is poised to move employees because 16 percent of its workforce is currently at retirement age, Zinke said. About 40 percent will be at retirement age in five years, he said. ‘We don’t have to RIF [reduction in force] anyone’ through layoffs and other means, he said. As people retire, positions can be shifted from Denver or Washington to “to a position closer to the field,’ Zinke said.

“Many congressional Republicans have embraced the idea of moving large divisions of Interior out the nation’s capital...Environmentalists, who have fought with Zinke on a number of fronts since he first took office, expressed skepticism at the idea of such a radical change in the department’s structure.”

Source: *Washington Post* [news story](#).

### **Department of the Interior Zinke Refusal To Meet With NPS Advisory Board Leads To Resignations**

The January 16th edition of the *Washington Post* has a story by Juliet Eilperin entitled “Nearly All Members Of National Park Service Advisory Panel Resign In Frustration.” Excerpts follow, including comments by Coalition chair Phil Francis:

“Three-quarters of the members of a federally chartered board advising the National Park Service abruptly quit Monday night out of frustration that Interior Secretary Ryan Zinke had refused to meet with them or convene a single meeting last year.

“The resignation of nine out of 12 National Park System Advisory Board members leaves the federal government without a functioning body to designate national historic or natural landmarks. It also underscores the extent to which federal advisory bodies have become marginalized under the Trump administration. In May 2017, Zinke suspended all outside committees while his staff reviewed their composition and work.

“In a letter to the secretary, departing board chairman Tony Knowles, a former Alaska governor, wrote that he and eight other members ‘have stood by waiting for the chance to meet and continue the partnership . . . as prescribed by law.’ All of the signatories had terms set to expire in May.

“We understand the complexity of transition but our requests to engage have been ignored and the matters on which we wanted to brief the new Department team are clearly not part of its agenda,’ Knowles wrote. ‘I wish the National Park System and Service well and will always be dedicated to their success...’

“The Coalition to Protect America’s National Parks, which is made up of current, former and retired Park Service staff, sharply criticized the secretary’s treatment of the long-standing board.

“;This discourteous and disrespectful treatment of the board is inexcusable and, unfortunately, consistent with a decidedly anti-park pattern demonstrated by Secretary Zinke’s department,. coalition chair Phil Francis said. “We keep waiting for a pro-park agenda to emerge, but we are now convinced we are waiting in vain.”

Source: *Washington Post* [news story](#).

## **Department of the Interior NPS To Be Evicted From Offices In Main Interior**

The above *Washington Post* article also included a short passage regarding a planned upcoming action sure to disrupt the management of the agency. It warrants its own entry. Here it is in its entirety:

“The [NPS advisory] board members’ action comes as one of Zinke’s top deputies, Doug Domenech, assistant secretary for insular areas, plans to move into the Washington offices that the National Park Service has occupied for half a century. NPS will be relocated elsewhere in the building, according to individuals briefed on the plans.”

Source: Above *Washington Post* article.

## **Capitol Hill Weekly Legislative Roundup**

### ***New Public Laws***

On January 8th, the president signed into law:

- H.R. 560, to provide access to certain vehicles servicing municipalities adjacent to the Delaware Gap National Recreation Area in PA via route 209. (P.L. 115-101).
- H.R. 1242, to establish a commission to authorize activities and programs to recognize the contributions of African-Americans to the United States over the past 400 years. (P.L. 115-102).
- H.R. 1927, to establish within the National Park Service a U.S. Civil Rights Network that includes all NPS parks and programs that relate to the civil rights movement from 1939 through 1968 as well as related federal, state, local, and privately owned properties and related research, educational or interpretive programs carried out by non-governmental organizations. (P.L. 115-104).
- H.R. 267, to redesignate Martin Luther King, Junior National Historic Site in GA as Martin Luther King, Jr. National Historical Park and to expand the boundary to include the Prince Hall Masonic Temple, the headquarters of the Southern Christian Leadership Conference. (P.L. 115-108).

### ***Senate***

On January 8th, the nominations of Susan Combs of TX, to be assistant secretary for policy, management and budget, and Ryan Douglas Nelson of ID, to be solicitor, Department of the Interior, as well as that of Kathleen Hartnett White of TX, to be chair of the Council on Environmental Quality were resubmitted to the Senate. All three failed to be confirmed by the Senate prior to the adjournment of the first session of the 115th Congress, thus requiring their resubmission.

### ***House***

On January 10th, the House Committee on Natural Resources approved, among other bills:

- H.R. 801, to designate the Route 66 National Historic Trail.
- H.R. 1220, to establish the Adams Memorial Commission for the purpose of establishing a permanent memorial located in Washington, D.C. to honor John Adams and his legacy as authorized by Public Law 107-62.
- H.R. 2711, to designate a National Memorial to Fallen Educators at the National Teachers Hall of Fame in Emporia, Kansas.

