

**DEPARTMENT OF THE INTERIOR
2009 OMNIBUS APPROPRIATIONS ACT SUMMARY**

Overview.....	2
Detail by Bureau and Activity	
Bureau of Land Management Operations.....	10
Fish and Wildlife Service Operations.....	12
FWS Endangered Species Program.....	13
National Park Service Operations.....	14
Signature Projects Matching Program.....	15
NPS Maintenance.....	16
NPS National Recreation and Preservation.....	17
NPS Historic Preservation Fund.....	18
Minerals Management Service.....	18
Office of Surface Mining.....	19
U.S. Geological Survey.....	20
Office of Insular Affairs.....	22
Major Crosscutting Programs	
Wildland Fire Management.....	23
Energy Programs Crosscut.....	24
Law Enforcement Program Crosscut.....	25
Partnerships in Conservation.....	27
Multinational Species Conservation Fund and Neotropical Migratory Birds.....	28
Federal LWCF Land Acquisition.....	28
Stateside LWCF Grants.....	29
Maintenance Programs.....	29
Construction Programs.....	30
Native American Programs	
Office of the Special Trustee and Indian Land Consolidation.....	32
Bureau of Indian Affairs.....	32
Departmental Offices.....	34
Department-wide Programs.....	35
Legislative Provisions.....	35
Legislative History.....	39
Appendices	
Appendix A: Bureau/Office Numbers.....	40
Appendix B: Key Numbers.....	41
Appendix C: Land Acquisition Details.....	42
Appendix D: Construction Details.....	45

ENERGY AND WATER DEVELOPMENT

Overview.....	50
Detail by Bureau and Activity	
Bureau of Reclamation.....	50
Other Accounts.....	52
Selected Legislative Provisions.....	52

**RESULTS OF CONGRESSIONAL ACTION ON THE FISCAL YEAR 2009
DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED
AGENCIES APPROPRIATIONS ACT**

2009 APPROPRIATIONS ACT SUMMARY

The Omnibus Appropriations Act for 2009 (Public Law 111-8) was enacted on March 11, 2009. This summary provides an overview of funding and legislative provisions relating to the Department of the Interior's programs in two sections of the Omnibus Appropriations Act.

<u>Current (\$000)</u>	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus Act</u>	<u>Conf. +/- 08 Enacted</u>	<u>Conf. +/- 09 Budget</u>
Interior Bill	10,345	9,762	10,183	-162	421
Energy & Water Devel. Bill	<u>1,318</u>	<u>786</u>	<u>1,118</u>	<u>-200</u>	<u>332</u>
Total	11,663	10,548	11,301	-362	+753
Total Adjusted for Fire/DTL/PILT	10,875	10,548	11,301	426	753

Note: The 2008 enacted amount for Interior includes \$384 million in supplemental fire funding; the Energy and Water Development amount includes \$175 million provided in 2008 in supplemental funding for Desert Terminal Lakes. The Adjusted Total adjusts for these and PILT, which is mandatory in 2009.

FUNDING OVERVIEW

The Act, Division C, Title II, includes appropriations for the Bureau of Reclamation and Central Utah Project. The Act, Division E, Title I, includes appropriations for the other bureaus and programs in the Department of the Interior. In total these two Titles provide \$11.3 billion for the Department's programs. This is \$370 million below the 2008 funding level. The 2008 appropriated level includes \$384 million in supplemental fire funding for Interior programs and \$175 million in Desert Terminal Lakes funding for the Bureau of Reclamation. These amounts distort the comparison. If you exclude these two amounts from the 2008 level, then the 2009 Consolidated Act is an increase of \$189 million or nearly 2 percent above the 2008 level. The 2009 act does not include funding for the Payments in Lieu of Taxes program, which is now funded as a mandatory appropriation. Adjusting for this in the comparison, the 2009 act provides an increase of \$426 million, or 4 percent over 2008.

**INTERIOR, ENVIRONMENT AND REALTED AGENCIES – DIVISION E,
TITLE I**

This Title includes a total of \$10.2 billion for all Interior bureaus and offices, excluding the Bureau of Reclamation and CUPCA. This funding level is \$162 million below the 2008 funding level. However, adjusting for emergency supplemental appropriations for fire in 2008 and the PILT program, which is funded as a mandatory in 2009, there is a real increase of \$451 million or 4.5 percent above the 2008 level.

Key programs and initiatives funded in the Act include:

Fixed Costs. The Act increases funding over the 2008 level by \$142 million for fixed costs. These increases are key to maintaining capacity in parks, refuges and other Interior operations programs. The increase funds much of the January 2009 pay raise of 3.9 percent and one quarter of the January 2008 pay raise of 3.5 percent, health benefits, workers and unemployment compensation, rate increases on existing GSA leases, and the increase in the Department's working capital fund. Although this funds the level requested in the budget, it assumes absorption of \$22.5 million in unbudgeted pay and benefits costs.

Energy. The Oil and Gas Management program in the Bureau of Land Management is funded at \$136.9 million, which is essentially level with the 2008 level. This includes appropriations of \$79.5 million, anticipated collections of rental income of \$21 million for pilot offices, and \$36.4 million from the retention of funds from a \$4,000 APD fee. The managers direct the Bureau of Land Management to report on compliance with section 713 of the Energy Independence and Security Act of 2007 dealing with inventory of carbon sequestration in Federal mineral leaseholds. The bureau's Coal Management and Other Mineral Resource programs are funded at \$9.5 million and \$10.4 million, respectively, essentially the same as the 2008 level adjusted for fixed costs.

The Act includes \$310.4 million for the Minerals Management Service, an increase of \$2.6 million over the 2008 level. A real increase of \$13.6 million is funded with an increase in offsetting collections of \$11.0 million from rental income. The Act includes an increase of \$1 million for alternative energy, \$8.5 million for activities in support of the five year program, \$1.1 million for geoscientific interpretive tools, and \$2 million for compliance and audit activities recommended by the Office of Inspector General.

For the U.S. Geological Survey, the Act includes \$650,000 to initiate a minerals resource assessment of Federal lands in Nye County, Nevada. Report language encourages USGS to expedite efforts to conduct assessments or make additional data publicly available that can demonstrate the full range of energy resources in the Bakken Formation.

The Act imposes net receipts sharing, including language that authorizes deduction of two percent from State royalties to cover administrative costs. This results in a \$47 million scoring credit. The Act rescinds \$13 million from the Naval Oil Shale Reserve account, the amount in the fund that is surplus to the needs for remediation of the site.

Climate Change. The Act includes a net increase of \$35.2 million for the Global Climate Change Research program. The increase includes \$10 million for the National Global Warming and Wildlife Science Center, \$3 million to implement geological and biological carbon sequestration studies as required by sections 711, 712, and 714 of the Energy Independence and Security Act of 2007. The remaining \$21.3 million is transferred from various research activities into the Global Climate Change Research budget activity. The report provides direction to utilize \$2.5 million to complete establishment of the Center and allow the Center to develop mechanisms to ensure responsiveness to research and management needs of Federal and State agencies regarding impacts of global warming and the mechanisms for adaptation to impacts; and \$7.5 million for the Center for projects to accelerate global warming research and

development of decision support tools.

Additional direction is provided for the Secretary to develop a national strategy to assist wildlife, fish, plants, and associated ecological processes to become more resilient, adapting to, and surviving the impacts of climate change. The report recommends the inclusion of a science advisory board and consultation with other Federal agencies, States, Territories, Tribes, scientists and stakeholders and the public.

National Parks. For National Park Operations, the Act funds an increase of \$160.9 million over the 2008 enacted level. Included within the \$2.1 billion operations budget is a \$9.9 million reduction that assumes reduced spending with five months of the year elapsed. The Act includes increases for core operations, maintenance, and park support, a multi-bureau effort to eradicate drugs on public lands, the U.S. Park Police, and the National Trails System. No funding is provided for the signature sites matching program that was funded at \$24.6 million in 2008.

