

The Garden Club of America







Current Status Chart – 115th Congress, First Session

February 8, 2017

Position Paper Key

(This new feature allows you to track the relationship between the issues in this update and the current GCA position papers.)

							
Agriculture	Clean Air	Clean Water	Climate Change	National Parks	Native Plants	Public Lands	Transportation

Please see last page for key to abbreviations and acronyms.



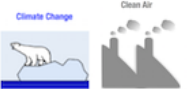
Follow the Money






Bill	Status	Additional Information
<p>Budget, Infrastructure Stimulus, and Appropriations</p> <p>S.Con.Res.3</p>	<ul style="list-style-type: none"> ➤ <u>Budget resolution</u>: In January 2017, the House and Senate approved a budget resolution (S.Con.Res.3) that provides Congressional committees with a framework for federal spending for FY17-FY26. (This budget resolution was passed for the purpose of repealing the Affordable Care Act. According to the nonpartisan Committee for a Responsible Federal Budget, however, savings from the repeal of this law will not be as great as estimated. Therefore, to balance the budget, Congress will have to make deeper cuts elsewhere. The spending on environmental protections is a likely target.) ➤ <u>Dueling infrastructure bills highlight polar economic perspectives</u>: A massive infrastructure bill held a glimmer of hope for bipartisan support as it could be a good source of blue-collar jobs while addressing infrastructure needs such as aging drinking-water systems. President Trump's trillion-dollar infrastructure proposal relies largely on tax credits and public-private partnerships that are said to pay for themselves. (An example of a public-private partnership would be allowing a private road-construction company to bid for a road project and then to recover its costs by controlling the road's toll revenue.) Opponents do not believe that the Trump plan's anticipated funding sources are realistic, however. Pro-growth Democrats who had been likely to support such an infrastructure plan have not come forward, though some have indicated that there are parts of the Administration's plan that they find appealing. Instead, Senate Democrats have announced their own trillion-dollar infrastructure bill, which relies more on expanding existing programs and potentially adding to the deficit. The bills differ so dramatically that consensus will be difficult, and President Trump will need the support of some Senate Democrats if his bill is to pass. ➤ <u>President Trump's budget proposal not yet released</u>: After running on a campaign of rolling back environmental regulations and legislation, President Trump has begun to lay the foundation for dismantling much of the federal machinery to safeguard the environment. Although estimates for the Administration's budget proposal release range from 45 days after inauguration to late spring, all indications suggest that it will call for draconian cuts to environmental programs. It seems likely that he will release a top-line budget in February after his cabinet is finalized. ➤ <u>Expect budgets to be slashed</u>: Many pundits anticipate that the budget for agencies such as the U.S. EPA, Department of the Interior, and the National Oceanic and Atmospheric Administration is likely to draw heavily on a budget proposal by the Heritage Foundation. Even though EPA's spending has already been significantly reduced and has among the lowest spending levels of federal agencies, it is likely to see draconian cuts. Reportedly, several conservative budget proposals, including proposals from the Heritage Foundation, the Republican Study Committee and the House Freedom Caucus, may form the basis for the Trump Administration budget proposal due out this spring. These budget proposals, as well as the House Freedom Caucus list of regulations to repeal, target several programs and regulations for defunding or elimination in FY 2017. These include the following: <ul style="list-style-type: none"> • The Paris Climate Agreement and UN IPCC; • The Advanced Research Projects Agency -Energy (ARPA-E) and the Office of Energy 	<ul style="list-style-type: none"> ➤ Although Congress and the Trump administration have announced plans to repeal environmental laws and regulations, they can also use the federal budget to express their values, priorities, and plans. ➤ When President Trump releases his budget, which is now expected in May or June, Congress is not required to act on it; however, with a unified government in which the executive and legislative branches are under the control of a single party, congressional appropriators are likely to take its line-item details into account when writing their own bills. ➤ Once a budget resolution has been adopted, the discretionary funds in the budget are allocated to the Appropriations Committees in the House and Senate. These committees then sub-allocate the spending into the dozen annual appropriations bills required to run the government. Most of the programs tracked by NAL are categorized under "Function 300" (Natural Resources and the Environment) in the federal budget. They are largely funded in the Interior/Environment bill and the Energy/Water Development bills. ➤ If the CBR fails to allocate enough resources to the environmental area of the budget, it will force painful trade-offs, and choices will pit environmental programs against one another. ➤ Appropriations bills sometimes put conditions or prohibitions on how the money can be used. Many of these so-called "riders" are aimed at environmental enforcement.




	<ul style="list-style-type: none"> • Efficiency and Renewable Energy (EERE); • Restrictions on exploratory drilling in the Arctic OCS; • The Antiquities Act; • The Clean Water Rule (also known as the Waters of the United States, or WOTUS Rule • Several EPA regulations, including climate regulations. • The National Ocean Policy <p>➤ <u>Heritage Foundation budget model</u>: In particular, the Heritage Foundation budget calls for the elimination of funding for regulation of greenhouse gas emissions from vehicles (as well as non-road equipment, locomotives, aircraft, and transportation fuels), regulation of CO2 emissions from power plants and all sources, Greenhouse Gas Reporting Program, Global Methane Initiative, Climate Resilience Fund, Climate Resilience Evaluation Awareness Tool, Green Infrastructure Program, Climate Ready Water Utilities Initiative, climate research funding for the Office of Research and Development, Environmental Protection Agency grant programs, and Science to Achieve Results program. Many of the functions performed by the EPA would be cut out altogether or shifted to the states. Even core programs such as the State Revolving Funds are at risk.</p>	
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Program and Issues




<p>Special overarching concern:</p> <p>Widespread use of Congressional Review Act to overturn environmental regulations</p> <p>(See 2017 Legislative Update #1)</p>	<p>➤ <u>Unprecedented use of Congressional Review Act (CRA) anticipated</u>: On March 1, 2017, Congress repealed the Stream Protection Rule, which regulated coal companies' ability to dump toxic coal waste that results from the destructive mountaintop-removal mining process. This waste pollutes waterways, harms communities, and endangers human health. (The GCA Conservation and NAL committees have voiced strong support of the Stream Protection Rule.) This was just the first salvo in what is likely to be a key strategy to dismantle many other important environmental regulations. The vehicle to do so is the Congressional Review Act (CRA) (see details to the right), and Congress will likely move swiftly as they have only 60 legislative days to introduce and vote on CRAs (roughly the end of May).</p> <p>➤ <u>Rules at risk</u>: According to the Congressional Research Service, the following major rules issued by federal agencies are likely targets to be overturned by the Congressional Review Act in the 115th Congress: Methane and Natural Gas Waste Rule, Truck Fuel Economy Standards, Cross-State Air Pollution Rule Update for the 2008 Ozone NAAQS, Aircraft Emission Limits, Energy Conservation Program: Energy Conservation Standards For Battery Chargers, Dehumidifiers, Ceiling Fans, and Miscellaneous Refrigeration Products, Land Use Planning Rule, Arctic Drilling Safeguards, Standards of Performance For Municipal Solid Waste Landfills, Emission Guidelines and Compliance Times For Municipal Solid Waste Landfills, Oil and Gas and Sulfur Operations Requirements for Exploratory Drilling on the Arctic Outer Continental Shelf, Oil Anti-Corruption Rule, HFC Standards, Waste Prevention, Production Subject to Royalties, and Resource Conservation, Chemical Plant Safeguards, Coal Valuation Rule, Carbon Pollution Accounting Guidelines, and General Provisions and Non-Federal Oil and Gas Rights ("9B Rules" for safety and enforcement standards for oil and gas drilling in more than 40 national parks).</p>	<p>➤ Under the Congressional Review Act, if Congress passes a joint resolution disapproving a covered rule and the resolution becomes law, the rule cannot take effect or continue in effect. (There is limited debate and no possibility of a filibuster in the CRA process.) In addition, the agency is prohibited from reissuing either that rule or any substantially similar one, except under authority of a subsequently enacted law.</p>
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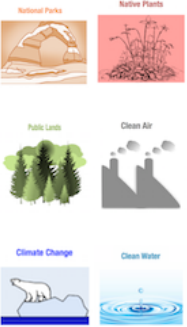

