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1. Zinke wants Congress' help managing America's treasures

Kellie Lunney, E&E News reporter

Published: Friday, June 9, 2017

Interior Secretary Ryan Zinke said yesterday that he wants Congress to work on legislation to "clean up" ambiguities in the management of national monuments.

<http://bit.ly/2rIQCG2>

2. Dems question budget's oil and gas focus

Pamela King, E&E News reporter

Published: Friday, June 9, 2017

Democratic appropriators yesterday criticized the Interior Department for proposing a budget that neglects the agency's conservation duties in favor of bolstering fossil fuel extraction.

<http://bit.ly/2s5anbC>

3. House eyes omnibus deal by August recess

George Cahlink, E&E News reporter

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<http://bit.ly/2sL6gPJ>

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Benjamin Storrow, E&E News reporter

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<http://bit.ly/2rJDUXF>

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<http://bit.ly/2sLi0Sl>

6. Climate, lawsuits top wildfire blame game list at hearing

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Democrats and Republicans at a hearing yesterday debated whether climate change or lawyers were to blame for making national forests vulnerable to wildfires.

<http://bit.ly/2reB8pW>

7. Trump decries 'painful' permitting, bulky enviro reviews

Camille von Kaenel, E&E News reporter

Published: Friday, June 9, 2017

President Trump concluded his "infrastructure week" today by promising to "hold the bureaucracy accountable."

<http://bit.ly/2rUEa4u>

8. Simpson proposes bill to boost LWCF, address backlog

Corbin Hiar, E&E News reporter

Published: Friday, June 9, 2017

A top GOP appropriator this afternoon unveiled a bill in the House that seeks to both extend the Land and Water Conservation Fund and address deferred maintenance projects at the National Park Service and other Interior Department bureaus.

<http://bit.ly/2scmggD>

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1. Zinke wants Congress' help managing America's treasures

Kellie Lunney, E&E News reporter

Published: Friday, June 9, 2017

Interior Secretary Ryan Zinke said yesterday that he wants Congress to work on legislation to "clean up" ambiguities in the management of national monuments.

While the 1906 Antiquities Act gives the president authority to proclaim monuments, managing those properties — especially when they conflict with other designations such as wilderness areas that have separate federal restrictions — is challenging, Zinke said. And in those cases, it's Congress, not the president, with the authority to sort that out, he said.

"There is no question that I am going to have recommendations for Congress to help clean up some of the management side of it," Zinke said during his first public appearance on Capitol Hill to discuss the Trump administration's proposed fiscal 2018 budget ([Greenwire](#), June 8).

"I can tell you that when I visited Bears Ears, there are some unbelievably important sites culturally for the American Indians and dwellers, but you pull up along a road [and] there's no sign, no lavatories, no parking lot," he told House appropriators yesterday, which also happened to be the 111th anniversary of the Antiquities Act. "There's no infrastructure."

Zinke was mum yesterday on what he will recommend for Bear Ears, the 1.35-million-acre monument in southeastern Utah designated by President Obama, in his eagerly awaited interim review due tomorrow.

The final report, which will include recommendations on altering or revoking the status of 26 other national monuments under review, is due in August per President Trump's April executive order.

The Montanan, however, did offer a window into his thought process as it relates to the review in response to a question from Rep. Chellie Pingree (D-Maine). Katahdin Woods and Waters National Monument in Penobscot, Maine, is one of the areas under review; Zinke is traveling there next week to visit it (*E&E News PM*, June 8).

"I don't intend to rip off Band-Aids where there are no Band-Aids," Zinke said of his approach to the review. "Many of our monuments are, to a degree, settled. There are some controversial ones more than others. ... I have to be consistent in review of it, and I'll make my recommendations," Zinke told Pingree.

Monumental support

Yesterday afternoon, House Natural Resources Committee ranking member Raúl Grijalva (D-Ariz.) convened a "roundtable" gathering on Capitol Hill with fellow Democrats and witnesses who oppose changes to the Antiquities Act or to reducing the size of national monuments like Bears Ears.

"Beyond a small but vocal minority, there is simply no public demand for the Trump administration's actions, which remain deeply unpopular and needlessly divisive," said Grijalva, adding that more than 1 million Americans have submitted comments and petitions "in support of national monuments."

The Democrat said the administration's monument review "has nothing whatsoever to do with improving public input on land management issues" but rather is an effort to open up more areas to oil and gas development.