Fish and Wildlife Service Operations. The Act includes \$1.1 billion for the operations program in the Fish and Wildlife Service, an increase of \$58.3 million above the 2008 level. Funding for the National Wildlife Refuge System is \$462.9 million, including an increase of \$28.7 million for visitor services, law enforcement, conservation planning and maintenance. The Act includes an additional \$1.7 million for bald and golden eagle management, \$1.6 million for international activities, \$7.4 million for migratory bird monitoring and conservation, and \$2.0 million for the North American Waterfowl Management Plan.

Funding for Endangered Species in the operating account totals \$158 million, an increase of \$7.5 million above 2008. Funding increases are directed to sage grouse candidate conservation, grants with the National Fish and Wildlife Foundation, Lahontan cutthroat trout restoration, and western states wolf monitoring. In addition to the operational funding for endangered species, the Act includes \$75.5 million for the Cooperative Endangered Species Conservation Fund, \$1.7 million over the 2008 level.

Bureau of Land Management Operations. The Act provides \$1.0 billion for BLM operating programs, an increase of \$37.7 million over the 2008 level. Increases are provided for the land health initiative, abandoned mine reclamation, cultural resources management, fisheries and endangered species management, resource management planning, and wild horse and burro management. An increase of \$5.1 million is provided for a multi-bureau effort to eradicate drug activities on Federal lands.

The National Landscape Conservation System is funded at \$60.8 million, an increase of \$6.6 million above the 2008 level. The Act continues a \$4,000 Application for Permits to Drill fee that was initiated in the 2008 Interior Appropriations Act and directs the use of the \$36.4 million in collections for the oil and gas program in lieu of using direct appropriations.

Youth. The Act directs NPS to fund no less than \$3 million for projects to be carried out by the Youth Conservation Corps and not less than \$3 million by the Public Land Corps.

The Act directs BLM to spend a minimum of \$1.5 million and FWS to spend a minimum of \$2.5 million for projects to be carried out by the Youth Conservation Corps.

Indian Communities. The Act increases funding for BIA public safety and justice programs by \$27.1 million over the 2008 level, including \$26.9 million to hire and train law enforcement officers in areas with the highest crime rates in Indian Country and \$170,000 for Tribal Courts. These increases are also supported by an increase of \$21.5 million in the construction program primarily for the replacement and repair of adult and juvenile detention centers. This increase in the construction program includes \$3.5 million for employee housing in remote areas to promote recruitment and retention of law enforcement staff.

The Act adds \$19.6 million over the 2008 enacted level for K-12 education programs, targeting program enhancements to promote student achievement and address rising student transportation costs. An increase of \$3.5 million is included for post-secondary programs. Funding is continued for United Tribes Technical College and Navajo Technical College at \$6 million.

The amount for school construction reflects a \$14.1 million reduction from the 2008 enacted level, and includes \$4.4 million for housing units in remote areas promote recruitment and retention of teachers and other educational staff.

There is an increase of \$4.2 million for Community and Economic Development, including an increase of \$3.9 million for Job Placement and Training and \$400,000 for the National Ironworkers Training program. The Act includes \$8.2 million for the Indian Guaranteed Loan program, an increase of \$2 million over 2008.

Funding for the Land and Water Settlements account is reduced by \$11.9 million from the 2008 level, consistent with the budget. This fully funds all enacted settlements and reflects the completion of payments to the Rocky Boys trust fund.

Report language directs BIA to partner with the Indian Health Service and others to establish clear standards for responding to domestic violence and sexual assaults; provide training programs that promote culturally sensitive protocols for officers to respond to domestic violence and sexual assaults and protocols for the collection and preservation of evidence; work with the FBI and the U.S. Attorney's Office to establish clear guidelines for reporting and establishing evidentiary chains of command; and work with Tribes, States and local jurisdictions to delineate responsibilities and protocols for reporting, responding to, and prosecuting these crimes.

Water Conservation. The Act funds the U.S. Geological Survey Water Resources programs at \$221.4 million, essentially even with the 2008 funding level and provides increases of \$500,000 for ground water resources and \$2 million for the stream gage program.

Land and Water Conservation Fund. The Act includes \$110.4 million for Federal land acquisition, \$14.8 million above the 2008 enacted level. Federal land acquisition funding

by bureau includes: \$14.8 million for BLM, \$42.5 million for FWS, \$45.2 million for NPS, and \$8.0 million for consolidated appraisal services. The Act also includes \$19.0 million for LWCF Grants to States.

FWS Grants. The Act funds the Multinational Species Conservation Fund at \$10 million, an increase of \$2.1 million above 2008 for grants to conserve African and Asian elephants, rhinos, tigers, great apes, and marine turtles.

The Act includes \$75.0 million for State and Tribal Wildlife Grants, an increase of \$1.2 million above the 2008 level. The Neotropical Migratory Bird Conservation account is funded at \$4.8 million, \$320,000 above 2008.

NPS Grants and Conservation Partnership Programs. The Heritage Partnership program is funded at \$15.7 million, \$444,000 above 2008. This will fund all partnerships authorized during the 110th Congress. Partnerships funded in 2008 will receive the same level in 2009 and newly authorized partnerships will receive \$148,000 for planning. NPS is directed to develop new guidelines for the program that require self-sufficiency plans for all areas within a reasonable amount of time.

The Save America's Treasures grant program is funded at \$20.0 million, of which \$10.0 million is allocated by project and \$10.0 million will be competitively awarded. Grants to States and Tribes for historic preservation are funded at \$49.5 million, an increase of \$3.7 million. The Act terminates funding for the Preserve America program.

Wildland Fire. The Act includes \$859.5 million for the Wildland Fire program, an increase of \$51.4 million above 2008. The increase includes \$45.4 million for the expected increase in suppression costs based on a ten-year rolling average. The Act funds rural fire assistance grants at \$7 million and joint fire science at \$6 million.

Payments in Lieu of Taxes. The Act includes authorization to fund \$400,000 for administration of the Payments in Lieu of Taxes program. The Tax Relief Act of 2008 funded payments to counties as a mandatory appropriation beginning in 2008 and continuing through 2012, but did not provide for administrative costs. Payments in 2009 will provide the approximate full entitlement level of \$376.0 million.

Other USGS Programs. The Act funds the Landsat Continuity Mission at \$24.2 million and \$16.0 million to continue Landsats 5 and 7. The Report rejects the proposal to transfer satellite development and launch from NASA, and defers further action on consolidation of remote sensing programs until a new plan for future land imaging and remote sensing coordination is available.

The Act provides \$3.0 million for earthquake monitoring and research, \$500,000 for seismological equipment, \$2.0 million for volcano hazards research, and \$1.5 million for the global seismographic network. An increase of \$3.0 million is provided for extended continental shelf mapping in the Arctic Ocean, \$1.0 million for ocean action plan coastal geology, and \$500,000 for California sea floor mapping. The Act increases deferred maintenance and capital improvement by \$4.0 million.

Office of Insular Affairs. The Act includes \$84.0 million for Insular Affairs, \$854,000 above the 2008 enacted budget. The Act increases technical assistance to the islands and contains other small program increases, including funding for coral reefs.

Office of Surface Mining. The Act includes \$164.7 million for the Office of Surface Mining, a reduction of \$5.7 million below the 2008 level. Within this funding level, there is an increase of \$1.0 million for State regulatory grants and a one-time rescission of \$8.5 million in unobligated balances from prior year appropriations for Abandoned Mine Land emergency grants. The report disapproves the proposal to discontinue funding for State emergency programs within the OSM appropriation.

Construction. The Act provides a total of \$493.0 million for construction programs, including \$6.6 million in BLM, \$35.6 million in FWS, \$232.5 million in NPS, and \$217.7 million in BIA. This is an increase of \$31.2 million above the 2008 enacted level.

