

COMMITTEE ON APPROPRIATIONS - DEMOCRATS  
UNITED STATES HOUSE OF REPRESENTATIVES  
Norm Dicks, Ranking Democratic Member

FOR IMMEDIATE RELEASE: Wednesday, June 27<sup>th</sup>, 2012

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## SUMMARY OF THE INTERIOR & ENVIRONMENT FY13 APPROPRIATIONS BILL

### BACKGROUND

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On June 19<sup>th</sup>, House Republicans released their [Interior & Environment FY2013 Appropriations bill](#). The bill will be considered at Full Committee today, [Wednesday, June 27th, at 10AM](#). The bill proposes drastic cuts to the Environmental Protection Agency, Land and Water Conservation Fund and the U.S. Fish and Wildlife Service.

Republicans consistently argue that government regulation - with the most blame attributed to the EPA - is at fault for the current recession with little to no evidence to back this up. On the contrary, Bureau of Labor Statistics figures consistently show what we've known for some time that what is holding our economy down is a [lack of demand, not government regulations](#).

The EPA is cut in this Republican bill by -17%, even though the vast majority of these funds go to states and localities for infrastructure projects. Unemployment in the construction sector is at [14.2%](#); workers that could be employed in clean water infrastructure projects that have more than a \$662 billion backlog.

*"Last year's Republican proposal had abysmal funding levels and [39 riders for special interests](#); essentially including an entire authorizing bill on the back of an appropriations bill. This year's bill is only marginally better. Despite the hyperbole of some of my Republican friends, EPA programs and regulations did not cause this recession and tying the hands of this important agency certainly won't get us out - that idea is as fictional as recent reports of EPA drones."*

*- [Rep. Norm Dicks, Full Committee Ranking Member](#)*

*"The deep funding cuts to important conservation and environmental protection programs would, if enacted, cause serious harm to our environment. Likewise, this bill again includes a number of riders and funding limitations that I believe do not belong in the bill and whose effect would be to undermine important environmental law. I strongly disagree on the need for these provisions. Protecting the public's health did not cause the recession, and suspension of these laws will not sustain a recovery."*

*- [Rep. James Moran, Subcommittee Ranking Member](#)*

## FUNDING LEVELS

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**Total Allocation: \$28 billion** | **-\$1.175 billion** *below* the FY2012 enacted level | **-\$1.67 billion** *below* the President's FY2013 request.

**Environmental Protection Agency (EPA):** The bill provides \$7.05 billion total, **-\$1.4 billion** *below* the FY2012 enacted level and **-\$1.3 billion** *below* the President's request. This would be a **-17%** cut below last year's level. In the last two years the EPA has been cut **-18%**.

**Clean Water State Revolving Fund:** The bill provides \$689 million total, **-\$778 million** *below* the FY2012 enacted level and **-\$486 billion** *below* the President's request. This is a **-54%** cut below last year. This is a program that implements the Clean Water Act through financial assistance to localities and tribes for wastewater, sewer, water reclamation and storm water treatment.

**Drinking Water State Revolving Fund:** The bill provides \$829 million total, **-\$89 million** *below* the FY2012 enacted level and **-\$21 million** *below* the President's request. This is a **10%** cut to a program that implements the Safe Drinking Water Act, financing projects to install, upgrade or replace infrastructure to ensure safe drinking water. The program prioritizes small and disadvantaged communities.

**Bureau of Indian Affairs:** The bill provides \$2.57 billion total, **\$37 million** *above* the FY2012 enacted level and **\$41 million** *above* the President's request.

**Indian Health Service:** The bill provides \$4.49 billion total, **\$187 million** *above* the FY2012 enacted level and **\$71 million** *above* the President's request.

**National Park Service:** The bill provides \$2.45 billion total, **-\$135 million** *below* the FY2012 enacted level and **-\$134 million** *below* the President's request.

**US Fish and Wildlife Service:** The bill provides \$1.16 billion total, **-\$317 million** *below* the FY2012 enacted level and **-\$389 million** *below* the President's request.

**National Wildlife Refuge System:** The bill provides \$189 million total, **-\$48 million** *below* the FY2012 enacted level and **-\$57 million** *below* the President's request. This cut would lead to a reduction in services across the agency. Efforts to control invasive plants; visitor services; maintenance of wetlands; and refuge law enforcement and access, would all be severely impacted.

