

Alaska Wilderness League \* American Rivers \* Center for Biological Diversity \* Clean Air Council \*  
Clean Water Action \* Defenders of Wildlife \* Earthjustice \* Earthworks \* Endangered Species  
Coalition \* Environment America \* Friends of the Earth \* League of Conservation Voters \* Natural  
Resources Defense Council \* Oceana \* Ocean Conservancy \* Rachel Carson Council \* Sierra Club \*  
Southern Utah Wilderness Alliance\* The Wilderness Society

July 8, 2015

## **OPPOSE THE FY16 Interior, Environment, and Related Agencies Funding Act (HR 2822) & Recommendations on Key Environmental Amendments**

Dear Representative,

On behalf of our millions of members and supporters nationwide, we write in opposition to the Interior, Environment and Related Agencies Appropriations Act, 2016. The bill includes funding levels that are woefully inadequate to protect the environment and a bevy of policy riders that would weaken our bedrock environmental protections. Amendments could make the bill even more extreme as measures calculated to undermine environmental protections and conservation priorities are proposed on the floor.

Critical funding legislation must not be treated as a vehicle for provisions meant to hobble basic protections for clean air and water, undermine protections for our most vulnerable species, and plunder our public lands and waters.

**We urge you to oppose HR 2822 and all anti-environment amendments and support those amendments that would protect our air, water, lands, wildlife, and climate.**

Please review the list of amendments below. All organizations listed above may not work on or have expertise in every amendment included.

### **We strongly encourage you to OPPOSE the following amendments:**

**Hudson (offshore drilling):** This amendment would prohibit funds to be used to remove the Atlantic oil and gas lease sale from the Bureau of Ocean Energy Management's 5 Year Oil and Gas Leasing Program. This amendment forces the approval of an oil and gas lease sale in the Atlantic putting coastal communities all along the Atlantic at risk of a catastrophic oil spill.

**Newhouse (species):** This amendment would block the protection of gray wolves in Washington, Oregon and Utah under the Endangered Species Act, thwarting recovery efforts in three states with suitable habitat where gray wolves are just beginning to repopulate.

**Westmoreland (settlements and fees):** This amendment prevents citizens from enforcing the critical protections of the Endangered Species Act, Clean Air Act, and the Clean Water Act by barring citizens' ability to recover costly legal fees when they successfully challenge an agency and reach an agreement or settlement. This restricts access to the courts by making such challenges financially impossible for the average American and prevents them from holding agencies accountable to their statutorily imposed deadlines and mandates.

**LaMalfa (ESA attorney fees):** This amendment would undermine the ability of citizens to recover attorney's fees when they prevail in lawsuits brought under the Endangered Species Act. This restricts access to the courts and allows for the most egregious violations of the Act to remain unchecked.

**Zinke (coal mining):** This amendment would block the Obama Administration from implementing a forthcoming rule closing a loophole in how royalties are collected from coal mined on federal lands. Closing this loophole is a necessary first step to ensuring that coal companies can no longer use their affiliates to dodge royalty payments and that taxpayers collect a fair return on publicly owned resources.

**Pearce (royalty rates):** This amendment would prevent the Bureau of Land Management from raising royalty rates for federal onshore oil and gas production. The federal onshore royalty rate has not been updated since the 1920s and American taxpayers are currently being shortchanged by low onshore oil and gas royalty rates.

**Goodlatte (Chesapeake Bay):** This amendment undermines the successful cooperative federalism of the Chesapeake Bay clean up and would severely hamper progress being made to clean up local waters. The cleanup is working, and the current process has given the states more control than ever in seeking a solution to the degraded waters of the region, while taking advantage of federal resources to help the states meet their commitments.

**Blackburn (budget cuts):** This amendment would mandate a 1 percent across the board cut for all the spending programs covered in the bill, pointlessly reducing the funds available for crucial environmental programs.

**Hardy (national monuments):** This "blocking new parks" amendment would prevent many local communities from working towards broadly and bipartisan supported national monuments, designated as the result of years and in some cases decades of efforts. Since its inception over a hundred years ago, the Antiquities Act has been one of our nation's most critical conservation tools for preserving our nation's most important federal public lands and waters. Many of these monument designations have been made after robust local input, but allowing counties or other local and state elected officials to veto decisions to protect public lands owned by all Americans is not about local input but instead is an attempt to block the creation of new national monuments, which is entirely contrary to the intent of this time-tested and critical conservation tool.