<p>Botanical Sciences and Native Plant Materials Research, Restoration and Promotion Act</p> 	<p>➤ <u>GCA collaboration with Chicago Botanic Garden:</u> The Garden Club of America has played an instrumental role in working with the Chicago Botanic Garden and other partners to promote the Botanical Sciences and Native Plant Materials Research, Restoration and Promotion Act. This bill has not been introduced; Rep. Quigley (D-IL) and Rep. Ros-Lehtinen (R-FL) hope to do so and are looking for co-sponsors.</p> <p>➤ The bill has three key provisions:</p> <ul style="list-style-type: none"> • Advocates using native seed on all federal properties • Increases funding for native plant science, land management, and conservation • Creates a student loan-forgiveness program for "botanical science personnel," defined as individuals with post-secondary education in the field of botany, who go on to work in federal agencies 	<p>➤ In 2016, the Garden Club of America joined forces with the Chicago Botanic Garden and other botanical organizations to craft the Botanical Sciences and Native Plant Materials Research, Restoration and Promotion Act. Other organizations who have signed the legislative proposal include American Public Gardens Association, Botanical Society of America, California Native Plant Society, Florida Native Plant Society, Institute for Applied Ecology, Kinnikinnick Native Plant Society, New England Wild Flower Society, Oklahoma Native Plant Society, Santa Barbara Botanic Garden, Virginia Native Plant Society, and Washington Native Plant Society.</p>
<p>Carbon Tax</p> 	<p>➤ <u>High-profile GOP group proposes carbon tax:</u> On February 8, 2017, James Baker joined seven former Republican leaders to urge the Trump administration to support a national carbon tax, in combination with significant reductions to greenhouse gas regulations.</p> <p>➤ The proposed plan would impose a \$40 tax per ton of carbon dioxide emitted. The tax would increase over time in order to reduce emissions and to stimulate growth in technology to address climate change. These advances would come in areas such as electricity generation and transportation. According to the plan, the tax would generate revenue that would be returned to taxpayers at an estimated rate of \$2,000 a year for a family of four.</p> <p>➤ The plan states, "While the extent to which climate change is due to man-made causes can be questioned, the risks associated with future warming are too big and should be hedged. At least we need an insurance policy."</p> <p>➤ Baker, who served as secretary of State under President George H. W. Bush, was joined by George Shultz, Secretary of State under President Ronald Reagan; Henry Paulson, Treasury Secretary under President George W. Bush; and two former chairmen of the White House Council of Economic Advisers, Martin Feldstein, who served under President Reagan, and N. Gregory Mankiw, who served under President George W. Bush. Thomas Stephenson, a partner at Sequoia Capital; Rob Walton, former Chairman of the Board at Wal-Mart Stores; and Ted Halstead, founder of the Climate Leadership Council, also joined the discussion.</p>	<p>➤ <u>What is a carbon tax?</u></p> <p>➤ It's a fee based on the carbon content of fuels. The more carbon a fuel has, the more carbon dioxide it emits when burned. Therefore, carbon tax is a tax levied on the carbon dioxide emissions from burning fossil fuels.</p> <p>➤ During his campaign, President Trump and the Republican platform rejected a carbon tax. Key advisors such as Myron Ebell of the Competitive Enterprise Institute and Thomas Pyle, president of the American Energy Alliance, strongly oppose a carbon tax. Secretary of State Rex Tillerson, however, supported carbon taxes as CEO of Exxon Mobil Corp.</p>
<p>Clean Power Plan</p> <p>(See 2015 Legislative Update #3)</p> 	<p>➤ <u>Regulatory target #1:</u> President Trump has vowed to work immediately to dismantle the Clean Power Plan. This Obama administration regulation is currently in the midst of a legal battle in the U.S. Court of Appeals for the District of Columbia Circuit, which will determine whether the plan oversteps constitutional boundaries. Until this case is resolved, the implementation of the rule—already begun by states—will remain halted. The plan served as the cornerstone of the Obama administration's commitment to reduce domestic greenhouse gas emissions by more than a quarter by the year 2025, relative to their 2005 levels, and a key means of achieving the US commitment to the Paris climate agreement. Regardless of the verdict, it's a virtual certainty that the ruling will be appealed to the Supreme Court.</p> <p>➤ <u>Administration's options to kill the rule:</u></p> <p>➤ Stop the legal defense of the Clean Power Plan in court: This would not halt the litigation because states, municipalities, environmental organizations, and public health organizations that have intervened to support the rule would have party status that would give them standing to defend the Clean Power Plan even in the</p>	<p>➤ The Clean Power Plan sets the first-ever limits on carbon pollution from power plants, the nation's largest source of the pollution driving climate change. The U.S. EPA issued the final rule in August 2015 under the Clean air Act, the nation's fundamental air pollution law.</p> <p>➤ Reduces carbon pollution as well as pollution from other particulates: By targeting power plants, the single biggest emitters of carbon pollution, the Clean Power Plan can significantly reduce domestic greenhouse-gas emissions. In doing so, the plan would also reduce soot and smog by 25 percent in 2030. States could either chart their own paths to the emissions standard or could adopt the federal plan as outlined by the EPA.</p> <p>➤ <u>Creates climate and health benefits:</u> According to EPA research, the Clean Power Plan will create climate and health benefits worth an estimated \$55 billion to \$93 billion in 2030. This includes preventing 2,700 to 6,600 premature deaths and 140,000 to 150,000 asthma attacks in children. That will also mean a decrease in missed school days and absenteeism.</p>