**Bureau of Land Management:** The bill provides \$1.073 billion total, **-\$40 million** *below* the FY2012 enacted level and **-\$34 million** *below* the President's request.

**US Geological Survey:** The bill provides \$967 million total, **-\$101 million** *below* the FY2012 enacted level and **-\$135 million** *below* the President's request.

**Forest Service (Non-Fire):** The bill provides \$2.29 billion total, **-\$252 million** *below* the FY2012 enacted level and **-\$271 million** *below* the President's request.

**Forest Service Wildland Fire:** The bill provides \$2.07 billion total, **\$338 million** *above* the FY2012 enacted level and **\$102 million** *above* the President's request.

**Land & Water Conservation Fund:** The bill provides \$66 million total, -\$279 million *below* the FY2012 enacted level and -\$384 million *below* the President's request. This would be the lowest level of funding for LWCF since the program was established in 1965. There would be no funds for new land acquisitions including agency plans to acquire historic trails, such as portions of both the Lewis and Clark and Oregon National Historic trails. The National Park Service would not be able to go ahead with planned expansions of important additions to Glacier, Grand Teton and Mount Rainier National Parks, as well as planned acquisitions of Civil War battlefield sites. Many of these proposed land acquisitions are part of vital initiatives to protect endangered species like the Chinook Salmon in the Nisqually Wildlife Refuge and the 278 federal and state listed species in the Everglades Headwaters Wildlife Refuge.

**Forest Legacy Program:** The bill provides \$3 million total, -\$50 million *below* the FY2012 enacted level and -\$57 million *below* the President's request. This level would only cover administrative oversight of existing grants and would essentially be a wind-down of the program. This program provides grants to State partners to protect environmentally important forest areas that are under threat.

**Smithsonian Institution:** The bill provides \$789 million total, -\$21 million *below* the FY2012 enacted level and -\$68 million *below* the President's request.

**National Endowment for the Humanities:** The bill provides \$132 million total, -\$14 million *below* the FY2012 enacted level and -\$22 million *below* the President's request.

**National Endowment for the Arts:** The bill provides \$132 million total, -\$14 million *below* the FY2012 enacted level and -\$22 million *below* the President's request.

## **LIST OF LEGISLATIVE RIDERS** *[In order as they appear in the bill, with section numbers cited]*

*(\*) New riders not included in FY12 Republican proposal.*

**Blocks Agency Appeal of Grazing on Public Lands:** [\[Section 112\]](#) Permanently amends administrative appeal procedures for grazing on public lands to require parties to exhaust all administrative appeals before they may file suit in Federal Court.

**Blocks NEPA Review of Livestock Movement across Public Lands:** [\[Section 113\]](#) Provides that for FY2013 and FY2014 the movement ("trailing") of livestock across public lands shall not be subject to NEPA (The National Environmental Policy Act) review.

**Blocks Wild Lands Secretarial Order:** [\[Section 114\]](#) Prohibits funding for the Wild Lands Secretarial Order announced by Interior Secretary Salazar in December 2010.

**\*Delisting Gray Wolf as Endangered Species:** [\[Section 117\]](#) Directs that within 60 days of enactment the Secretary of the Interior shall issue the final rule delisting the Gray Wolf in Wyoming from the federal list of endangered and threatened species.

**Forces Use of Outdated Forest Planning Rules** [[Section 408](#)] Provides that notwithstanding the new National Forest Planning Rule, the 2000 and 1982 planning rule procedures shall remain in effect as alternative procedures.

**Appraisal and Export of Alaskan Timber** [[Section 411](#)] Provides an alternative appraisal procedure for timber sales in Alaska's Region 10 and allows Alaskan western red cedar and yellow cedar to be sold for export.

**Blocks NEPA Review of Extended Grazing Permits:** [[Section 412](#)] Permanently allows grazing permits to be extended without the required NEPA (The National Environmental Policy Act) review.

**Blocks Livestock Emissions Regulation:** [[Section 420](#)] Prohibits funds for the promulgation or implementation of any regulation requiring a permit for emissions resulting from the biological processes of live stock production.