Of note, the NPS account includes \$60 million for the Modified Waters Deliveries Project at Everglades National Park. The Act directs the Secretary to evaluate the feasibility of additional bridge length, including a continuous bridge, or additional bridges for the Tamiami Trail to restore more natural flows to the Park and Florida Bay. The feasibility study and recommendation from the Secretary are to be submitted to Congress within 12 months of enactment of the Act.

Financial and Business Management System. The Act includes \$73.4 million, a \$33.3 million increase above the amount enacted in 2008 for the Financial and Business Management System.

Departmental Offices. The Act includes \$62 million for the Office of the Solicitor, an increase of \$3.7 million above 2008. The Act includes \$45.9 million for the Office of Inspector General, an increase of \$2.1 million over 2008. For the Office of the Secretary, the Act provides \$107.3 million, an increase of \$7.7 million including \$1 million to support a commission to study the creation of the National Museum of the American Latino.

Trust. The Act includes \$181.6 million for the Office of the Special Trustee for American Indians' Federal Trust programs, an increase of \$2.2 million over 2008. The Act eliminates funding for the Indian Land Consolidation program.

Reorganizations. The Act directs that major reorganizations be submitted for review to the Appropriations Committees before implementation.

Workforce Planning. The Act requests that the Government Accountability Office conduct a review of existing workforce planning processes and provide a recommendations base don best practices.

LEGISLATIVE PROVISIONS - INTERIOR AND RELATED AGENCIES

A summary of noteworthy legislative provisions follows:

OCS Moratoria. There is no provision addressing the moratoria on Outer Continental Shelf oil and gas leasing.

Baca National Wildlife Refuge. The Act includes a provision that amends the Great Sand Dunes National Park and Preserve Act of 2000 (16 U.S.C. 410hhh-4) that clarifies the purpose of the Baca National Wildlife Refuge as being to “restore enhance, and maintain wetland, upland, riparian, and other habitats for native wildlife, plant and fish species in the San Luis Valley.

Deer at Point Reyes National Seashore. The Act includes a provision that prohibits the use of funds to reduce the number of Axis and Fallow deer at Point Reyes National Seashore.

Service First. The Act contains a provision that extends the Service First authority until 2011.

Grazing Permits. The Act contains a provision to extend the authority to renew grazing permits that expire 2009 for the remainder of the year under the same terms and conditions or until the processing of these permits is completed, whichever comes first.

Job Corps. The Act contains a provision transferring three Job Corps centers from the National Park Service to the Forest Service.

Endangered Species Act. The Act contains a provision that allows the Secretary of the Interior and the Secretary of Commerce to withdraw the final rule relating to the “Interagency Cooperation under the Endangered Species Act”; and allows the Secretary of the Interior to withdraw the final rule relating to “Endangered and Threatened Wildlife and Plants; Special Rule for the Polar Bear.”

ENERGY AND WATER DEVELOPMENT ACT – DIVISION C, TITLE II

The Energy and Water Development Act provides \$1.1 billion for the Bureau of Reclamation and Central Utah Project. This is \$200 million or 16 percent below the 2008 funding level. The 2008 enacted level includes \$175 million in supplemental funding for Desert Terminal Lakes. If you exclude this from the 2008 level for comparison, the 2009 consolidated Act is \$33 million below the 2008 level, a reduction of 3 percent.

Key programs and initiatives funded in the Bureau of Reclamation include:

Water & Related Resources Account: The Act funds this account at \$920.3 million, \$29.5 million below the 2008 enacted level. This appropriation funds Reclamation’s five major program activities – Water and Energy Management and Development, Land Management and Development, Fish and Wildlife Management and Development,

Facility Operations, and Facility Maintenance and Rehabilitation. This is their main operating account. The rural water program is funded at \$139 million.

CALFED: The Act funds CALFED at \$40.0 million, \$98,000 below the 2008 enacted level. CALFED is Reclamation's appropriations account for building water conveyance systems and providing habitat mitigation/restoration work in the California Bay-Delta.

Central Valley Project Restoration Fund: The Act funds CVPRF at \$56.1 million, \$3.0 million below the 2008 level. CVPRF is Reclamation's account for building water conveyance systems and providing habitat mitigation/restoration work in California's Central Valley.

Policy and Administration: This Act funds this account at \$59.4 million, \$589,000 below the 2008 enacted level. This appropriation funds all of Reclamation's centralized management functions.

Other Accounts:

Central Utah Project Completion Act: This Act funds CUPCA at \$42.0 million, which is \$1.0 million below the 2008 enacted level, with authorization for the Commission to expend up to \$1.5 M on administrative expenses. This appropriation funds the CUP's projects in Utah which is building water collection and conveyance systems and providing habitat mitigating/rehabilitation work.

DETAIL BY BUREAU AND ACTIVITY

Bureau of Land Management Operations

\$000	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	Omnibus +/- <u>08 Enacted</u>	Omnibus +/- <u>09 Budget</u>
Management of Lands and Resources	853,931	864,827	890,194	+36,263	+25,367
O&C Grant Lands	<u>108,522</u>	<u>108,253</u>	<u>109,949</u>	<u>+1,427</u>	<u>+1,696</u>
Total	962,453	973,080	1,000,143	+37,690	+27,063
				+3.9%	+2.8%

The Act provides \$1.0 billion for BLM operations, an increase of \$37.7 million over the 2008 enacted level. In Management of Lands and Resources, BLM's primary operating account, the Act provides \$890.2 million, an increase of \$36.3 million over the enacted level.

The Act provides a total of \$7.8 million for the land health initiative, an increase of \$2.9 million above the 2008 enacted level. The 2009 enacted level also supports the creation of a new subactivity for the National Monuments and National Conservation Areas in both the MLR account and the O&C Grant Lands account by shifting NLCS base funding from existing subactivities to these two new subactivities. Other major program changes from the 2008 enacted level are described below and are net of the budget restructuring for NLCS.

In **Land Resources**, the Act provides an increase of \$8.1 million over the 2008 enacted level. This includes a general increase of \$7.5 million for the Abandoned Mine Reclamation program, of which at least \$6.0 million is to address hazardous sites; up to \$1.5 million of the remaining increase may be used for inventory activities. The Act discontinues a 2008 earmark of \$984,000 for AML activities in California. In the Rangeland Management program, the 2009 enacted level does not include pass-through funding for the Idaho Department of Agriculture weed project (-\$984,000), but provides a general program increase in the same amount. The Act provides a \$1.5 million increase for the Cultural Resources Management program, of which \$500,000 is specifically targeted to implementing the Galisteo Basin Archeological Sites Protection Act. The Act includes a \$4.2 million increase for the Wild Horse and Burro Management program.

In **Wildlife and Fisheries Management**, the Act provides a general program increase of \$200,000 for the Fisheries Management program. In Wildlife Management, the Act provides an overall increase of \$4.4 million, which includes an increase of \$145,000, a total of \$3.0 million, for the National Fish and Wildlife Foundation. Within the amounts provided for Wildlife Management is \$4.6 million for the Native Plant Materials Development program; this funding and program has been moved from the Department-wide Wildland Fire Management account. The Act includes language directing the NPMD program to develop a seed bank for the use of all Interior land management bureaus.

In **Threatened and Endangered Species Management**, the Act provides a general program increase of \$250,000.

In **Recreation Management**, the Act provides a general program increase of \$250,000 in Wilderness Management. For the Recreation Resources Management program, the Act does not support a 2008 add of \$738,000 for the California Trail Center in Nevada, and provides a general program increase of \$1.0 million for National Historic Trails.