The witnesses, who included a Montana rancher, a representative from outdoor clothing and gear retailer Patagonia, and a veteran now managing the Sierra Club's military outdoors program, described the economic, physical and psychological benefits national monuments confer on their communities.

"Just getting outdoors, it really, really turned my life around," said Robert Vessels, who spent five years in the Army and served in Iraq and Afghanistan. Vessels talked about the disconnection and depression he experienced when he left the military.

The lawmakers present, including Reps. Don Beyer (D-Va.), Judy Chu (D-Calif.) and Alan Lowenthal (D-Calif.), seemed especially interested in the benefits the outdoors and public lands can offer veterans.

"We all need healing, safe places, to be rejuvenated," Lowenthal told Vessels. "It's wonderful that you shared that."

<http://bit.ly/2rlQCG2>

2. Dems question budget's oil and gas focus

Pamela King, E&E News reporter

Published: Friday, June 9, 2017

Democratic appropriators yesterday criticized the Interior Department for proposing a budget that neglects the agency's conservation duties in favor of bolstering fossil fuel extraction.

The White House has recommended an \$11.7 billion Interior budget, a reduction as high as 13 percent, depending what numbers are used for comparison (*Greenwire*, June 8). Two of the department's few increases

come in the form of a \$16 million bump for its onshore oil and gas programs and a \$1.1 million raise for offshore development (*Energywire*, May 24).

On- and offshore renewables, however, fielded a cut, which Interior Secretary Ryan Zinke has said is consistent with expected demand.

"Sadly, this budget advances an agenda that puts profits of oil companies above the public good. There is a place for responsible oil and gas development on our public lands, but it must be balanced, and it must be sustainable," said Rep. Betty McCollum of Minnesota, the top Democrat on the House Interior, Environment and Related Agencies Appropriations Subcommittee. "This budget abandons the department's conservation responsibilities. The administration has already begun to reverse critical environmental policies such as those that limit offshore drilling, a moratorium on coal mining leases and the control of methane venting from drilling operations. These policies were carefully developed through scientific and public processes."

During a hearing yesterday, Zinke told the panel that he supports an "all-of-the-above" approach to achieving U.S. energy independence and dominance.

"We do not value oil and gas over alternative energy," he said.

Zinke called the budget proposal a "starting point" that includes funding decisions with which he doesn't always agree. He noted that "Congress has the last say" on Interior's expenditures in the coming fiscal year.

Several times during his testimony to the panel, Zinke said Interior's proposal is an example of a balanced budget.

"This is what a budget would look like if we're going to balance in 10 years without increasing revenue," he said.

Revenue has been a major focus of Zinke's budget discussions. The secretary had previously suggested that boosting offshore revenue to 2008 levels would cover the National Park Service maintenance backlog — and then some (*E&E News PM*, May 5).

He repeated that estimate to the subcommittee yesterday, alongside a promise that his newly reinstated Royalty Policy Committee would look at department income from natural resource development across the board.

"We're all stakeholders, and I want to make sure that how we gain rents and royalties is transparent, as it should be," he said. "It should be fair. The rules should not be arbitrary, and it should be in the best interests of the public because the public owns public lands."

Nominations for the committee have been twice delayed. Applications are now due July 3.

GOP response

Zinke received praise from at least one Republican on the panel for his budget's oil and gas focus.

"I also want to thank you for sticking up for the oil and gas industry," said Rep. Tom Cole of Oklahoma. "That's pretty important in my part of the world."

Other GOP lawmakers took Zinke to task for eliminating the Abandoned Mine Lands pilot project to reclaim old coal sites.

House Appropriations Chairman Emeritus Hal Rogers said he was "flabbergasted" by the decision.

"The AML Pilot Program is a win-win," the Republican Kentucky congressman said in written remarks. "It's good for the environment, and it's good for jobs. It has bipartisan support here in the Congress, and we're seeing good results of projects that have been undertaken and delivered with this two-year pilot program.

"It's working, and it's helping desperate areas of the country."

Zinke promised to "shake loose" a 2016 study of the program's effectiveness.

Lawmakers and Zinke appeared prepared to collaborate on shaping Interior's final fiscal 2018 budget.

"This budget season is going to be a challenge," said subcommittee Chairman Ken Calvert (R-Calif.).