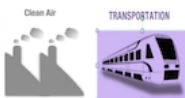

	<p>absence of Administration support.</p> <ul style="list-style-type: none"> ➤ File a motion for voluntary remand to stop the case and have the EPA revise the rule: But just as the Clean Power Plan itself was a complicated and time-consuming undertaking, the rewrite would also be challenging, necessitating a public-comment period and other bureaucratic requirements. ➤ Let Congress scuttle the rule legislatively through the Congressional Review Act: If both chambers passed a bill blocking it, then President Trump could sign it, and the litigation results would be irrelevant. ➤ Let EPA selectively enforce the rule: This would give states wide latitude in their implementation of the Clean Power Plan. President Trump's EPA pick, Scott Pruitt, has major ties with the fossil fuel industry and has sued the EPA over the Clean Power Plan. He has also joined fossil fuel companies to overturn the EPA's standards to cut toxic air pollution and reduce soot and smog pollution from power plants. ➤ Let the Supreme Court decide: President Trump's nomination of Neil Gorsuch to fill Justice Scalia's vacancy would in all likelihood break the tie when the case is appealed to the High Court. The Clean Power Plan draws its legal basis in the 1984 <i>Chevron USA, Inc. v. Natural Resources Defense Council</i> case, the decision that states that courts shouldn't second-guess the way federal agencies interpret federal law unless the agency's approach is unreasonable or clearly not in compliance with law. Although Justice Scalia was a conservative justice who strongly supported the <i>Chevron</i> decision, Gorsuch is a strong opponent of this precedent and has written opinions denying environmentalists the chance to bring litigation to court. Therefore, it is unlikely that he would vote in support of the Clean Power Plan. 	<ul style="list-style-type: none"> ➤ <u>Offers potential economic benefits:</u> The economic benefit of Clean Air Act compliance has historically outweighed its cost; in fact, according to an EPA study, benefits exceed costs by a factor of thirty to one. The Clean Power Plan has been estimated to save the average American family \$85 a year on their energy bills in 2030 and save consumers \$155 billion from 2020-2030. Other benefits include job creation, technological innovation, and diversification of the energy sector to include more clean-energy options. ➤ <u>Gives states flexibility in meeting the reduction goals:</u> This rule provides significant flexibility to states in determining how they will meet the Clean Power Plan guidelines
<p>Clean Water Rule</p> <p>(Also known as "Waters of the United States" or WOTUS)</p>  	<ul style="list-style-type: none"> ➤ <u>Clean Water Rule in the crosshairs:</u> The U.S. EPA and Army Corps of Engineers' Clean Water Rule was singled out on President Trump's transition team website as a regulation targeted for overturn. The rule is currently being litigated in the U.S. Circuit Court of Appeals for the Sixth Circuit. As is the case with the Clean Power Plan (above), unless President Trump takes actions to block the CWR, it is likely to be appealed to the Supreme Court. The same range of possible attacks (voluntary remand, legislative blocking or defunding, selective enforcement, etc.) that apply to the Clean Power Plan (above) also apply to the Clean Water Rule. ➤ <u>The Clean Water Rule in a nutshell:</u> (1) It leaves unchanged the longstanding protections for waters that can float a boat (including smaller recreational craft), coastal waters, interstate waters, and impounded waters (like reservoirs behind dammed rivers); (2) It restores guaranteed protections that federal clean water rules used to contain for tributaries, and it requires flowing waters to have a couple of physical indicators (an ordinary high water mark and a bed and bank) in order to qualify as a tributary; (3) It safeguards wetlands and ponds ;(4) For waters not considered adjacent, the rule would allow for their future protection based on an analysis whether they significantly impact downstream water conditions in the watersheds in which they're located; (5) It exempts groundwater, as well as artificial ponds used for livestock watering and irrigated areas that would revert to dry land if the irrigation stopped. In some of these cases, the final rule requires less of dischargers than scientists recommended. The proposed rule identifies other exclusions, such as ditches, not justified by science. 	<ul style="list-style-type: none"> ➤ <u>GCA Support:</u> On December 15, 2015, during the omnibus budget hearings, <u>GCA President Anne P. Copenhaver</u> wrote the Administration, stating, "The Garden Club of America has long been a strong advocate for clean water. We are on record in support of the original objective of the 1972 Clean Water Act to '[r]estore and maintain the chemical, physical, and biological integrity of the nation's waters.' We have a long history of advocating for the protection of aquatic resources, and nothing is more fundamental to those protections than establishing reasonable, science-based safeguards for small streams and wetlands." ➤ On May 27, 2015, an EPA press release cited the statement of <u>GCA President Katie Heins</u>: "Ensuring a vital Clean Water Act is a critical part of reducing water pollution. The Garden Club of America has a long history of advocating for the protection of aquatic resources, and nothing is more fundamental to those protections than restoring commonsense safeguards to small streams and wetlands because the science shows how these waters are connected to downstream rivers and lakes." ➤ <u>NAL and Conservation Committee chairs Lindsay Marshall and Jenny Fain</u> submitted formal comments in support of the proposed regulations on May 14, 2014. They cited GCA's long history of advocating for the protection of aquatic resources, quoted from the GCA position paper in support of broad jurisdictional coverage, and urged the broadest possible coverage in the "other waters" category.
<p>Dakota Access Pipeline</p>  	<ul style="list-style-type: none"> ➤ <u>Pipeline moves forward:</u> President Trump signed executive order to advance construction, and on February 7, 2017, the Army Corps of Engineers signaled its intent to move forward with construction of the Dakota Access Pipeline. This executive order applies to the construction of both the Dakota Access Pipeline as well as the Keystone XL pipeline (see below). In December 2016, President Obama had halted the construction of the Dakota Access Pipeline. ➤ <u>Source of controversy:</u> The Standing Rock Sioux Tribe has been protesting the construction for the pipeline; they say that it will "destroy our burial sites, prayer sites and culturally significant artifacts." The Standing 	<ul style="list-style-type: none"> ➤ <u>What is the Dakota Access Pipeline?:</u> Energy Access Partners is constructing a 1,172-mile pipeline would tap into the oil supplies of the Bakken Formation. It would start from an enormous underground deposit where Montana and North Dakota join Canada; it would then wind southeast into North Dakota, South Dakota, Iowa, and Illinois. ➤ The US portion of the Bakken Formation is said to contain an estimated 7.4 billion barrels of oil, according to the US Geological Survey. ➤ Once completed, the pipeline would transport 470,000 barrels of crude oil a day. After it