In **Energy and Minerals Management**, the Act funds the Oil and Gas Management program, from a combination of three funding sources, at essentially the 2008 enacted level of \$136.9 million. The Act provides \$79.5 million in direct appropriations, a decrease of \$10.7 million below the 2008 enacted level, but offsets this reduction by raising from \$25.5 million to \$36.4 million the offsetting collections that BLM will retain from APD fee collections. The Act continues the 2008 statutory language that imposes a processing fee of \$4,000 on each APD submitted to BLM. In addition to these two funding sources, the Act assumes that the BLM will continue to receive an estimated \$21.0 million in mandatory mineral lease rental receipts to help fund its oil and gas pilot offices. Just as in 2008, the Act includes language capping the amount of direct appropriations that may be spent on oil and gas activities as a means of addressing Congress's concern that BLM is using other resource management program funding to augment the oil and gas program. The 2009 Act sets the cap at \$79.5 million.

Within the amount provided in direct appropriations for the Oil and Gas Management program, the Act reduces funding for gas hydrates work by \$425,000, reduces funding for the oil shale program by \$1.95 million to reflect the completion of the programmatic EIS, does not support an increase of \$375,000 for North Slope Science, provides an increase of roughly \$400,000 for Alaska legacy wells, and provides \$1.0 million to ship and store oil shale core samples in Colorado. The Department recently executed a Section 102 transfer to provide \$8.9 million to enable BLM to complete the remediation of the Atigaru legacy well site during the 2008-2009 winter work season. The Act does not provide BLM with the funding needed to replenish the accounts from which it borrowed the \$8.9 million. Language is included directing that future justifications state how the bureau is complying with Section 713 of the Energy Independence and Security Act regarding inventories of carbon dioxide sequestration.

In **Realty and Ownership Management**, the Act provides a program reduction of \$3.0 million for the Alaska Conveyance program. In the Cadastral Survey program, no funding is provided for a 2008 add to conduct a soil survey in Wyoming (-\$79,000). The Act provides \$750,000 for GIS mapping in Utah, an increase of \$504,000 over the amount earmarked for that project in 2008.

In **Resource Protection and Maintenance**, the Act provides a \$5.1 million increase for the Resource Protection and Law Enforcement program to enable BLM to enhance drug enforcement operations on public lands, and provides a \$1.0 million increase in the Hazardous Materials Management program to address environmental and illegal immigration-related issues along the Southwest border.

In **Transportation and Facilities Maintenance**, the 2009 enacted level provides a general program increase of \$500,000 in the Annual Maintenance program for National and Historic Trails.

In the **Challenge Cost Share** program, the Act provides an increase of \$191,000. The report does not support the budget proposal to dedicate \$3.0 million of CCS funds to projects in NLCS units in 2009.

In **Workforce and Organizational Support**, the Act provides an unrequested increase of \$1.5 million to help cover bureau-wide fixed costs previously absorbed.

In the **O&C Grant Lands** appropriation, the 2009 enacted level provides \$109.9 million, an increase of \$1.4 million over 2008. There is an unexplained program reduction of \$58,000 in the Western Oregon Forest Resources activity. In the absence of further clarification from the Appropriations Subcommittees, BLM will assume that this small reduction is in the Resource Management Planning program. The 2009 budget request proposed a \$1.0 million reduction to this program to reflect the completion of the Western Oregon Plan Revisions.

Fish and Wildlife Service Operations

\$000	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>Omnibus +/- 08 Enacted</u>	<u>Omnibus +/- 09 Budget</u>
Resource Management	1,082,616	1,068,886	1,140,962	58,346 +5.4%	72,076 +6.7%

The Act provides \$1.1 billion for Resource Management, the FWS operating account. This is \$58.3 million more than the 2008 level.

Endangered Species. The Act provides \$158.0 million for the Endangered Species program, which is \$7.5 million above the 2008 enacted level. Details are provided below in the Endangered Species section of this document.

Habitat Conservation. For Habitat Conservation programs, the appropriations Act provides \$105.1 million, an increase of \$4.1 million over the 2008 enacted. This includes an additional \$2.8 million for Partners for Fish and Wildlife, \$586,000 for Project Planning (Conservation Planning Assistance), \$682,000 for the Coastal program, and \$73,000 for the National Wetlands Inventory. Within the funding provided for Partners for Fish and Wildlife, there is \$350,000 for invasive species management in Hawaii, \$350,000 for the Nevada Biodiversity Research and Conservation Initiative, and \$350,000 for the Natural Resources Economic Enterprises Program at Mississippi State University. There is also \$725,000 for new activities for bald and golden eagle protection.

Environmental Contaminants. The Act provides \$13.2 million for the Environmental Contaminants program, an increase of \$1.3 million above 2008 enacted.

National Wildlife Refuge System. The Act provides \$462.9 million, an increase of \$28.7 over the 2008 enacted level. The increase over 2008 includes an additional \$19.3 million for wildlife and habitat, \$2.7 million for refuge visitor services, \$4.5 million for refuge law enforcement, \$234,000 for continued work on comprehensive conservation plans, and \$2.0 million for refuge maintenance. Within the increase provided for Wildlife

and Habitat Management, \$1.0 million is for invasive species. Within the increase for visitor services, \$1.0 million is for additional challenge cost-share projects. The Act also provides \$450,000 for ocean refuges. The Act includes \$1.0 million for border operations.

Migratory Bird Management, Law Enforcement and International Affairs. The 2009 enacted level provides \$50.8 million for Migratory Bird Management, an increase of \$3.1 million over 2008. The Act provides \$2.0 million for the North American Waterfowl Management Plan, \$150,000 for Caddo Lake Ramsar Center, \$960,000 for the processing of bald eagle permits and \$4.1 million for the migratory bird activities. The Act includes \$62.7 million for law enforcement, which is \$3.0 million above enacted. The Omnibus funds International Affairs in this budget activity rather than in General Administration, as it has been funded in the past. The Act provides \$13.2 million for International Affairs, an increase of \$1.6 million over 2008. Within this amount is an increase of \$518,000 for the wildlife without borders program.

Fisheries and Aquatic Resources. The Omnibus provides \$131.8 million for Fisheries and Aquatic Resources, which is \$5.3 million above the 2008 enacted level. The increase over the 2008 enacted includes \$2.7 million for Hatchery Operations, \$487,000 for maintenance and equipment, \$1.7 million for Aquatic Habitat and Species Conservation, and \$395,000 for Marine Mammals. Fish passage is funded at the 2008 enacted level of \$10.8 million.

General Administration. The Act provides \$143.3 million for general operations, which is \$3.6 million above 2008. The National Fish and Wildlife Foundation is level funded with the 2008 enacted level at \$7.5 million. Funding for the International Affairs program is moved to the Migratory Bird Management, Law Enforcement and International Affairs budget activity and is funded at \$13.2 million.

Land Health. The Act supports \$246,000 (included in the National Fish Habitat Action Plan) in funding dedicated to the Green River Basin as part of the land health initiative. The balance of the funding, intended for Green River Basin, \$1.8 million, is retained in the programs for other high priority conservation efforts.

Endangered Species Program

\$000	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>Omnibus +/- 08 Enacted</u>	<u>Omnibus +/- 09 Budget</u>
Candidate Conservation	9,731	8,659	10,670	939	2,011
Listing Program	17,978	18,188	19,266	1,288	1,078
Consultation/HCP	51,758	51,577	53,462	1,704	1,885
Recovery Program	<u>71,041</u>	<u>68,417</u>	<u>74,575</u>	<u>3,534</u>	<u>6,158</u>
Total	150,508	146,841	157,973	7,465	11,132
				+5.0%	+7.6%

The Act provides \$10.7 million for Candidate Conservation, an increase of \$939,000 above 2008 enacted. The Act includes \$250,000 for Idaho Sage Grouse.

The Act provides \$19.3 million for Listing, an increase of \$1.3 million above 2008

enacted. In addition, the Act language limits funding for the endangered species listing program at \$19.3 million, and specifies a cap of \$10.5 million for critical habitat designations.