<http://bit.ly/2s5anbC>

3. House eyes omnibus deal by August recess

George Cahlink, E&E News reporter

Published: Friday, June 9, 2017

With momentum building toward an omnibus fiscal 2018 spending package in the House before the August recess, energy and environmental agencies stand a greater chance to get fresh dollars than in recent years.

House lawmakers are considering marking up all 12 annual appropriations bills in quick succession over the next several weeks and then combining them into one package that would hit the floor by the end of July, before Congress leaves for a five-week summer recess.

Those bills could also potentially move in tandem with a fiscal 2018 budget resolution and a measure to raise the debt ceiling.

Lawmakers are eager to make headway on fiscal issues rather than bump up against the new fiscal year on Oct. 1 and a looming deadline for raising the nation's borrowing authority. It would allow Republicans to use the fall to focus on another top legislative priority, a tax overhaul, and diminish the prospects of shutting down the government.

"We always knew we were going to have an abbreviated budgeting process in this first year, like we do with every new administration," Speaker Paul Ryan (R-Wis.) told reporters yesterday. "So we're trying to figure out what's the best way to deal with our appropriations process, our budget process, given the ambition for tax reform" and the need to address other fiscal issues.

Additionally, an omnibus would likely allow for sidestepping the floor fights over partisan policy riders that have bogged down work on the energy-water and EPA-Interior spending bills in recent years. Broad spending packages, like the one Congress passed last month for funding the remainder of fiscal 2017, usually get bipartisan support because of their wide reach.

House Minority Whip Steny Hoyer (D-Md.) was quick to chide Republicans this week for ignoring regular order by considering an omnibus without first considering any individual spending bills. But, he added, Democrats view a broad funding package as a "step up" from relying on emergency spending bills.

"It's just hard to see the time to do all 12 spending bills," said Rep. Tom Cole (R-Okla.), a senior appropriator, who said the idea is "attractive" to many House members who see the omnibus as a way to get a floor vote on every bill ahead of final spending negotiations with the Senate.

Any House package would change in the Senate, where Democrats still have the ability to filibuster spending bills. Still, a House-passed package would give the chamber a stronger negotiating hand than relying on spending bills that have only been voted out of committee.

Cole said there still likely would be some room for amendments even on a broad deal but said they could be "harder" to get attached if the underlying omnibus has bipartisan support.

Rep. Ken Calvert (R-Calif.), the chairman of the House Interior and Environment Appropriations Subcommittee, at a hearing yesterday alluded to the tight calendar given that the White House budget request came about three months later than usual this year.

"This budget season is going to be a challenge," said Calvert. "We have a short time, a short window here we have to solve this, so we're going to be working hard on this committee."

Staunch House conservatives, who in the past have held up the spending bills to try to force deeper cuts, seem willing to pass up those fights this time with an eye toward focusing on longer-term budgeting goals and tax reform.

Rep. Mark Meadows (R-N.C.), the chairman of the hard-right Freedom Caucus, said the group would be open to an omnibus provided there is room to at least offer some policy riders. He said an omnibus would be better than a fall dominated by fights over stopgap measures as has been the case in recent years.

"We want to get it done," said Meadows.

Budget resolution, debt ceiling uncertainty

It's not yet clear when, or even if, the House will take up its annual budget resolution this year that would offer a nonbinding funding blueprint for appropriators.

If one is not adopted, the chamber could choose to deem an overall spending discretionary spending level that appropriators would then divide among the 12 bills.

House Budget Chairwoman Diane Black (R-Tenn.) would not commit this week to moving a budget before the July 4 recess, telling reporters she was working to find "consensus."

Black and other GOP leaders are especially eager to move a budget this year with provisions calling for a tax overhaul, which under obscure budgeting rules would make it far easier to get tax legislation written and passed through the Senate later in the year.

Meanwhile, Treasury Secretary Steven Mnuchin recently asked Congress to approve an increase in the nation's borrowing limit before leaving for summer recess.

The debt ceiling had not been expected to be hit until the fall, but as tax revenues have lagged, the administration has called for earlier action to avoid the chance at defaulting on federal debt.

GOP lawmakers have signaled an openness to a clean extension with most unwilling to risk an unprecedented federal default. It remains to be seen, though, whether other provisions could be woven into the debt deal, which in the past has been used as a vehicle to move both tax breaks and spending cuts.

The Freedom Caucus has said it would only back a debt limit increase if it were coupled with calls for other long-term, structural budget reforms that could force reductions in discretionary accounts and federal entitlements.