	<p>Rock Sioux Tribe sued the Army Corps of Engineers, maintaining that the pipeline "threatens the Tribe's environmental and economic well-being, and would damage and destroy sites of great historic, religious, and cultural significance to the Tribe." Environmental groups object to the pipeline's contribution to global warming and its potential for oils spills and environmental hazards.</p> <ul style="list-style-type: none"> ➤ President Trump has vowed to expand fossil fuel exploration. 	<p>reaches its southernmost point in Illinois, the oil could then go to refineries and markets in the Midwest, as well as along the Gulf Coast and the eastern seaboard. From Illinois, the oil could go to markets and refineries across the Midwest, East Coast, and Gulf Coast.</p>
<p>Endangered Species Act</p> <p>H.R. 717</p> 	<ul style="list-style-type: none"> ➤ <u>House introduces bill that would make it harder to protect species at risk of extinction:</u> On January 27, 2017, Rep. Olson (R-TX) introduced H.R. 717, which would amend the Endangered Species Act to require the review of the economic cost of adding a species to the list of endangered species or threatened species, including plant species. This change would also get rid of the timeframes the government has to respond to requests to list a species, potentially allowing the government to ignore petitions indefinitely. Currently, the ESA states that the decision about whether to list a species is made solely on the basis of scientific information. If this law were to pass, a short-term economic gain—such as drilling for oil—could outweigh the scientific criterion on which the law currently bases the decision. Such a change would dramatically weaken the ESA's ability to protect endangered plant and animal species. In addition, whereas the Fish and Wildlife Service and the National Marine Fisheries Service currently have 90 days to state whether they will consider a petition for listing and twelve months to make the initial finding of endangerment, the amended law would eliminate those timeframes. Most environmentalists believe the ESA process is too slow as it stands now. (The rusty-patched bumblebee, for example, had lost 90% of its habitat between the first petition in 2013 and its recent listing as endangered.) This proposed change would slow the process even further. ➤ <u>Executive order on regulations:</u> Pro-business and pro-environment groups are trying to determine how President Trump's executive order limiting regulations will affect the Endangered Species Act protections. The repeal of each listing would be considered the repeal of a regulation, which might incentivize delistings. Environmental groups think the executive order is more squarely targeting the EPA and do not anticipate major changes. The Endangered Species Act currently prohibits the Fish and Wildlife Service from considering cost when determining listing decisions and deadlines. The environmental community has expressed concern about the executive order's effects on designations of critical habitat, which can be costly. Delisting decisions are only possible, however, if they comply with the law as articulated in the ESA. On the campaign trail, however, Trump pledged to modify federal laws "to balance the needs of society with the preservation of our valuable living resources." 	<ul style="list-style-type: none"> ➤ <u>Underfunding likely to increase:</u> The more species that are listed, the more resources the Fish and Wildlife Service needs for protection and recovery. Plants and animals listed require funds to ensure their survival and recovery. The Endangered Species Act is credited with preventing the extinction of more than 99 percent of the species under its protection. More than 1,500 species are listed under the ESA. Consequently, draconian budget cuts could sharply limit FWS's ability to carry out the requirements of the law. The loss of any species within a single ecosystem affects the health and biodiversity of that ecosystem.
<p>Energy Bill</p> 	<ul style="list-style-type: none"> ➤ <u>Return of energy bill planned:</u> After the bipartisan energy bill (Energy Policy Modernization Act—formerly S. 2012 and H.R. 8) failed to make it through the reconciliation process during the lame duck session, its champions, Senate Energy and Natural Resources Chairwoman Murkowski (R-AK) and ranking member, Sen. Cantwell (D-WA), plan to introduce a similar bill in this Congress. Sen. Murkowski has stated that she has been in communication with House Natural Resources Chair Bishop (R-UT) about that possibility. She has indicated that some of the previous provisions will not appear in this new bill. It is unclear, for instance, whether the provision for the full, permanent funding of the Land and Water Conservation Fund (see below) will be included. 	<ul style="list-style-type: none"> ➤ <u>The Energy Policy Modernization Act of 2015</u> made it to Conference Committee to begin the reconciliation process. The bill contained a number of anti-environmental provisions, including a biomass provision that attempts to override established climate science and the Clean Power Plan (potentially making America's forests into energy sources), an expedited approval process for liquefied natural gas export that would increase the fracking nationwide, including on our public lands. The bright spot in this problematic bill was its provision for the permanent authorization of the Land and Water Conservation Fund (see below).

<p>Environmental Protection Agency</p> <p>H.R. 861</p> 	<p>➤ <u>House bill proposes abolishment of EPA:</u> On February 3, 2017, Rep. Gaetz (R-FL) introduced a bill that calls for the termination of the US Environmental Protection Agency. Although this extreme position seems unlikely to garner sufficient votes to pass, it is indicative of the intensity of the attacks against environmental protection and regulation.</p>	<p>➤ For the past 46 years, the US EPA has protected the environment and human health through a range of regulations that successfully addressed problems such as acid rain, lead in gasoline, vehicle efficiency standards and emission controls, water pollution, and toxic waste. Before the agency was formed in 1970 through an executive order from President Richard M. Nixon, some American rivers were so contaminated that they burst into flames, and the skies in some areas were so filled with smog that residents had to stay indoors. Through EPA efforts, many such problems have been resolved, though Americans continue to need the agency to protect the land, water, and air from harmful pollution. Oklahoma Attorney General Scott Pruitt has been nominated by President Trump to head the EPA. He has sued EPA more than a dozen times to address what he sees as regulatory overreach by the Agency.</p>
<p>Farm Bill</p> 	<p>➤ <u>Transition:</u> Gov. Sonny Perdue is President Trump's nominee for Secretary of Agriculture. The farm bill is due to be reauthorized by 2018, so discussion has begun on what changes may be made. There is still uncertainty about the direction the new farm bill will take. The Heritage Foundation has proposed zero-based budgeting. The danger in that approach is that the conservation title could be in jeopardy.</p> <p>➤ As Congress begins to focus on the farm bill, it is important to maintain strong support for a robust, well-funded conservation title, including important programs such as the Conservation Reserve Program (CRP), Environmental Quality Incentives Program (EQIP), Regional Conservation Partnership Program (RCP), Wildlife Habitat Improvement Program (WHIP), and the Agricultural Conservation Easement Program (a program for which GCA advocacy has been influential).</p>	<p>➤ <u>What is the farm bill?</u> It's an omnibus, multi-year law that governs a number of agricultural and food programs, including farm commodity price and income supports, agricultural conservation, farm credit, rural development, bioenergy, and domestic nutrition assistance. It is renewed approximately every five years. The Agricultural Act of 2014 (P.L. 113-79; 2014 farm bill) is the most recent reauthorization. It was enacted into law in February 2014 and is set to expire in 2018.</p>
<p>Keystone XL Pipeline</p> 	<p>➤ <u>Federal court has paused Keystone XL lawsuit:</u> On January 30, 2017, a federal court in Houston froze a lawsuit TransCanada Corp. filed in 2016, challenging President Obama's executive authority to halt the Keystone XL pipeline project. Shortly after taking office, President Trump issued a memorandum asking TransCanada to resubmit its application for a cross-border permit to build the controversial pipeline, and on January 26, 2017, TransCanada did so. This starts a 60-day period in which the State Department now has 60 days must consider whether the pipeline project is in the public interest. TransCanada's lawsuit will remain frozen for 90 days.</p>	<p>➤ Environmental groups have expressed concern about the Keystone XL pipeline because tar sands oil creates more greenhouse gases than normal crude and is much more difficult to clean up when there are spills, which there have been a number of in the past. Supporters of Keystone maintain that it will create jobs. Opponents say few of those new jobs would remain once construction is complete.</p> <p>➤ <u>President Obama vetoed Keystone Pipeline:</u> On November 6, 2015, President Obama rejected TransCanada Corp.'s proposal to build an Alberta-to-Gulf of Mexico pipeline to carry tars sands from Alberta. He said that the pipeline would be contrary to the efforts to fight global warming, which he called "the biggest risk we face."</p>
<p>Land & Water Conservation Fund</p> <p>H.R. 502</p> 	<p>➤ <u>House bill introduced; Senate bill expected:</u> On January Rep. Grijalva (R-AZ) introduced a bill that was identical to the one he introduced last Congress to permanently reauthorize the Land and Water Conservation Fund. The former bill had 211 co-sponsors but failed to make it out of committee. Co-sponsored by Rep. Meehan (R-PA), the new measure would dedicate at least 1.5 percent or \$10 million of the annual LWCF appropriation to projects that secure "access to existing Federal public land for hunting, fishing, and other recreational purposes."</p> <p>➤ Meehan called LWCF "the most successful natural preservation program in U.S. history" and noted, "it's long past time to make it permanent."</p> <p>➤ Nominee for Interior Secretary supports LWCF: Last Congress, Rep. Zinke (R-MT) was the sole Republican on</p>	<p>➤ <u>Seeking permanent LWCF with mandatory full funding:</u> LWCF advocates are seeking permanent, mandatory full funding. The 25-year authorization for LWCF expired on Sept. 30, 2015. LWCF was originally authorized in the mid-1960s, and in 1977 the authorization was increased to \$900 million with revenues to come mostly from Outer Continental Shelf oil and gas leasing revenues. Lawmakers felt that as our nation sold off and used up one irreplaceable national resource, some of the proceeds should help preserve another valuable and disappearing resource. It was reauthorized for a second 25 years in 1990. After it expired on September 30, 2015, it was reauthorized for three years in December 2015.</p> <p>➤ <u>Supporters:</u> GCA has long advocated for full, permanent funding of LWCF. Conservationists,</p>