The Act provides \$53.5 million for Consultation, an increase of \$1.7 million over the 2008 enacted.

The Act provides \$74.6 million for Recovery, which is \$3.5 million over the 2008 enacted. The Act continues funding for projects funded in 2008: \$1.5 million for competitive endangered species grants managed by the National Fish and Wildlife Foundation; \$250,000 for Lahontan Cutthroat trout; and \$250,000 for wolf monitoring in the West.

National Park Service Operations

	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	Omnibus +/-	
				<u>08 Enacted</u>	<u>09 Budget</u>
\$000					
Park Management	1,744,453	1,889,084	1,894,774	+150,321	+5,690
U.S. Park Police	86,747	94,390	96,555	+9,808	+2,165
Inaugural Security		0	2,000	+2,000	+2,000
External Administration Costs	139,381	148,055	148,055	+8,674	0
Lapse Savings (Delayed bill enactment)	<u>0</u>	<u>0</u>	<u>-9,855</u>	<u>-9,855</u>	<u>-9,855</u>
Total ONPS	1,970,581	2,131,529	2,131,529	+160,948	0
				8.2%	0.0%

The 2009 enacted level provides a total of \$2.1 billion for National Park Service Operations, \$160.9 million above 2008. While component parts of ONPS are funded at, or above, the request level, the Act imposes a \$9.9 million general reduction to operational activities to be derived from savings in personnel and contracting costs accrued due to delayed enactment of the Act.

The Act fully funds all major components of the budgeted increase of \$160.9 million, including \$64.8 million for targeted and flexible park base increases, \$29.0 million for maintenance programs, and \$21.3 million for Servicewide operations. Fixed costs increases of \$35.8 million are also fully funded.

The Act includes \$96.6 million for the U.S. Park Police, \$9.8 million above the 2008 enacted level and includes funding for four recruit classes. The report says that the House and Senate Committees on Appropriations expect to continue to receive updates on the managerial reforms underway in the USPP.

The Act includes a total of \$4.0 million for the 2009 Presidential Inauguration. Of that amount, \$2.0 million is added to the USPP for unspecified security costs associated with the 2009 Presidential Inauguration.

The Act provides a \$5.2 million increase included within park base increases for Southwest border protection and also provides an additional \$3.3 million for the NPS portion of a multi-bureau law enforcement initiative to eradicate drugs on public lands.

The Act includes an additional \$1.2 million for the National Trails System, resulting in total funding of \$11.0 million for 2009, funds the Wild and Scenic Rivers program at \$1.8 million, and maintains funding for the National Mall concerts at the 2008 enacted level. Act language directs that not less than \$3.0 million each be spent on partnership projects with the Youth Conservation Corps and the Public Lands Corp. The report supports continued funding for the long standing partnership with the Student Conservation Association. The Park Service is also directed to submit a report on visitation trends within the National Park System to the Committees not later than February 15, 2009.

The Act authorizes up to \$300,000 for events surrounding the commemoration of the 150th anniversary of John Brown’s raid on the arsenal at Harpers Ferry National Historic Park. The Act supports funding as requested for the Brown vs. Board of Education facility, and the El Camino Real de los Tejas National Trail.

The Committees direct NPS to complete the special resource studies authorized in law for potential new national parks or heritage areas. The Committees also direct NPS to work cooperatively with the National Science Foundation to provide vehicular access to the summit of Haleakala, site of the Haleakala High Altitude Observatories. The NSF is expected to complete an analysis on the effects of service standards in a timely fashion so that NPS can fully comply with procedural requirements.

Act language provides two-year funding for Everglades Restoration and Research. This was previously a no-year account.

Signature Projects Matching Program

			Omnibus +/-		Omnibus +/-	
	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>08 Enacted</u>	<u>09 Budget</u>	
Signature Projects Matching Program	<u>24,610</u>	<u>0</u>	<u>0</u>	<u>-24,610</u>	<u>0</u>	
Total	24,610	0	0	-24,610	0	

The Act does not include discretionary funding for signature sites matching funds. The 2008 enacted level included a one-time discretionary increase of \$24.6 million in anticipation of passage of the proposed legislation granting permanent funding authority that is not continued in 2009.

NPS Maintenance/Construction

	\$000			Omnibus +/-	Omnibus +/-
	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>08 Enacted</u>	<u>09 Budget</u>
ONPS/Maintenance	656,692	712,184	712,384	+55,692	+200
Construction	218,522	173,096	233,158	+14,636	+60,062
Cancellation of Federal Infrastructure					
Improvement Balances	<u>0</u>	<u>-637</u>	<u>-637</u>	<u>-637</u>	<u>0</u>
Total	875,214	884,643	944,905	+69,691	+60,262
				8.0%	6.8%

The Act provides a total of \$712.4 million for NPS Maintenance, \$55.7 million above 2008 enacted. Within this amount, \$101.1 million is provided for cyclic maintenance projects, an increase of \$21.4 million over 2008 enacted. The funding also supports an increase of \$13.3 million for annual maintenance included in targeted park base increases, and \$6.0 million to support the Facility Management Software System workload. The Act provides an additional \$200,000 to continue the historic landscape restoration project at Gettysburg NMP and provides \$99.6 million for the repair and rehabilitation program, the same as the 2008 enacted level.

Construction is funded at \$232.5 million, including a \$637,000 rescission of balances for the Federal Infrastructure Improvement Fund; this is \$14.0 million above the 2008 enacted level. Line-item construction is funded at \$149.2 million, including a \$10.0 million rescission of prior year balances. This is \$26.7 million above the 2008 enacted level. The Act funds 16 of the 17 projects identified in the NPS Five-Year Plan. It eliminates the \$5.1 million project proposed at Perry's Victory and International Peace Memorial and reduces the funding for the project at the Cuyahoga Valley National Park to \$1.0 million. The Act adds 19 projects not included in the 2010 list of prioritized construction projects, totaling \$75.0 million.

The Act includes \$60.0 million for the Modified Water Deliveries Project at Everglades National Park. This reflects a shift of \$50 million from the Corps of Engineers to allow construction of the first Tamiami Trail bridge to proceed expeditiously. Act language directs NPS to immediately evaluate the feasibility of additional bridge length, including a continuous bridge, or additional bridges or some combination thereof for the Tamiami Trail to restore more natural water flow to Everglades National Park and the Florida Bay. The report directs that a feasibility study and recommendation should be submitted to Congress no later than 12 months from the date of enactment.

National Recreation & Preservation

			Omnibus +/-		Omnibus +/-
	08 Enacted	09 Budget	Omnibus	08 Enacted	09 Budget
\$000					
Recreation, Natural, and Cultural Prog.	34,279	35,286	35,286	1,007	0
Grant Administration	3,011	3,096	3,096	+85	0
Heritage Partnership Programs	15,258	7,106	15,702	+444	+8,596
Preserve America Grants	7,383	0	0	-7,383	0
Statutory or Contractual Aid	<u>7,482</u>	<u>0</u>	<u>5,600</u>	<u>-1,882</u>	<u>+5,600</u>
Total	67,413	45,488	59,684	-7,729	14,196
				-11.5%	31.2%

The Act provides \$59.7 million for NR&P programs, \$7.7 million below the 2008 enacted level. Within the NR&P Cultural Programs, the Act does not fund a request of \$1.0 million to begin a ten-year inventory of historic assets within the national parks and adds \$1.0 million for Japanese-American Confinement sites.

The Act funds the Heritage Partnership Programs at \$15.7 million, to allow funding for the expanded number of heritage partnerships authorized by Congress. The joint explanatory statement expresses concern for the increasing number of partnerships and directs NPS to develop new guidelines for the Heritage Partnership Program which require self-sufficiency plans for all National Heritage Areas and that the plans be a condition of continued funding for all areas after FY 2009. It further directs NPS to allocate funding provided for heritage partnership grants in identical amounts to each grantee as awarded by the competitive process in 2007 and 2008. In addition, \$148,000 should be allocated to each of the three newly authorized heritage area partnerships.