Meadows, however, conceded the right's view might not carry if Democrats joined with other more moderate Republicans to back a clean increase in the debt ceiling.

Hoyer said this week Democrats would be willing to support a clean debt ceiling increase but stressed it could not be tied to moving a tax package.

<http://bit.ly/2sL6gPJ>

4. Mine operator lobbies govt to keep sinking plant afloat

Benjamin Storrow, E&E News reporter

Published: Friday, June 9, 2017

Executives at Peabody Energy Corp., the nation's largest coal mining company, began barraging federal officials with meeting requests as it became clear in January that a major power plant would be shuttered years before its expected retirement date, government documents show.

Their goal: to save the only coal mine that feeds fuel to the Navajo Generating Station, a 2,250-megawatt behemoth straddling the Grand Canyon in northern Arizona. It's one of the largest plants in the West, and it's run by the Salt River Project (SRP). Peabody owns the mine that supplies the plant with the black rock.

The 225 pages of documents released by the Bureau of Reclamation this week underscore the high stakes and unique circumstances surrounding NGS, as the plant is often called. The records were released in response to a Freedom of Information Act request.

Salt River Project's decision to close NGS in 2019 represented one of the first tests of the Trump administration's pledge to revive the coal industry. And with the federal government owning a 24.3 percent stake in the plant, the administration found itself in a position to shape its future. Four utilities that also have shares in the plant voted to close NGS, saying it's unprofitable when the United States is awash in natural gas. But federal officials sought to keep it open.

The outcome is important to Peabody, which operates the Kayenta mine, some 80 miles east of the power plant. NGS is Kayenta's only customer, meaning any decision to close the plant would also result in shuttering the mine. Kayenta represents about 4 percent of Peabody's annual coal sales, according to an analysis by Doyle Trading Consultants, a research firm that tracks the industry.

News reports concerning NGS's potential closure began to appear in early January, and Peabody officials wasted no time before acting.

On Jan. 10, a Peabody official named Randy Lehn wrote to Kevin Black, a program manager at the Bureau of Reclamation, to set up a phone call.

Listing the company's concerns, he wrote: "1. We have some real issues with SRP message on the costs of the fuel, Given [sic] SRP is not being transparent with their costs at the plant. 2. If they are not competitive with natural gas today at over \$3, why did they not say something the past several years when it was lower."

That same day, Peabody's senior vice president for global government affairs, Michael Flannigan, emailed Reclamation's deputy director, David Palumbo, asking to set up a phone call. Flannigan wanted "to discuss how we can secure the support of the Bureau of Reclamation to protect the employees at NGS and the Kayenta Mine."

The next day, on Jan. 11, the company forwarded a letter from two senior executives to Reclamation proposing to lower the company's coal prices in hopes of keeping the plant open.

"We cannot overemphasize the importance of NGS to Peabody Energy, the Navajo Nation, the Hopi Tribe and the region as a whole," wrote Kemal Williamson, Peabody's president of the Americas, and Bryan Galli, group executive of marketing and trading.

Trump administration tries to keep plant open. It's alone

The general manager of the Central Arizona Project, a large aqueduct feeding Phoenix and Tucson that is the plant's largest electricity customer, wrote federal officials to alert them that he had been called by Williamson. The Central Arizona Project is a local entity overseen by the Central Arizona Water Conservation District. Project officials have come out in favor of closing the plant, saying the water system could buy power for less on the wholesale market.

"Of course, CAWCD [Central Arizona Water District] has no formal or contractual relationship with Peabody, CAWCD is not a decision maker with respect to the future of NGS, and there is little either CAWCD or Peabody can do to influence the economic realities in today's electricity market, and that will be the gist of our conversation with him," Central Arizona Project General Manager Ted Cooke wrote. "I expect to be sympathetic and listen, but there is obviously nothing CAWCD can do or promise to do."

It is not yet clear how federal officials responded to Peabody's requests. The government's internal deliberations were largely absent from the documents released this week in response to a Freedom of Information Act request by E&E News.

A spokesman did not address a question about Reclamation's response to Peabody's approaches in an email yesterday.

This much is clear: The Trump administration has loudly advocated for keeping the plant open beyond 2019.