On January 17th, the House Natural Resources Committee will mark up, among other bills:

- H.R. 443, to direct the Secretary of the Interior to study the suitability and feasibility of designating the James K. Polk Home in Columbia, Tennessee, as a unit of the National Park System.
- H.R. 553, to redesignate Gravelly Point Park, located along the George Washington Memorial Parkway in Arlington County, Virginia, as the Nancy Reagan Memorial Park.
- H.R. 805, to allow for the conveyance of two properties, and the relinquishment of their reversionary interest, currently owned by the Union Pacific Railroad, to the City of Tulare, CA, which uses the properties for youth recreational opportunities.
- H.R. 1417, to amend the National Law Enforcement Museum Act to allow the Museum to acquire, receive, possess, collect, ship, transport, import, and display firearms, and for other purposes.
- H.R. 2987, to amend the Public Lands Corps Act of 1993 to establish the 21st Century Conservation Service Corps to place youth and veterans in national service positions to conserve, restore, and enhance the great outdoors of the United States, and for other purposes.
- H.R. 3058, to redesignate the Jefferson National Expansion Memorial in the State of Missouri as the "Gateway Arch National Park".
- H.R. 3961, to amend the Wild and Scenic Rivers Act to designate segments of the Kissimmee River and its tributaries in the State of Florida for study for potential addition to the National Wild and Scenic Rivers System.

Source: Don Hellmann, former assistant director, legislative and congressional affairs for the National Park Service.

### **Park People, Friends and Allies**

#### **Mount Rainier National Park**

#### **Randy King Retires; Tracy Swartout Named Acting Superintendent**

Tracy Swartout has been named acting superintendent for Mount Rainier National Park. She replaces Randy King, the current superintendent, who retires this month following a 40 year career with the National Park Service, including the last 14 plus years at Mount Rainier. Swartout will serve until the superintendent position can be announced and filled.

In addition to working as the park's deputy superintendent for the last five years, Swartout has held a variety of NPS positions throughout her 18 year career, including stints in Utah, Washington D.C., and as superintendent of Congaree National Park in South Carolina.

Swartout received a bachelor's degree in environmental geography from the University of South Carolina and a master's degree in natural resource management from the University of Waterloo in Ontario, Canada. She also completed postgraduate work at Duke University's Nicholas School of the Environment and the United States Department of Agriculture's Graduate School.

Source: Mount Rainier NP [news release](#).

#### **Coalition to Protect America's National Parks**

#### **Kurt Repanshek and Maureen Finnerty Cited For Service**

The Coalition presents awards at appropriate times to draw attention to individuals who have made significant contributions to its goals. Two were conferred recently – the 2016 Hartzog Award to George Repanshek and the 1872 Award to Maureen Finnerty.

Kurt Repanshek was selected to receive the 2016 Hartzog Award, given annually by the Coalition to an individual who has made significant contributions to the National Park System and Service. Kurt is the founder and CEO of *National Parks Traveler*, which has 1.6 million readers annually. Kurt has been a strong supporter of and advocate for the National Park System and has raised important issues and concerns about the management of the parks. His efforts have raised awareness of challenges

facing our parks and have been an important component of the ongoing dialogue about preserving parks for future generations.

The 1872 Award is given annually by the Coalition to an individual for his or her outstanding service and support for the mission of the Coalition. This year, the Coalition selected Maureen Finnerty, outgoing chair of the executive council.

Maureen has served on the council for the past twelve years, six of which as chair. She has led a wide variety of advocacy efforts for parks and the National Park System. Efforts to influence decision-making processes that protect park values have included input to the courts of law, the court of public opinion, Congress, and other land management agencies.

Above all, Maureen has worked hard to assure that the Coalition grows stronger and reaches its full potential as an advocate for the National Park Service, parks, and park values. Phone calls are always returned quickly; e-mails are always answered quickly; and good judgment is invariably applied to decision-making. In essence, Maureen has been the glue connecting the executive council and has inspired council contributions throughout her service as chair. She will be greatly missed in that role.

Source: Coalition [January brief](#).

## **Reports and Releases**

Short summaries of recent news stories and agency press releases pertaining to the department, the Service, public lands and the environment.

## **Administration**

**Impacts Of Trump's Department of the Interior** – Elizabeth Kolbert, the highly-regarded environmental writer for *The New Yorker*, writes in the January 22nd edition under the headline “Slash and Burn” about the damage being done by DOI under this administration: “Under Ryan Zinke, the Secretary of the Interior, it’s a sell-off from sea to shining sea.” Zinke, she says, is pretty typical for this administration: “A lack of interest in the public interest is, these days, pretty much a precondition for running a federal agency.” Nonetheless, “Zinke manages to stand out for the damage he is doing.” Her conclusion: “In the decades to come, one can hope that many of the Trump Administration’s mistakes—on tax policy, say, or trade—will be rectified. But the destruction of the country’s last unspoiled places is a loss that can never be reversed.” [Full text](#).