The Act funds Statutory or Contractual Aid programs at \$5.6 million; \$1.9 million less than in 2008. Funding for Statutory or Contractual Aid is to be allocated as follows:

Statutory or Contractual Aid for Other Activities		
State	Activity	(\$000)
AL	National Voting Rights Interpretive Center	350
CA	Angel Island Immigration Station	1,250
CA	Yosemite Schools	400
DC	National Law Enforcement Memorial	500
HI	Native Hawaiian Culture & Arts Program	500
MD	Chesapeake Bay Gateways	1,000
MI	River Raisin War Of 1812 Battlefield	350
NH	Lamprey Wild & Scenic River	200
NY	Hudson-Fulton-Champlain Quadricentennial	750
UT	Crossroads Of The West Historic District	<u>300</u>
	TOTAL	5,600

Act language extends authorization of the National Park System Advisory Board for one year. The board reviews evaluation reports for proposed National Natural Landmarks and National Historic Landmarks and provides recommendations for improving the National Heritage Areas.

NPS Historic Preservation Fund

	\$000			Omnibus +/-	Omnibus +/-
	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>08 Enacted</u>	<u>09 Budget</u>
Grants to States and Territories	39,376	35,717	42,500	+3,124	+6,783
Grants to Tribes	6,399	3,941	7,000	+601	+3,059
Save America's Treasures Grants	24,610	15,000	20,000	-4,610	+5,000
Preserve America Grants*	0	10,000	0	0	-10,000
National Inventory of Historic Properties	0	2,000	0	0	-2,000
Cancellation of Prior-Year Balances	<u>0</u>	<u>-516</u>	<u>-516</u>	<u>-516</u>	<u>0</u>
Total	70,385	66,142	68,984	-1,401	+2,842
				-2.0%	4.3%

*Preserve America activities were funded in the NR&P appropriation account in the 2008 enacted bill.

The Omnibus Act provides a total of \$69.5 million for the Historic Preservation Fund, a decrease of \$885,000 below the 2008 enacted level, and rescinds \$516,000 in prior year unobligated balances. Historic preservation grants-in-aid to States and Territories are funded at \$42.5 million, \$3.1 million more than the 2008 enacted level. The Act also includes \$7.0 million for tribal grants, \$601,000 above the enacted level.

The Act provides \$20.0 million for the Save America's Treasures grant program, \$4.6 million less than the 2008 enacted level. Of the amount provided, \$10 million of the SAT grant funding is earmarked for 55 projects in 32 states; the other half is to be awarded competitively. The Act does not support the Preserve America grant program, funded at \$7.4 million in NR&P in 2008. Rather, the Committees on Appropriations believe that future funding for the Preserve America program should be deferred pending a full evaluation of the effectiveness of the program in meeting national heritage tourism needs.

Minerals Management Service

	\$000			Omnibus +/-	Omnibus +/-
	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>08 Enacted</u>	<u>09 Budget</u>
ROMM	290,480	301,000	304,103	+13,623	+3,103
Oil Spill	<u>6,303</u>	<u>6,123</u>	<u>6,303</u>	<u>0</u>	<u>+180</u>
Total	296,783	307,123	310,406	+13,623	+3,283
				+4.6%	+1.1%

The Act provides a total of \$310.4 million for the Minerals Management Service, a net increase of \$2.6 million above the 2008 enacted. The Act includes \$163.7 million in direct appropriations and \$146.7 million in offsetting receipts and cost recovery fees, an increase of \$11.0 million over 2008 in collections.

Including offsetting receipts and cost recoveries, Offshore Energy and Minerals Management is \$4.9 million above the 2008 enacted level. Within this funding level, the Act includes an increase of \$1.0 million for the Alternative Energy Program; \$8.5 million for activities in support of the five-year program and an increase of \$1.1 million for geoscientific interpretive tools. Funding for the OCS Connect program is reduced by \$8.6 million.

Minerals Revenue Management is provided \$86.7 million, \$5.0 million above the 2008 enacted level. This amount includes an increase of \$2.0 million to support compliance and audit activities recommended by the Office of Inspector General and an increase of \$1.7 million to support automated interest billing. The Act also reduces by \$420,000, funding for adjustment line monitoring.

General Administration is provided \$51.2 million, \$3.8 million above the 2008 enacted level. Oil Spill Research is funded at \$6.3 million, which is equal to the 2008 enacted level.

The Act includes an increase of \$900,000 to continue funding for the Center for Marine Resources and Environmental Technology and funds the IDEAS Redirect at the 2008 enacted level. The Act imposes net receipts sharing and provides a \$47.0 million credit to the appropriation. Act language amends the Federal Oil and Gas Royalty Management Act by providing the Department with civil and criminal penalty authority for revenue collection of solid minerals, geothermal and alternative energy activities and the authority to accept donations. The Act does not include language providing for a moratorium on Outer Continental Shelf oil and gas leasing activities, and is silent on the royalty relief proposal.

Office of Surface Mining Reclamation and Enforcement

\$000			<u>Omnibus</u>	<u>Omnibus +/-</u>	
	<u>08 Enacted</u>	<u>09 Budget</u>		<u>08 Enacted</u>	<u>09 Budget</u>
Reg & Technology	118,460	118,452	120,256	+1,796	+1,804
AML	<u>51,951</u>	<u>30,811</u>	<u>44,446</u>	<u>-7,505</u>	<u>+13,635</u>
Total	170,411	149,263	164,702	-5,709	+15,439
				-3.4%	+10.3%

The Act provides a total of \$164.7 million for the OSM, a net decrease of \$5.7 million below the 2008 enacted level. The Act includes \$120.3 million for Regulation and Technology, an increase of \$1.8 million above the 2008 enacted level. Within the amount provided, the Act includes an increase of \$1.0 million to support State regulatory programs. The Act also includes \$44.4 million for the Abandoned Mine Reclamation Fund, a decrease of \$7.5 million below the 2008 enacted level.

The Act includes a one-time rescission of \$8.5 million in carryover funding from 2008. The Act also provides level funding for Abandoned Mine Land Emergencies since the amendments to the Surface Mining Control and Reclamation Act in 2006 did not identify a funding source for State emergency programs, discretionary funding for this program remains in 2009. The Act also makes permanent the authority for the State of Maryland to reserve the greater of \$1.0 million or 10 percent of the total grants made available to the State in an acid mine drainage abatement and treatment fund.

U.S. Geological Survey

\$000			Omnibus +/-		Omnibus +/-
	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>08 Enacted</u>	<u>09 Budget</u>
Surveys, Investigations, & Research	1,006,480	968,516	1,043,803	+37,323 +3.6%	+75,287 +7.2%

The Omnibus Act provides \$1.0 billion for the U.S. Geological Survey, \$37.3 million above 2008 enacted. The Act establishes a new Global Change research activity and transfers Priority Ecosystem Science funding to the Biological Research and Monitoring activity.

Geographic Research, Investigations, and Remote Sensing. The Act provides \$72.3 million for Geographic Research, Investigations, and Remote Sensing, \$5.4 million below the 2008 enacted budget. The National Cooperative Geographic Information System Mapping Program (AmericaView) is funded at \$1.0 million. The Act includes a reduction of \$1.0 million in Geographic research and funds the National Land Imaging Program at the 2008 enacted level. The Landsat Data Continuity Mission is fully funded at \$24.2 million, and \$16.0 million is provided to continue the Landsat 5/7 program. The managers do not support expansion of USGS land imaging functions.