	<p>the Natural Resources Committee to vote in favor of permanently authorizing the LWCF.</p> <ul style="list-style-type: none"> ➤ Budget cuts anticipated, even though LWCF is not funded by tax dollars: Proposed budget may drastically reduce or eliminated appropriations for the Land and Water Conservation Fund, the appropriations for which already fall far short of the authorized level of \$900 million per year and are typically on roughly one-third of that level. ➤ According to the Land and Water Conservation Fund Coalition, eliminating LWCF would undermine the economic assets that our federal, state and local public lands represent. In fact, the Outdoor Industry Association has stated that hunting, fishing, camping, and other outdoor recreation activities contribute a total of \$646 billion annually to the economy. The supports 6.1 million jobs (1 of every 20 jobs in the U.S.) and stimulates 8% of all consumer spending. ➤ LWCF funding protects key natural resources and outdoor recreation in our national parks, wildlife refuges, forests, and other federal lands. LWCF also includes grants to state and local Civil War battlefields, state and local outdoor recreation grants, working forest grants to states, and grants to states for acquisition of properties to protect threatened and endangered species. 	<p>sportsmen, tourism and recreation industries, Democrats, and many Republicans have been supporters of LWCF.</p> <ul style="list-style-type: none"> ➤ Opponents: Some fiscal conservatives maintain that acquiring new federal lands when the Interior Department maintenance backlog is already large is misguided. They want an LWCF overhaul that would allow some funds to pay for other land-management needs. Some legislators oppose federal involvement in land acquisition and public lands. ➤ LWCF has received full funding (\$900 million) only once in its history; funds that are supposed to go for LWCF are used for other programs. FY 2014 level was \$306 million. ➤ Four federal programs (Forest Service, Parks Service, Fish/Wildlife Protection & BLM) in addition to state grants use LWCF funds to conserve national parks and forests, lands by rivers and lakes, fish/wildlife refuges, trails and state/local parks. States have received \$4 billion over the years to support recreation land acquisitions and facilities, matched by local dollars.
<p>Mercury and Air Toxics Standard (MATS)</p> 	<ul style="list-style-type: none"> ➤ Scrapping the Mercury and Air Toxics Standard likely: As part of his pro-coal, anti-regulation push, President Trump is likely to use his executive authority to stop regulating mercury emissions. Because it targets mercury, arsenic, and other pollutants that are largely products of coal-fired power plants, MATS has hastened the retirement of such plants. According to the Energy Information Administration, 30% of the 2015 plant closures took place after the regulation took effect in April. While President Trump did not specifically make MATS a campaign issue, his emphasis on reviving coal puts this regulation on the chopping block. 	<ul style="list-style-type: none"> ➤ In 2012, EPA published the mercury rule (Mercury and Air Toxics Standards). Its goal was to reduce mercury emissions from coal- and oil-fired power plant, almost all of which have now been met. In November 2014, EPA released amendments to the startup and shutdown provisions (the source of recent controversy). EPA estimated MATS would prevent 11,000 premature deaths and generate between \$37 billion and \$90 billion in health benefits. Of particular note is the health benefit to pregnant women whose unborn children are particularly vulnerable to the potent neurotoxins such as mercury and lead.
<p>Rule on Methane, Volatile Organic Compounds, Benzene, and Toxic Air Pollutants</p> 	<ul style="list-style-type: none"> ➤ Another likely target for the environmental regulatory scrapheap: Expect the Bureau of Land Management's Methane Rule to be targeted, as President Trump has pledged to undo energy regulations that interfering with the production of oil and gas. ➤ House Rules Committee sent resolution of disapproval: Congress appears to be moving quickly to kill the Methane Rule. House Natural Resources Chairman Bishop (R-UT) has stated that the rule is too expensive, exceeds BLM's statutory authority, and is unnecessary. Congress will likely use the Congressional Review Act (see Congressional Review Act, above) to scuttle the rule. ➤ EPA's methane rule targets "fugitive" methane emissions, which refers to the methane that escapes during the drilling, extraction, and transportation process. Much of this emissions flaring escapes during the hydraulic fracturing process. (Prior to release a final methane rule in May 2016, the EPA revised its estimates of US methane emissions. Whereas cattle were previously America's largest contribution, the numbers now show that increased oil and gas operations are the biggest source of the dangerous global-warming gas.) Because of the pro-fracking, pro-coal energy policy the president has announced, this rule is highly vulnerable. ➤ States, municipalities, and environmental groups defend Methane Rule: League of Conservation Voters president Gene Karpinski told Congress, "This extreme legislative measure would waste a valuable taxpayer resource and threaten our health, public lands, and the climate with dangerous methane pollution from the oil and gas industry by permanently blocking the Bureau of Land Management's Methane and Waste Prevention Rule." In addition, amidst a flurry of court challenges to the newly released rule, on August 15, 2016, nine states, the city of Chicago, and six environmental groups responded to industry trade groups and a coalition of 14 states and state agencies, which challenged the rule as too costly to implement. The environmental benefit of fixing these methane leaks is said to be the equivalent of taking 8.5 million cars off the road. 	<ul style="list-style-type: none"> ➤ The three rules in the New Source Performance Standards are part of President's <i>Climate Action Plan: Strategy to Reduce Methane Emissions</i> and the Clean Air Act to cut methane emissions from the large and complex oil and natural gas industry and keep the US on track to achieve its goal of cutting methane emissions from the oil and gas sector by 40 to 45 percent from 2012 levels by 2025. ➤ EPA has stated that these rules would provide industry with greater clarity regarding Clean Air Act permitting requirements. The EPA also issued an Information Collection Request (ICR) for public comment: the ICR relates to EPA's plan to regulate methane emissions from <i>existing</i> oil and gas sources. The ICR asks companies to provide extensive information needed so that the agency can develop comprehensive regulations to reduce methane emissions from existing oil and gas sources. (The majority of U.S. methane emissions come from existing sources not covered by the current rule.) EPA's justification for methane rule draws fire: In its 2016 Inventory of U.S. Greenhouse Gas Emissions and Sinks, the U.S. EPA calculated a 30% increase in U.S. methane emissions from the oil and gas industry, based on additional data regarding the oil and gas industry. The largest source of methane was from natural gas. ➤ Methane, the key part of natural gas, has more than 25 times more potent than carbon dioxide as a source of global warming and is the U.S.'s second most prevalent greenhouse gas emitted by human activities. Roughly one third of methane emissions come from oil and gas production, processing, and transmission.