**Blocks Greenhouse Gas Rule on Manure Management:** [[Section 421](#)] Prohibits EPA from implementing a rule requiring reporting of greenhouse gases from manure management systems.

**Blocks Grazing Management of Bighorn Sheep:** [[Section 423](#)] Provides that for FY 2013 no action can be taken to manage Bighorn Sheep if such action would result in a reduction in the number of livestock allowed to graze upon a parcel.

\* **Extending and Expanding Temporary Forestry Authority** [[Section 427](#)] Directs that the temporary authority provided to the Forest Service and the State of Colorado to jointly implement forest management projects be extended to any of the sixteen contiguous Western States.

\* **Doubling Length of Grazing Permits** [[Section 431](#)] Amends the Federal Land Policy and Management Act of 1976 to extend the term of a grazing permit from 10 to 20 years.

\* **Changes Timber Sale Procedures** [[Section 432](#)] Amends the National Forest Management Act of 1976 to change the procedure for the marking of timber for sale or harvest.

**Blocks Forest Service Travel Management:** [[Section 433](#)] Prohibits the Forest Service from implementing Travel Management Plans in California until completion of an assessment of unauthorized routes. It further limits the classification of certain forest roads.

**Blocks Modification of Clean Water Act:** [[Section 434](#)] Prohibits EPA from changing or supplementing guidance or rules clarifying the Federal jurisdiction of the Clean Water Act.

**Blocks Update to Mountaintop Removal Mining Rule:** [[Section 435](#)] Prohibits the Office of Surface Mining (OSM) from updating the Stream Buffer Rule. This is for the benefit of companies engaged in Mountaintop Removal Mining.

**Blocks Storm Water Discharge Regulations:** [[Section 436](#)] Prohibits regulations or guidance that would expand the storm water discharge program under the Clean Water Act to post-construction commercial or residential properties until after the EPA administrator submits a study to the Appropriations and Authorizing Committees. The study must include overall cost as well as a cost-benefit analysis for various options.

**\* Repeals Appeals Procedures** [[Section 437](#)] Repeals the Forest Service appeals authority from 1993 and excludes from appeal any project that is categorically excluded from NEPA (The National Environmental Policy Act).

**\*Blocks Closures of Federal Land** [[Section 438](#)] Provides that none of the funds can be used to prohibit the use of or access to federal land for hunting, fishing, or recreational access if such use or access was not prohibited as of January 1, 2012.

**\*Blocks Implementation of National Oceans Policy** [[Section 439](#)] Prohibits the use of funds to carry out the National Oceans Policy developed under Executive Order 13547.

## **REPORT LANGUAGE**

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**Cuts to Clean Air and Climate Programs** [[pg. 47](#)]: The report details a series of irresponsible cuts to clean air and energy efficiency programs, including the Greenhouse Gas Registry, the Energy Star program, Federal Stationary Source Regulations, Air Quality Management and the Greenhouse Gas Stationary Source Permitting Programs.

**EPA Integrated Risk Information System (IRIS)** [[pg. 48](#)]: IRIS is the EPA's human health assessment program that evaluates health effects that may result from exposure to environmental contaminants. The Republican report includes a series of burdensome reporting, documentation and methodology requirements to obstruct the activities of the program.

**Condemnation of Environmental Justice Assessment in Hydraulic Fracking Study** [[pg. 48](#)]: A previous committee report directed the EPA to assess the impact of hydraulic fracturing or "fracking" on drinking water. In its assessment the EPA has reviewed the environmental justice implications of contaminated drinking water, assessing whether low-income or minority communities have been disproportionately affected by contaminated water. The Republican report includes strong language condemning environmental justice assessments.

**Underfunding Regulatory Review** [[pg. 53](#)]: In another effort to obstruct EPA regulatory activities, the report details cuts to the agency's regulatory development and review process.

**Arbitrary Full-Time Employee Cap** [[pg. 57](#)]: This language directs the EPA not to exceed 16,594 full-time employees, the number of positions the agency filled in FY10. The EPA has been cut -18% since FY10, with this bill proposing another -17% cut. Needless to say, the agency poses no risk of breaching FY10 staffing levels.