Geologic Hazards, Resources, and Processes. The Act provides \$242.1 million for Geologic Hazards, Resources, and Processes, \$1.3 million below the 2008 enacted level. The Act includes \$3.0 million for the multi-hazards initiative in the Earthquake Hazards program and \$500,000 for seismological equipment at the Arkansas Observatory. The Act also provides a general increase of \$2.0 million for the Volcano Hazards program and an increase of \$1.5 million for the Global Seismographic Network.

The Act provides an increase of \$1.0 million for National Cooperative Geologic Mapping program and provides \$750,000 for the Great Lakes region geologic mapping program. The Act also provides \$3.0 million to Coastal and Marine Geology for extended continental shelf mapping; this activity supports the U.S. claim to additional continental shelf area in the Arctic Ocean. The Act also includes \$500,000 for sea floor mapping off the coast of California. Although no funding is provided for the Water Census, \$1.0 million is provided to sustain the Ocean action plan for coastal geology. The Act does not fund the Ocean Research Priorities Plan for merit-based project grants.

Geologic Resource Assessments is funded at \$79.2 million, \$2.0 million above the 2008 enacted level. The Mineral Resources program is funded at the 2008 enacted level. The Act also provides \$650,000 for mineral assessments for Nye County, Nevada.

Water Resources Investigations. The Act provides \$221.4 million for Water Resources Investigations, \$844,000 above the 2008 enacted level. The Act includes a general increase of \$500,000 for the Ground-water Resources program and provides \$900,000 for San Diego aquifer mapping. In Hydrologic Research and Development, the Act provides \$270,000 for the Hood Canal Dissolved Oxygen Study; \$295,000 sustained from the 2008 enacted level for the San Pedro Partnership in Arizona; \$400,000 for the Long-term Estuary Assessment Group in Louisiana; and \$500,000 for the U.S.-Mexico Aquifer

Assessment Act.

The Act provides a \$2.0 million increase to enhance the streamgage system within the National Streamflow Information Program. The report includes language, which recommends that the next Administration revisit the water census effort and resubmit a more integrated program request in the next budget cycle.

The National Water-Quality Assessment program is funded at \$65.1 million, \$1.5 million above the 2008 enacted level. In Hydrologic Networks and Analysis, \$984,000 is sustained from the 2008 enacted level for the Ocean Action Plan; \$497,000 is provided for the Lake Champlain toxic materials study; and \$500,000 is provided for Hawaii water monitoring. Selenium research in Colorado is not funded within the Act but the Survey is encouraged to incorporate this work into other ongoing hydrologic research in the area.

The Act restores \$1.5 million to the Cooperative Water program, but the Water Resources Research Act program is not mentioned.

Biological Research. The Act provides \$185.3 million for Biological Research, \$5.5 million above 2008 enacted. The Act provides \$750,000 for the land health, a reduction of \$727,000 from the 2008 enacted level. Priority ecosystems science is funded at \$6.6 million, \$5.3 million above 2008. The 2009 enacted Act provides the following amounts as specified within Biological Research and Monitoring: \$2.7 million sustained from 2008 for Pacific Northwest forest biology; \$650,000 for Contaminant/endocrine biology, an increase of \$404,000 over 2008; \$200,000 for the FWS Science Excellence program; \$500,000 for San Francisco salt ponds restoration; \$800,000 for molecular biology at the Leetown Science Center; \$750,000 for amphibian research and monitoring; and \$9.0 million for the Great Lakes biological sciences, an increase of \$1.0 million over the 2008 enacted level. The managers also encourage the Survey to provide full support for the southern sea otter science and monitoring effort.

The Act provides \$5.0 million for the National Biological Information Infrastructure and provides an increase of \$775,000 for the Cooperative Research Units to assist the program in reducing the more than 20 vacancies that currently exist throughout the units.

Enterprise Information. The 2009 Act provides \$112.5 million for Enterprise Information, \$2.1 million above the 2008 enacted level.

Science Support. The Act includes \$67.4 million for Science Support, \$263,000 above 2008 enacted.

Facilities. The Act provides \$102.1 million for facilities, \$2.1 million above the 2008 enacted level, and includes a \$10.0 million reduction. The Act provides \$4.0 million for the Patuxent science facilities, a reduction of \$577,000 from the 2008 enacted level.

Global Climate Change Research Program. The Act supports the establishment of the new Global Climate Change Research budget activity, and provides \$40.6 million to fund it, an increase of \$35.2 million above the 2008 enacted level. The Act accepts the

Survey's proposal to transfer \$21.3 million from various research activities into this activity, sustains the 2008 general increase of \$7.4 million, and provides an increase of \$81,000.

The Act provides a total of \$10.0 million for the National Global Warming and Wildlife Science Center, an increase of \$8.5 million over the 2008 enacted level. Within the amount provided, \$2.5 million is provided to complete the establishment of the Center and for its operations, and \$7.5 million is provided to fund research projects, including use of external and independent scientific peer review, to address the needs of resource management agencies and the American public.

The Act also provides \$3.0 million to implement required geological and biological carbon sequestration studies as required by sections 711, 712, and 714 of the Energy Independence and Security Act (EISA) of 2007.

The Act directs the Secretary, with the assistance of a science advisory board, to initiate development of a national strategy to assist fish, wildlife, plants, and associated ecological processes in becoming more resilient, adapting to, and surviving the impacts of climate change.

Office of Insular Affairs

\$000			Omnibus +/-		Omnibus +/-
	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>08 Enacted</u>	<u>09 Budget</u>
Assistance to Territories	77,819	75,054	78,665	+846	+3,611
Compact of Free Association	<u>5,310</u>	<u>4,818</u>	<u>5,318</u>	<u>+8</u>	<u>+500</u>
Total	83,129	79,872	83,983	+854	+4,111
				+1.0%	+4.9%

The Act provides \$84.0 million of discretionary funding for the OIA, \$854,000 above the 2008 enacted level.

Assistance to Territories. The 2009 Act provides \$78.7 million for Assistance to Territories, \$846,000 above the 2008 enacted budget.

Territorial Assistance. Within the \$78.7 million for Assistance to Territories, \$28.2 million is included for Territorial Assistance, \$617,000 above 2008. The Act also provides a general increase to the OIA budget of \$79,000.

Five activities under Technical Assistance receive funding in the following amounts: \$1.0 million for the Marshall Islands Health Care Program; \$850,000 for the Prior Services Benefits Trust Fund; \$320,000 for Judicial and Court Education; \$750,000 for the CNMI population and workforce survey; and \$200,000 for Insular student educational travel.

The Act funds the Coral Reef initiative at \$1.0 million, which is almost level with 2008 and includes \$1.0 million for Waste and Wastewater projects.

The Act allows a portion of the increase to be used to re-establish an office in Guam to

help deal with the upcoming military build-up and other issues.

American Samoa/Operations Grants. A total of \$22.8 million is included in the Act for American Samoa operations, an increase of \$229,000 above the 2008 enacted level.

Northern Mariana Islands/Covenant Grants. The Act provides \$27.7 million for CNMI Covenant Grants, the same as the 2008 enacted level.

Compact of Free Association. The Act provides \$5.3 million for Compact of Free Association, \$8,000 above 2008 enacted. The Act also provides \$500,000 for Enewetak, an increase of \$8,000 above 2008, to partially offset rising costs.