<p>National Park Service (NPS) and Federal Lands</p> <p>Federal Lands Recreation Enhancement Act Reauthorization</p> 	<ul style="list-style-type: none"> ➤ Rep. Zinke (R-MT) clears committee and is expected to be confirmed as Interior Secretary: Rep. Zinke (R-MT) denied any intention of selling federal land to states; he does, however, believe in drilling on public lands ➤ <u>Look for legislation to allow drilling in national parks:</u> The new administration is prioritizing potential revenue from public lands over their conservation value, suggesting the Republican Senate and House will likely look to legislation to legalize drilling in sensitive areas and the national parks. Presumptive Interior Secretary Zinke maintains that the national parks should be part of Trump administration's infrastructure project. ➤ The Trump administration's infrastructure bill states that infrastructure improvements will be paid for by revenues from oil and gas on federal lands. During the confirmation hearings, Rep. Zinke vowed to help to develop a plan to refill the Trans-Alaska Pipeline and to clean the remaining wells in Alaska's National Petroleum Reserve. He does not support the methane rule and promised only to review the issue of venting and flaring methane that occurs within the sites governed by the oil and natural gas leasing program. He also seemed to be open to coal leasing on national lands. ➤ <u>Rep. Zinke supports moving the Forest Service to the Interior Department:</u> The U.S. Forest Service is currently in the Department of Agriculture. Critics point to the difference between private land (most of which falls under the Department of Agriculture) and public lands. ➤ <u>NPS Climate Change adaptation programs in peril:</u> President Trump has stated that climate change is a hoax perpetrated by the Chinese, so spending federal money to adapt the National Parks to global warming is unlikely. In an apparent act of defiance of President Trump's gag order regarding climate change, one employee at South Dakota's Badlands National Park proceeded to tweet climate change facts from the park's Twitter account, and the facts were retweeted until the original tweets were purged later that afternoon. ➤ <u>Antiquities Act of 1905 under attack as well:</u> President Obama used this law liberally to protect lands as national monuments, but the President Trump is unlikely to use this law to protect additional lands and may even look to overturn those already safeguarded. Presumptive Interior Secretary Zinke pledged to be "an advocate for on-the-ground personnel" to help address the maintenance backlog and to do an on-site evaluation of whether the Bears Ears Monument in Utah, along with other of those sites made national monuments during President Obama's term, should have their national monument designations overturned. ➤ <u>Federal Lands Recreation Enhancement Act:</u> Congress must reauthorize the legislation on a yearly basis or for several years. If Congress fails to act, the federal agencies will lose a significant source of revenue. 	<ul style="list-style-type: none"> ➤ National Park Service marked its centennial in 2016. A 10-year effort to increase funding and improve park resources was launched in 2006. However the hoped-for funding has not materialized. ➤ Most appropriations for the NPS are for "operations," i.e. resources stewardship, visitors' services, park protection, facility operations & maintenance and park management. Land acquisition, recreation and preservation programs and construction have been chronically underfunded. ➤ In July 2012, GCA signed a letter to Congress, along with many groups that support national parks, urging legislators to spare parks from further appropriations cuts. ➤ <u>Maintenance backlog:</u> Delayed maintenance backlog has grown to \$11.93 billion. About half consists of park roads and bridges; repairs normally are covered through surface transportation legislation. The rest consists of aging, dilapidated infrastructure. Critics of LWCF say funds should be used to meet this backlog, not to purchase more land. Parks officials point out that acquiring private park in-holdings saves money long term by reducing boundary conflicts, simplifying resource management and easing access to/through public lands. ➤ <u>The Federal Lands Recreation Enhancement Act:</u> The FLREA authorizes five federal land management agencies, including the National Park Service, to collect and retain fees to enhance recreational opportunities for visitors at managed sites. However, FLREA is scheduled to expire in September 2018 unless reauthorized by Congress. A year prior to that deadline, parks lose authority to issue the American the Beautiful (annual) pass, so the act must actually be reauthorized before September 2017.
<p>NEPA Rollbacks and Streamlining,</p> 	<ul style="list-style-type: none"> ➤ <u>Expect efforts to roll back NEPA review:</u> As part of an overall push to decrease federal regulatory power and to increase domestic energy production, the new Congress and the Trump administration are likely to work to expedite the environmental review process, which studies the safety of proposed environmental actions in an attempt to avoid environmental disasters. Such streamlining of the permitting process and expanding NEPA exclusions are designed to make the environmental review process easier for industry. Shortchanging the NEPA review process may not make projects more industry friendly, however. Ultimately, a project that disregards legal environmental issues will likely be challenged in court and the environmental interest will probably prevail. ➤ Interior Secretary nominee Rep. Zinke (R-MT) stated in his confirmation hearing that the NEPA-review process is critical. ➤ Conservative think tanks such as the Heritage Foundation, however, are pushing for more than expedited review: one Heritage research fellow has advocated a repeal of NEPA, and the organization has advised the president to ignore the Council on Environmental Quality's guidance that stated that government agencies should consider climate change when conducting formal environmental review. Future attacks, therefore, may be directed at the NEPA statute itself rather than just portions of it. 	<ul style="list-style-type: none"> ➤ NEPA, enacted in 1969, is the "Magna Carta" for environmental protection. It established procedures that all federal agencies must follow to assess the environmental impact of their proposed actions <i>before</i> they occur. The process involves preparing environmental impact statements, evaluating viable alternatives and assuring public input. Agencies' ➤ NEPA environmental evaluations are sometime lengthy and slow down proposed projects or increase their cost. This has generated pressure to "streamline" NEPA, make it more "efficient," exempt broad categories of agency actions from NEPA review, or set deadlines after which proposed actions are deemed to have no environmental effect. This process could pose threats to human health and the environment because it's vital to allow sufficient time for public input and NEPA review, a process that cannot be abridged. ➤ <u>Social Cost of Carbon:</u> Social cost of carbon refers to the monetary cost of global warming, and the figure comes into play when agencies consider the causes and effects of climate change when evaluating projects under NEPA.