**Attacks On The Antiquities Act** – The current issue of the *Harvard Law Review* has an article by Mark Squillace entitled “The Looming Battle Over the Antiquities Act.” It provides a history of the act and how it has since been employed, then dispassionately outlines the likely arguments in the coming debate. Squillace’s concluding observation: “Ultimately, of course, the last word on the myriad legal issues raised by the recent proclamations on Grand Staircase-Escalante and Bears Ears will come from the federal courts, and predicting the outcome of litigation is always fraught with risk. But even if the case is closer than I suspect it will be, the special place that our public lands hold in the hearts and minds of the American people will not likely be lost on the courts, and could, in the end, tip the scales in favor of their protection.” [Full text](#).

**Redefining The Public In ‘Public Lands’** – The January 12th *Los Angeles Times* has an editorial by Michael Blumm, a professor who’s taught public lands law for nearly four decades, on how the Trump administration is “redefining the ‘public’ in ‘public lands.’” Blumm echoes the two writers above, observing that the administration’s “failure to protect the public’s proprietary interest in federal lands will have adverse effects — perhaps irreversible ones — long after the incumbent administration is a mere memory. In the meantime, the public’s best hope lies in numerous ongoing federal court suits, which may be able to slow Trump’s assault on our shared heritage.” [Full text](#).

## **National Park System**



**Cell Towers In National Parks** – A story appeared in the December 27th *Kansas City Star* concerning the appropriateness of the rapidly increasing number of cell phone towers in national parks. “In Yosemite, Yellowstone, Mount Rainier and other iconic parks, environmentalists are pressing the National Park Service to slow or halt construction of new cellular towers within park boundaries,” writes reporter Stuart Leavenworth. “They say the NPS is quietly facilitating a digital transformation with little public input or regard to its mission statement — to preserve ‘unimpaired the natural and cultural resources and values of the National Park System.’” [Full story](#).

**SAR And Wildland Firefighting: Badass Jobs** – The November issue of *Outside* has an article entitled “The 10 Most Badass Outdoor Jobs.” Second on the list is wildland firefighter, sixth is search and rescue. The work of YOSAR (Yosemite SAR) is specifically cited in the latter. [Full story](#).

**Mountain Goat Relocation Proposed For North Cascades** – The *Skagit Valley Herald*’s December 24th edition has an article on a plan to relocate goats to the North Cascades: “The National Park Service and U.S. Forest Service, along with the state Department of Fish & Wildlife and area tribes, have proposed relocating hundreds of goats from the Olympic Mountains to the North Cascades beginning as early as mid-2018. The plan aims to boost recovery of the species in the North Cascades.” The article includes details on the plan. [Full story](#).

**Cars vs. Bears At Yosemite** – The *San Francisco Chronicle* ran a story on December 24th on the increasing number of fatal collisions by cars with bears in the park – at least 27 last year. Part of the reason is the steady growth of the California bear population, up from about 4,000 in 1984 to about 40,000 now. “Wildlife biologists estimate that more than 400 have been hit on roadways in Yosemite since 1995, making vehicle collisions one of the leading causes of black bear mortality in the region. The number has alarmed officials, considering only 300 to 500 black bears live in Yosemite, according to the most recent estimates.” A campaign to get drivers to slow down is underway. [Full story](#).

**Katahdin Woods and Waters To Hold Winter Use Public Meeting** – The park will host a public meeting on January 24th to discuss winter use within its boundaries. The meeting is designed to help the NPS better understand the diversity of opportunities and concerns related to winter activities and to inform the development of a management plan for the newly created national monument. [Additional information](#).

## **Public Lands**

**Bundy Mistrial Declared** – Although this happened before Christmas, it’s being included here on the chance you missed it. A judge declared a mistrial in the trial of Cliven, Ammon and Ryan Bundy and Ryan Payne, finding that the federal government had improperly withheld evidence. A new trial will take place shortly. The following story in the *Las Vegas Review-Journal* provides additional details, plus some observations by the judge. [Full story](#).

**BLM Seeks Public Input For Bears Ears Management Plan** – The Bureau of Land Management is seeking public input in advance of preparing land use plans for Bears Ears National Monument. On January 16th, a “Notice of Intent to Prepare Monument Management Plans for the Bears Ears National Monument Indian Creek and Shash Jáa Units and associated Environmental Impact Statement” was published in the *Federal Register*. That publication launched the public scoping period for the land use planning process. The BLM will accept comments for at least 60 days, or for 15 days after the last scheduled public scoping meeting, whichever is later. Comments can be submitted at [this link](#). For additional details, see the article in the *Los Alamos Daily Post*. [Full story](#).