When the Salt River Project, Arizona Public Service Co., Tucson Electric Power and NV Energy held a vote on the plant's future in February, the government was alone in opposing a shutdown. In a meeting of tribal members, government officials, utility executives and Peabody representatives at the Interior Department's Washington headquarters in early March, the department's acting deputy director, James Cason, promised to "turn over every rock" in an effort to keep the plant open.

Interior Secretary Ryan Zinke briefly joined a similar meeting in April, later tweeting that he was "looking for solutions." Interior has since held a series of public listening sessions on the plant's future.

The documents released this week provided little insight into the government's progress on that front. At a March 24 meeting intended to help identify a new long-term owner for the plant, officials discussed running the plant during the summer months, when electricity demand is at its highest, meeting notes show. They also discussed the merits of maintaining the present transmission capacity in the event NGS closes.

Key decision this month

Peabody, for its part, has launched a public campaign to keep the plant open. At a meeting of Arizona regulators in April, Peabody representatives and consultants presented a study showing ratepayers could save \$700 million to keep the plant open through 2040.

Beth Sutton, a Peabody spokeswoman, said in a statement yesterday, "We're encouraged by the Department of the Interior's leadership working with stakeholders on solutions that will keep the plant operating to protect affordable electricity, jobs and vital revenues for the Navajo Nation and the Hopi Tribe."

A major landmark in the plant's future will likely be decided later this month, when the Navajo Nation Council will vote on a replacement lease agreement that would allow the plant to stay open through 2019. The power plant is on Navajo land, and the Kayenta mine encompasses both Hopi and Navajo land.

Leaders of both tribes have pushed to keep the facilities open, arguing that their closure would devastate the tribal economies. SRP has said it needs a new lease with the Navajo by this summer, or it will shut the plant down this year to complete Reclamation requirements by the end of its 2019 lease. That has prompted criticism from the tribes, which argue that the power company is trying to secure advantageous terms by threatening an early shutdown.

The documents released by Reclamation did not include Navajo correspondence.

The challenges facing the power plant were laid bare in the bureau's answers to questions from the Gila River Indian Community, which receives water from the NGS-powered Central Arizona Project. Gila River officials have said they do not want to pay increased water rates to keep the plant open.

Asked what the plant's closure would mean for the government's ownership interest, the bureau's area manager for the Lower Colorado Region wrote: "The current federal interest in NGS generation will cease if the plant closes because the agreements that define that interest will no longer exist. A new scenario involving a federal role in NGS is likely to require new legislation. Federal obligations for retirement, remediation, and environmental monitoring at the site will remain until completed (minimum monitoring requirement is 30 years)."

A Reclamation spokesman said yesterday that it's "premature to speculate" about future legislation relating to NGS, noting that conversations about the plant's future are ongoing.

<http://bit.ly/2rJDUXF>

5. Idaho power plant to close 10 years early

Published: Friday, June 9, 2017

Idaho regulators have agreed to a plan that would shut down a coal-fired power plant about 10 years sooner than planned.

The agreement reached Monday puts the North Valmy Generating Station — located near Valmy, Nev. — on track to close by 2025.

Idaho Power Co. says closing the plant will save customers money, but its settlement with the state's utility commission will raise residential power bills by about \$1.20 per month.

The company, which co-owns the plant with NV Energy, is seeking a similar arrangement in Oregon (Keith Ridler, *Spokane Spokesman-Review*, June 7). — AAA

<http://bit.ly/2sLiOSl>

6. Climate, lawsuits top wildfire blame game list at hearing

Marc Heller, E&E News reporter

Published: Friday, June 9, 2017

Democrats and Republicans at a hearing yesterday debated whether climate change or lawyers were to blame for making national forests vulnerable to wildfires.

That divide helped shape the discussion at a hearing of the House Natural Resources Subcommittee on Federal Lands, where lawmakers returned to an issue that's bubbling up again in Congress: how to reverse a trend toward bigger, more frequent wildfires.

"The threat of litigation has paralyzed forest managers," said panel Chairman Tom McClintock (R-Calif.), whose state has lost more than 100 million trees to drought, disease and pests.

A total of 1,125 lawsuits were filed against the Forest Service from 1998 to 2008, and hundreds more have come since, the Republican committee staff reported. And while the Forest Service wins most of them, McClintock said, the potential for litigation forces officials to take more time than needed to review projects.

McClintock called the hearing to focus on litigation and "federal bureaucratic roadblocks" that slow the pace of forest-thinning projects that could reduce fire risks while providing more timber.