<p>Offshore and Onshore Drilling for Oil and Gas</p> 	<ul style="list-style-type: none"> ➤ President Obama's offshore drilling bans under threat: In December 2016, President Obama announced a ban on oil and gas drilling in large regions of the Arctic and Atlantic oceans, an action designed to protect nearly 120 million acres of sensitive marine environments from drilling, including 115 million more acres of the Chukchi and Beaufort seas (an area known as the "Arctic Ring of Life") and 3.8 million acres off the Atlantic Coast from the Canadian border down to Norfolk, Virginia. He stated that the decision was based on (1) the value of marine animals and their habitats, (2) marine animals' vulnerability to oil spills, and (3) the logistical challenges of responding to oil spills in these regions. ➤ President Trump has vowed to promote domestic energy production and favors the opening up of more drilling sites. His administration, some lawmakers, and some fossil-fuel industry groups plan court challenges and legislative attempts to overturn this ban. That said, oil prices are low, and deepwater drilling is expensive, so this may deter oil companies from starting new drilling projects right away even if more sites are opened. ➤ Onshore drilling likely to get boost: As part of the President Trump's promotion of domestic energy, efforts are underway to make onshore drilling cheaper and easier. This has included a controversial provision to open up federal lands to increased energy development. As with the offshore drilling, however, regulations have not been the main reason for sluggish domestic onshore drilling. The international market has forced oil prices down, so unless Saudi Arabia and other OPEC nations agree to limit production, onshore drilling in the US may not be an immediate priority for the new administration or for oil companies. 	<ul style="list-style-type: none"> ➤ Ninety percent of western BLM lands open to drilling: According to a Wilderness Society study, 90 percent of BLM lands and minerals in the Western U.S. are open to oil and gas leasing; that's a total of roughly 192 million acres. Drilling activity is market driven, however. During the sluggish period between 2009 and 2013, fossil fuel producers bid on only 24 percent of acreage the BLM offered at auction. ➤ Federal land to the highest bidder: Despite protests, the BLM has opened 24 million acres of federal land in the Gulf of Mexico to offshore drilling. Despite the protests by groups such as 350.org, on August 25, 2016, the BLM opened nearly 24 million acres' worth of blocks for the auction, held in New Orleans and broadcast live over the Internet. The tracts sold totaled a bit over 138,000 acres. Previously, auctions could only take place in public, but due to H.R. 5577 lease sales are now performed online.
<p>Ozone Rule: 2015 National Ambient Air Quality Standards (NAAQS) for Ozone</p> 	<ul style="list-style-type: none"> ➤ The EPA's 2015 Ozone Rule may be another Trump administration target: Though it was not specifically targeted on the campaign, the Ozone Rule could potentially be repealed or weakened. The rule is unpopular with the fossil fuel industry and is in litigation in the US Court of Appeals for the District of Columbia. President Trump could request that the case be dismissed and move the EPA to rewrite the rule. ➤ Ozone Rule could be much harder to rewrite, however: This rule is meant to be based on health and environmental concerns, so this would complicate any attempt at revision. The new Administration could simply opt for lenient enforcement. The Trump administration freeze on new regulations exempts rulemakings that result from lawsuit settlements. ➤ Likely subject of CRA action: Based on its emerging approach to regulation, Congress will likely use the Congressional Review Act (see Congressional Review Act, above) to nullify the rule. ➤ In the 114th Congress, the House passed two bills (H.R. 4775 and H.R. 5538) to prevent or delay ozone standards implementation. The Senate, however, did not pass corresponding legislation because of a veto threat from President Obama. The final rule would take effect 30 days after February 3, 2017, when it appeared in the <i>Federal Register</i>. This date marks the start of a two-year period during which affected jurisdictions must file complete plans or face intervention by federal regulators. 	<ul style="list-style-type: none"> ➤ The Ozone Rule calls for the 70-parts-per-billion ozone standards, which were adopted in October 2015. ➤ Ozone, the main ingredient in smog, is formed by the reaction of nitrogen oxides and volatile organic compounds in sunshine. It is linked to asthma attacks and worsened emphysema symptoms. The 2008 ambient air quality standard is 75 parts per billion. ➤ Former EPA Administrator Gina McCarthy signed the findings just days before leaving office.
<p>Paris Climate Agreement</p> 	<ul style="list-style-type: none"> ➤ Competing demands within the base creates dilemma for Trump administration: Many legislators and individual Trump supporters are adamant that the Administration should rip up the Paris Climate Agreement, which entered into force in November 2016. Conservative organizations such as the Competitive Enterprise Institute and Heritage Foundation echo this call to withdraw from the agreement. Increasingly, however, big business, including individual companies such as ExxonMobil, Levi Strauss & Company, Sierra Nevada Brewing Company, and Unilever, is pressuring President Trump to stay the course with the Paris agreement. The Trump administration has not yet indicated how it will handle this dilemma. But if the Clean Power Plan (below) is nullified, then finding a way to meet the emissions-reduction goals becomes much more difficult, if not impossible. 	<ul style="list-style-type: none"> ➤ For the U.S., the non-binding Paris agreement pledges to cut American economy-wide greenhouse gas emissions by 26 to 28 percent below the nation's 2005 level by 2025 and to make best efforts to reduce its emissions by 28 percent. It requires all nations—whether developed or developing—to make a commitment to address global climate change and was heralded as the most significant international effort to fight global warming.
<p>Pollinators</p>	<ul style="list-style-type: none"> ➤ President Trump's position on pollinators not yet articulated: It is unclear what will happen to US Fish and Wildlife funding. Certainly, the president's executive order mandating the freezing of all non-military federal jobs will 	<ul style="list-style-type: none"> ➤ GCA Position Paper on Environmentally Responsible Transportation supports encouraging "biodiversity in roadside plantings, particularly by the use of native plants." ➤ Pollinators: GCA's NAL and Conservation Committee chairs Jenny and Lindsay sent a letter