**Rouzer (wood stoves):** This amendment would threaten human health and air quality by blocking implementation of EPA's air quality standards for new wood-burning stoves, discouraging technological innovation for this important heat source. By blocking these standards, it puts the public at further risk from particulate matter, carbon monoxide, nitrogen oxides, volatile organic compounds, and other dangerous air pollutants that cause asthma attacks, heart attacks, lung cancer and premature deaths.

**We strongly encourage you to SUPPORT the following amendments:**

**Capps (offshore leasing):** This amendment would reduce offshore oil and gas leasing by lowering the budget for BOEM-Ocean Energy Management by \$5.434 million and increasing EPA-Inland Oil Spill Programs by the same amount.

**Tsongas (endangered species):** This amendment would remove harmful language in the appropriations bill that attacks the Endangered Species Act and interferes with the science-based listing process for wolves, sage-grouse and northern long-eared bats.

**Grijalva (ivory):** This amendment would strike a rider in the underlying bill blocking tougher restrictions on the ivory trade, benefitting elephant poachers and ivory smugglers at the cost of elephants' lives.

**Lawrence (fracking):** This amendment would allow the Bureau of Land Management to continue implementation of its newly-finalized hydraulic fracturing rule. This common-sense, modest rule, updates BLM regulations regarding well integrity, wastewater management and chemical disclosure standards for the first time in 30 years.

**Grijalva (grazing):** This amendment would strike an appropriations rider that mandates certain public lands damaged by drought or wildfire be made available for grazing without environmental review, public input or government accountability as required under the National Environmental Policy Act.

**Polis (social cost of carbon):** This amendment would strike section 437 from the underlying bill, removing a rider forcing the federal government to blind itself to the costs of climate change that our emissions impose on the rest of the world, pushing agencies to make critical decisions without considering crucial evidence essential to reaching the best decision and thereby putting billions of dollars of critical infrastructure and tax payer dollars at risk.

**Beyer (climate change):** This amendment would ensure that the federal government considers the costs of climate change and increase agency efficiency. Current Executive Orders have laid out a plan for the federal government to tackle its own climate-related vulnerabilities, and this amendment would make sure that agencies follow existing guidance.

**Edwards (ozone):** This amendment would remove a harmful rider that halts EPA's work delivering healthy air and better ozone standards to all Americans until 85% of the nation meets today's unsafe standards. The amendment wisely eliminates this rider that would hold the health of all Americans hostage until urban and heavily industrialized areas meet these insufficient standards

**Polis (public lands):** FLPMA allows for the transfer of federal lands through congressionally and administratively approved exchanges. This amendment does nothing to undermine that. Rather, this amendment states that no funds in the Interior appropriations bill may be used to pursue additional ways to turn over ownership or management of our public lands to state or local governments.

**Tsongas (oceans):** This amendment would strip out a misguided policy rider that seeks to undermine the National Ocean Policy (NOP). The NOP improves federal coordination and effectiveness in managing ocean resources, supports ocean health, and bolsters critical ocean industries. This rider would undermine the implementation of a commonsense policy with bipartisan roots and support.

**Grijalva (stream buffer):** This amendment would strike a provision to revise 2008 regulations that effectively allow mining companies to dump mine waste directly into streams. Under the pre-2008 Stream Buffer Rule, no surface mining could be permitted within 100 feet of a stream unless the permitting authority found that there would be no adverse effect on water quality or quantity. The 2008 rule essentially removed this buffer, allowing mountaintop removal mining companies to dump rubble and mining waste into valleys and streams. The 2008 rule is contrary to existing mining law requiring that “no damage will be done to natural watercourses.” This rider prevents the Obama administration from developing a new rule to protect streams, as the federal surface mining law requires.

**Garamendi (government GHG emissions):** This amendment seeks to ensure that the federal government continues to work toward reducing its own greenhouse gas emissions and increasing its sustainability. This effort builds on existing efforts to tackle climate change starting from within the government, and this amendment would make sure that agencies are able to follow existing guidance.