## **The Environment**

**The Disappearing EPA** – Just before Christmas, the *New York Times* posted a story on the unraveling of EPA under this headline: “E.P.A. Officials, Disheartened by Agency’s Direction, Are Leaving in Droves.” The article makes clear the dimensions of the diaspora from the agency: “More than 700 people have left the Environmental Protection Agency since President Trump took office, a wave of departures that puts the administration nearly a quarter of the way toward its goal of shrinking the agency to levels last seen during the Reagan administration. Of the employees who have quit, retired

or taken a buyout package since the beginning of the year, more than 200 are scientists. An additional 96 are environmental protection specialists, a broad category that includes scientists as well as others experienced in investigating and analyzing pollution levels. Nine department directors have departed the agency as well as dozens of attorneys and program managers. Most of the employees who have left are not being replaced.” [Full story](#).

**Undoing Environmental Protections** – *Mother Jones* magazine has printed a short compendium of sixteen major environmental protections that were cut during the first year of the Trump administration, noting that they “had a very busy year attacking nature.” Along with those we’re mostly familiar with, like the attack on national monuments and opening ANWR to drilling, there are a number that are less familiar, such as BLM and EPA methane rules and an oil well blowout prevention rule. [Full story](#).

**Carbon Pollution Has Rolled Back Climate At Least 12 Million Years** – According to a Harvard scientist, reports *Forbes* magazine, “the level of carbon now in the atmosphere hasn’t been seen in 12 million years... and this pollution is rapidly pushing the climate back to its state in the Eocene Epoch, more than 33 million years ago, when there was no ice on either pole.” The impacts, not surprisingly, will be dire. In a presentation on these findings, Harvard professor James Anderson “prosecuted a moral argument that implicates university administrators who refuse to divest from fossil fuels, journalists who fail to fact-check false statements made by political candidates, and executives of fossil fuel companies who continue to pursue activities that are exacerbating climate change—especially those who mislead the public about those effects. ‘I don’t understand how these people sit down to dinner with their kids,’ Anderson said, ‘because they’re not stupid people.’” [Full story](#).

### CPANP Member Notices

This section has been created to capture short notes from members to their colleagues across the country. Send submissions to [BHalainen@gmail.com](mailto:BHalainen@gmail.com).

- **41st Intake Class** – Tom Bradley and Linda Martin are curious as to how members of their intake class from the early 1970s are doing. If you were in that class and would like to be included in a new roster, please contact either Tom ([thosbrad@gmail.com](mailto:thosbrad@gmail.com)) or Linda ([linda115martin@gmail.com](mailto:linda115martin@gmail.com)). A get-together is also being contemplated.

### Acknowledgements

This corner of the newsletter is being restructured a bit in order to first acknowledge the assistance of regular contributors, then to thank those who intermittently send in tips on articles.

The newsletter is now almost a year old. During that time, three people in particular have provided sustained support and have earned titles:

- Publisher: Steve Pittleman – final formatting and dissemination of each issue
- Congressional Correspondent: Don Hellmann – preparing weekly updates on Congress
- At Large Correspondent: Dennis Burnett – finding and forwarding articles from all over

Thanks also go to Tony Sisto, Maureen Finnerty, Duncan Morrow and Cathy Halainen, who provided links to articles that appear in this issue.

If you see something that might be of interest to Coalition members, send it to Bill Halainen at the Weekly National Park System Report: [BHalainen@gmail.com](mailto:BHalainen@gmail.com). Please don’t submit them via his personal email address or Facebook page.

### A Closing Observation



This week's quote, which is a bit shopworn but still valid (and timely), is often attributed to a Roman general named Petronious Arbiter, but was actually made by Charles Ogburn, a communications officer with Merrill's Marauders during WWII:

"We trained hard, but it seemed that every time we were beginning to form up into teams we would be reorganized. Presumably the plans for our employment were being changed. I was to learn later in life that, perhaps because we are so good at organizing, we tend as a nation to meet any new situation by reorganizing; and a wonderful method it can be for creating the illusion of progress while producing confusion, inefficiency, and demoralization."

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The *Weekly National Park System Report* is a publication of The Coalition To Protect America's National Parks. It is prepared by Coalition member Bill Halainen, former editor of the *NPS Morning Report*, and produced and disseminated by Coalition member Steve Pittleman.

The Coalition is a non-profit organization of past and current NPS employees and their allies that "studies, educates, speaks, and acts for the preservation and protection of the National Park System and mission-related programs of the National Park Service."

To receive a copy of this free publication, join the coalition. Any current, retired or former salaried (GS, wage grade, seasonal, temporary, or SES) employee of the National Park Service can join the Coalition. For more information, click on [this link](#).

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