<p>HR 1284</p> 	<p>constrain the pollinator program. In addition, challenges to the Endangered Species Act could also prove difficult (see Endangered Species Act, above).</p> <ul style="list-style-type: none"> U.S. EPA administrator nominee's pollinator position unknown: Scott Pruitt, the nominee for U.S. EPA administrator did not answer most of the written questions regarding his views on the role of pesticides in the decline of bees. Although Pruitt stated that he understood the role pollinators play in America's food supply, he did not state that pesticides could be a contributing factor in the plight of pollinators. The Environmental Working Group has stated that Pruitt's home state of Oklahoma has the highest pesticide-related animal deaths in the country. 	<p>on 11/14/14 to selected Representatives and Senators urging funding for the Agriculture Department's proposed innovation institute for a public-private partnership to support research into pollination and pollinator health.</p>
<p>Solar and Wind Energy Rule</p> 	<ul style="list-style-type: none"> <u>New rule faces threat:</u> The Trump administration is looking to roll back environmental regulations, and the recent ones are the easiest targets. On November 10, 2016, the Bureau of Land Management issued the Solar and Wind Energy Rule, which strengthens existing policies and creates a new leasing program to support renewable energy development through competitive leasing processes and incentives to encourage development in suitable areas. As with the other rules, Congress could work to gut the Solar and Wind Energy Rule by using the Congressional Review Act (see Congressional Review Act, above). 	<ul style="list-style-type: none"> Former Interior Secretary Jewell's response to the release of the rule: "We are facilitating responsible renewable energy development in the right places, creating jobs and cutting carbon pollution for the benefit of all Americans." Environmental groups praised the rule for protecting natural resources while encouraging development of renewables. Industry groups have said that the existing system suffices and that a new rule could increase costs.
<p>Stream Protection Rule</p> 	<ul style="list-style-type: none"> <u>Senate kills Stream Protection Rule:</u> The senate voted to repeal the Stream Protection rule in H.J. Res. 38. This passed 55-45, with help from coal-state Sens. Joe Manchin (D-WV), Heitkamp (D-ND), Donnelly (D-IN), and McCaskill (D-MO). The regulation was targeted under the little-used Congressional Review Act (see above). The NAL and Conservation Committees issued a letter of support for the Stream Protection Rule. Chairs Linda Fraser and Missy Jensen wrote, "The Garden Club of America's position paper on Clean Water stresses both the safeguarding of '[t]he chemical, physical, and biological integrity of all of the nation's waters' and a '[r]eliance on sound science in making policy decisions.' We believe that the Stream Protection Rule meets these criteria. A look at the devastating environmental and human health crises that have followed in the wake of coal mining, especially mountaintop removal mining, reveals that the current regulations—some promulgated more than 30 years ago—are failing to protect the surface water, groundwater, aquatic life, and wildlife imperiled by coal mining operations." 	<ul style="list-style-type: none"> <u>What is the Stream Protection Rule?</u> This proposed 2015 rulemaking was issued last July from the Office of Surface Mining Reclamation and Enforcement. It is a regulation to better protect streams, fish, wildlife, and humans from the adverse impacts of surface coal mining operations (including mountaintop removal mining) while providing mine operators with a regulatory framework to avoid water pollution and the long-term costs associated with water treatment. Mountaintop-removal coal mining (an environmentally destructive surface mining technique in which the tops of mountains are cut off and scraped into the valley below) is notorious for poisoning streams with arsenic, selenium, and heavy metals. OSMRE Director Joseph Pizarchik has stated that the rule simply modernizes standards for coal mining impacts based on steadily advancing research. Moreover, Pizarchik noted that the rule would provide regulatory certainty regarding how to define material damage to waterways: "The existing rules do not define this term, which is analogous to posting 'do not speed' signs on highways without listing a speed limit." Peer-reviewed science has shown that the mining practices addressed by the Stream Protection Rule are causing ecological losses, downstream impact, and serious human health problems due to a failure of policy and enforcement.
<p>Abbreviations</p>	<p>BOEM – Bureau of Ocean Energy Management BLM – Bureau of Land Management CAA - Clean Air Act CBO – Congressional Budget Office, responsible for estimating bill costs and project future budget scenarios. CBR – Congressional Budget Resolution, the internal working plan that Congress uses to set levels for appropriations totals and sub-categories and specify changes in revenues and entitlement programs. CR – Continuing Resolution. Enacted when previous appropriations have lapsed and new bills have not been enacted. Provides funding at the same rate as in previous year. Under a CR, an agency cannot begin new programs, projects or activities. CRA – Congressional Review Act. A procedure that expedites congressional efforts to overturn newly promulgated regulations. CRA expedited procedures prevent a Senate filibuster or 60-vote requirement. If a disapproval resolution is enacted, the rule may not take effect. If either house rejects a disapproval resolution, the rule may take effect at once. If the President vetoes the resolution, the rule may not take effect for 30 days of session thereafter, unless the House or Senate votes to sustain the veto. Look for a CRA effort in the autumn to block the carbon rules CSP – Conservation Stewardship Program. Provides 5-year contracts to farmers who are good conservation stewards, providing annual payments for maintaining, enhancing existing conservation practices.</p>	

	<p> CPP – Clean Power Plan CWA – Clean Water Act CWR – Clean Water Rule Discretionary – Federal spending provided in annual appropriations bills. About 29% of federal outlays, divided roughly evenly between domestic and defense/security areas with domestic getting the "smaller half." EIS – Environmental Impact Statement EPA – Environmental Protection Agency. EPW – Senate Committee on Environment and Public Works EQIP – Environmental Quality Incentives Program. Promotes farm/forest production by enhancing environmental quality of soil, water, air, plants, animals; provides compensation for cost of implementing conservation practices. ESA – Endangered Species Act FWS – Fish and Wildlife Service. FY – Fiscal year. The federal government’s fiscal year runs from October 1 to September 30. FY 2016 will begin on October 1, 2015. GHG – Greenhouse gases. Includes carbon dioxide, methane, hydrofluorocarbons and others. LWCF – Land and Water Conservation Fund, a program to use federal proceeds from companies’ payments for oil/gas offshore leases to finance federal and state land acquisition for recreational and environmental purposes. NEP – National Estuary Program NEPA – National Environmental Policy Act NOAA – National Oceanic and Atmospheric Administration NMFS – National Marine Fisheries Service NSPS – New Source Performance Standards Mandatory — Federal spending provided in laws other than appropriations bills; about 71% of all outlays; this category includes Social Security, Medicare and veterans’ benefits, some farm payments, and interest. OSMRE – Office of Surface Mining Reclamation and Enforcement T&I – House Transportation and Infrastructure Committee WOTUS – Waters of the United States (proposed Clean Water Act rulemaking by EPA and Army Corps of Engineers, see Clean Water Rule) </p>
<p> Last updated February 8, 2017 </p>	<p> Editors: Suzanne Booker-Canfield, Ph.D. (sbc@sbcanfield.com) and Mary Kelberg (marykelberg@verizon.net). All e-mails and faxes are sent from GCA Headquarters. To unsubscribe: Contact Danielle Bartolone at danielle.bartolone@gcamerica.org or 212-753-8287, or NAL@gcamerica.org. (This document is designed to help you check the status of issues of interest. Don’t feel compelled to read every item; just use it to check on issues you are following.) </p>