Reviews of proposed forest management projects under the National Environmental Policy Act can take four years, he said, suggesting that environmental regulation isn't working as intended to keep forests healthy. Instead, they've become overgrown and choked with potential fuel for forest fires, he said.

"It is killing our forests," McClintock said.

Democrats on the subcommittee saw hotter, drier weather tied to climate change as more of a threat, and they used the hearing as a forum to criticize President Trump for withdrawing from the Paris climate accord.

Rep. Alan Lowenthal (D-Calif.) said Congress needs to focus on climate change as well as other forest-related issues and asked the hearing witnesses — four experts on forest policy, mostly urging more active forest management — if they agree climate change is affecting forests. All four said they do.

"I believe changes are taking place," said Lyle Laverty, president of the Laverty Group in Denver and a former assistant secretary of the Interior for fish, wildlife and parks.

"We find that fire is a year-round issue. It's not a seasonal thing," Laverty said.

A combination of climate change, logging and grazing makes land more vulnerable to fire, said Susan Jane Brown, staff attorney for the Western Environmental Law Center in Eugene, Ore.

"It is a cumulative impact of things, but climate makes it worse," she said.

McClintock has faced criticism at home for not embracing the idea that human activity is warming the globe, and the Trump administration has backed away from using the term "climate change," substituting "extreme weather" in documents related to its budget request for the Forest Service for fiscal 2018, for instance.

In its 2017 budget justification, the Obama administration's Forest Service included the sentence, "Agency operations and assets must become more resilient to the impacts of a changing climate so we can continue to provide a high level of service while caring for the National Forest System lands."

The Trump administration, in its 2018 budget justification, substituted: "Agency operations and assets must become more resilient to extreme weather so the agency can continue to provide a high level of service while caring for the National Forest System (NFS) lands."

Congressional attempts at a solution

Beyond the climate debate, Congress has been inching toward possible solutions on wildfires.

Democrats largely agree that budgeting for fires as natural disasters is the right approach, and several proposed bills have moved toward that goal. Yesterday, Rep. Mike Simpson (R-Idaho) reintroduced legislation to do that, and Rep. Bruce Westerman (R-Ark.) floated related draft legislation to boost forest-thinning projects and change the way the government covers the rising cost of wildfires (*Greenwire*, June 8).

Dealing with litigation and other issues has proved more complicated. At the hearing, Lawson Fite, general counsel for the American Forest Research Council, said Congress could streamline the administrative appeal process and give the Forest Service clear direction about when the agency should use an environmental assessment versus an environmental impact statement; in some cases the reports can run more than 400 pages, he said.

Rep. Rob Bishop (R-Utah), chairman of the Natural Resources Committee, said the Forest Service may only make matters worse trying to fine-tune procedures to avoid lawsuits, opening up new angles of attack for critics.

"Is it true, or is it possible, that in many instances the increased complexity of these situations and the protracted review timelines act to create more opportunities for litigation?" Bishop asked.

"We have this cycle that goes through that as the agency attempts to eliminate litigation against them, they actually open up new opportunities for increased litigation against them," Bishop said. "This seems to be a never-ending cycle."

Simpson's bill would allow the Forest Service to draw on disaster funds when it exceeds its annual appropriation for fire suppression, rather than tapping accounts for other programs. The Nature Conservancy and a coalition of conservation, timber and recreation groups said they support it and will press for passage this year.

The Natural Resources Committee will hold a hearing on Westerman's draft Thursday. That measure is the latest version of the "Resilient Federal Forests Act," which seeks expanded use of categorical exclusions to allow forest-thinning projects with less environmental review.

The latest version drops an earlier version's requirement that groups suing to stop such projects post bonds to cover the government's anticipated legal costs. The proposal keeps an earlier version's approach to ending the Forest Service's budget borrowing for fires, but that provision is likely to change before the bill is formally introduced, said committee spokesman Parish Braden.

<http://bit.ly/2reB8pW>

7. Trump decries 'painful' permitting, bulky enviro reviews

Camille von Kaenel, E&E News reporter

Published: Friday, June 9, 2017

President Trump concluded his "infrastructure week" today by promising to "hold the bureaucracy accountable."

Speaking to lobbyists, members of Congress, state and local officials, and Transportation Department staff, he announced several initiatives to speed up projects.

He lifted "70-pound" binders with pages from an environmental review for a road project in Maryland, which he said costs \$29 million, and dumped them on the floor to laughs. Pointing to a massive organizational chart, he asserted that the federal permitting process was "painful" for the private sector and state and local officials.

Trump cited his approval of the Keystone XL and Dakota Access pipelines as victories, calling them a "miracle" that brought projects that were "dead" back to life.

In prepared remarks, Trump said he is creating a special Council on Environmental Quality office to speed infrastructure projects to "root out inefficiency, clarify lines of authority, and streamline federal, state and local procedures so that communities can modernize their aging infrastructure without fear of outdated federal rules getting in the way."

He also announced the creation of a council to "help project managers navigate the bureaucratic maze" and maintain an online dashboard tracking the progress of projects through the permitting process.

The council will impose "tough new penalties" on agencies that are slow to grant approval, Trump said.

Interior Secretary Ryan Zinke said the Interior Department would seek to stop being a "stick in the mud," saying a forthcoming internal reorganization and collaboration with other federal agencies would speed the permitting process.

The administration had been laying out its vision for completing Trump's campaign promise to rebuild the country's roads and bridges with \$1 trillion by encouraging more state, local and private spending in a series of speeches and events this week. Trump met with governors and other state officials yesterday, joined by Zinke and Transportation Secretary Elaine Chao, and held a roundtable with local officials today at the Transportation Department's headquarters to talk about regulatory reform.

Critics have called the infrastructure events this week an attempt to distract from troubling news regarding the investigations into whether Trump's campaign colluded with Russia during the 2016 election. They have pointed to a lack of substantial new proposals and legislation. An analysis from Democrats suggested proposed budget cuts to Transportation Department grants would over time balance out a \$200 billion increase in federal spending and lead to lower infrastructure investment, which Chao disputed.

Chao said her agency is currently reviewing regulations. It has already halted a climate metric for highway planners from going into effect.

Two transportation bills passed under the Obama administration, MAP-21 and the Fixing America's Surface Transportation (FAST) Act, sought to streamline the permitting process, and the government has just started implementing those provisions. Included is the creation of a dashboard to track the progress of projects, like one that is already online.

<http://bit.ly/2rUEa4u>

8. Simpson proposes bill to boost LWCF, address backlog

Corbin Hiar, E&E News reporter

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A top GOP appropriator this afternoon unveiled a bill in the House that seeks to both extend the Land and Water Conservation Fund and address deferred maintenance projects at the National Park Service and other Interior Department bureaus.

Over the next six years, the "Land and National Park Deferred Maintenance Act," from Rep. Mike Simpson (R-Idaho), would provide \$450 million annually in mandatory funding for both the LWCF, which is a popular conservation and recreation program set to expire in October 2018, and a new National Park Service and Related Agencies Maintenance and Revitalization Conservation Fund.

Those conservation funds would be bankrolled by offshore oil and gas royalties.

"Conserving land and water is vitally important to ensuring access to our public lands," Simpson said in a statement. "However, ensuring we take care of public lands is equally important. That is why I am proposing a solution that honors the commitment to the Land and Water Conservation Fund while creating a new fund to help our National Parks, and other land managers, address the maintenance backlog."

LWCF was created in 1965 to acquire and preserve some of the nation's most iconic landscapes. The idea was to use revenues from the depletion of one natural resource — offshore oil and gas — to support the conservation of land and water resources.

But in the years since its creation, LWCF has been consistently appropriated far less than the \$900 million in royalties it is authorized to receive. Whether the program should be expanded to include backlogged repair projects in national parks, wildlife refuges and forests is another recurring argument (*E&E Daily*, June 24, 2015).

Simpson's bill would, at least through 2024, settle both issues.

LWCF would be guaranteed to receive \$450 million a year — above both the \$300 million it typically receives and the \$400 million it got in the fiscal 2017 omnibus deal (*Greenwire*, May 1).

The bill, dubbed the "LAND Act," would set aside \$180 million for federal land conservation purposes and \$220 million for states. The remaining \$50 million could be used by the agencies at their discretion for federal and state programs.

At the same time, the National Park Service — which has a backlog of more than \$11 billion — could count on at least \$375 million annually "for high priority deferred maintenance needs," the bill says. The Fish and Wildlife Service, Bureau of Land Management and Forest Service would also each get \$25 million per year for their much smaller backlogs.

<http://bit.ly/2scmggD>