MAJOR CROSSCUTTING PROGRAMS

Wildland Fire Management

\$000				Omnibus +/-	Omnibus +/-
	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>08 Enacted</u>	<u>09 Budget</u>
Preparedness	276,483	277,718	281,767	+5,284	+4,049
Suppression Operations	289,805	335,191	335,191	+45,386	0
Other Operations				0	0
Hazardous Fuels Reduction	199,628	202,792	203,053	+3,425	+261
Burned Area Rehabilitation	24,207	24,305	20,305	-3,902	-4,000
Fire Facilities	6,137	6,137	6,137	0	0
Joint Fire Science	5,906	4,000	6,000	+94	+2,000
Rural Fire Assistance	<u>5,906</u>	<u>0</u>	<u>7,000</u>	<u>+1,094</u>	<u>+7,000</u>
Subtotal	808,072	850,143	859,453	+51,381	+9,310
Supplemental funding	<u>384,000</u>	<u>0</u>	<u>0</u>	<u>-384,000</u>	<u>-384,000</u>
Total	1,192,072	850,143	859,453	-332,619	-374,690
				-27.9%	-44.1%

The Act provides a total of \$859.5 million for Interior’s Wildland Fire Management program, an increase of \$51.4 million over the 2008 enacted level, not including emergency supplemental appropriations provided in 2008. Program changes from the enacted level include the following:

In **Preparedness**, the Act discontinues a 2008 earmark of \$492,000 for the Consortium of Idaho Universities’ rangeland fire and erosion project. The joint explanatory statement states that it is imperative that both the Department and the Forest Service expedite deployment of the fire program analysis system in order to justify further investment beyond the current fiscal year.

In **Suppression Operations**, the Act provides an increase of \$45.4 million to fully fund the 10-year average.

In **Hazardous Fuels Reduction**, the 2009 enacted level includes a \$1.0 million general program increase over the 2008 enacted level.

In **Burned Area Rehabilitation**, a program reduction of \$4.0 million reflects the transfer the Native Plant Materials Development program to the Bureau of Land Management.

The Act provides \$6.0 million for the **Joint Fire Sciences** program, an increase of \$94,000 over the enacted level.

The Act provides \$7.0 million for the **Rural Fire Assistance** program, a \$1.1 million increase over the 2008 enacted level.

Energy Crosscut

	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>Omnibus +/- 08 Enacted</u>	<u>Omnibus +/- 09 Budget</u>
BLM	177,139	177,552	178,793	+1,654	+1,241
MMS	290,480	301,000	304,103	+13,623	+3,103
USGS	26,381	26,642	26,749	+368	+107
FWS	8,067	8,559	8,559	+492	0
BIA	11,496	12,474	12,474	+978	0
OS	<u>400</u>	<u>404</u>	<u>404</u>	<u>+4</u>	<u>0</u>
Total, Department of the Interior	513,963	526,631	531,082	+17,119 +3.3%	+4,451 +0.8%

BLM. The Omnibus Act funds the Oil and Gas Management program, from a combination of three funding sources, at essentially the 2008 enacted level of \$136.9 million. The Act provides \$79.5 million in direct appropriations, a decrease of \$10.7 million below 2008 enacted level, but offsets this reduction by raising from \$25.5 million to \$36.4 million the offsetting collections that BLM will retain from APD fee collections. The Act continues the 2008 statutory language that imposes a processing fee of \$4,000 on each APD submitted to BLM. In addition to these two funding sources, the Act assumes that the BLM will continue to receive an estimated \$21.0 million in mandatory mineral lease rental receipts to help fund its oil and gas pilot offices. Just as in 2008, the Act includes language capping the amount of direct appropriations that may be spent on oil and gas activities as a means of addressing Congress's concern that BLM is using other resource management program funding to augment the oil and gas program. The 2009 Act sets the cap at \$79.5 million.

Within the amount provided in direct appropriations for the Oil and Gas Management program, the Act reduces funding for gas hydrates work by \$425,000, reduces funding for the oil shale program by \$1.95 million to reflect the completion of the programmatic EIS, does not support an increase of \$375,000 for North Slope Science, provides an increase of roughly \$400,000 for Alaska legacy wells, and provides an earmark of \$1.0 million to ship and store oil shale core samples in Colorado. The Department recently executed a Section 102 transfer to provide \$8.9 million to enable BLM to complete the remediation of the Atigaru legacy well site during the 2008-2009 winter work season. This means that the Act does not provide BLM with the funding needed to replenish the accounts from which it borrowed the \$8.9 million. Language is included directing that future justifications state how the bureau is complying with Section 713 of the Energy Independence and Security Act regarding inventories of carbon dioxide sequestration.

MMS. The enacted level for MMS energy programs is \$310.4 million, \$13.6 million above 2008. Most of the increase is funded with an increase in offsetting collections of \$11.0 million from the collection of rental income. The Omnibus Act includes increases to support the alternative energy program, the five year program, and geoscientific interpretive tools. The Act also includes an increase of \$2.0 million for compliance and audit activities recommended by the Office of Inspector General.

USGS. The enacted level provides \$26.7 million for the bureau's energy programs, an increase of \$368,000 over the 2008 enacted level. Within the amount provided to USGS in 2009, \$650,000 is included to initiate a minerals resource assessment of Federal lands in Nye County, Nevada.

FWS. The enacted level provides an additional \$492,000 above 2008 for FWS energy programs.

BIA. The Omnibus Act provides \$12.5 million for the Mining and Minerals program, \$978,000 over the 2008 enacted level to continue providing grants for Tribes to develop Tribal Energy Resource Assessments and to continue technical assistance.

OS. The enacted level provides \$404,000 for the Office of Hearings and Appeals to conduct hydropower re-licensing appeals required by the Energy Policy Act.

Law Enforcement

\$000				Omnibus +/-	Omnibus +/-
	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>08 Enacted</u>	<u>09 Budget</u>
BLM	22,633	22,268	27,525	4,892	5,257
NPS - Visitor Services	154,734	169,813	173,113	18,379	3,300
USPP	86,747	94,390	96,555	9,808	2,165
FWS	91,277	90,255	98,756	7,479	8,501
BIA	243,656	242,774	270,785	27,129	28,011
OLEs	5,275	5,746	5,746	471	0
NBC	<u>6,313</u>	<u>6,746</u>	<u>6,746</u>	<u>+433</u>	<u>0</u>
Total	610,635	631,992	679,226	+68,591	+47,234
				+11.2%	+7.5%

Law Enforcement. The Act provides \$679.2 million for Interior’s law enforcement programs, which is \$68.6 million over the enacted level. A summary of major changes follows:

BLM. The Act provides \$27.5 million for BLM's law enforcement program, an increase of \$4.9 million over the enacted level. Within the amount provided, \$5.1 million for the Resource Protection and Law Enforcement program will enable BLM to enhance drug enforcement operations on public lands. The Act also provides a \$1.0 million increase to the Hazardous Materials Management program for addressing environmental and illegal immigration-related issues along the Southwest Border.

NPS. The Act includes \$173.1 million for National Park Service law enforcement operations, an \$18.4 million increase above the enacted level. The increase will support additional law enforcement officers, with \$5.2 million of the increase directed towards the southwest border. In addition, the Act provides a \$3.3 million increase for the NPS portion of a department-wide initiative to eradicate drugs on public lands.

U.S. Park Police. The Act mark includes \$96.6 million for the USPP, \$9.8 million above the 2008 enacted level, and includes funding for four recruit classes. The managers state that they expect to continue to receive updates on the managerial reforms underway in the USPP. The Department and the Park Service are directed to review the option of assigning responsibility for visitor and park icon security to NPS rangers. An analysis of the advantages and disadvantages of such a reorganization, including an analysis of cost and implementation issues, should be submitted to the Committees not later than February 15, 2009.

FWS. The Act provides \$98.8 million for Fish and Wildlife Service law enforcement operations, an increase of \$7.5 million over 2008. Within the amount provided, an increase of \$3.0 million over 2008 is provided for special agent staffing shortfalls nationwide, and a \$4.4 million increase over 2008 for refuge law enforcement. The Act also provides an increase of \$1.0 million for Southwest border efforts.

BIA. The Act adds \$27.1 million above the request for law enforcement programs. The Act provides an additional \$26.9 million over enacted for hiring and training law enforcement officers targeted at the areas with the highest crime rates in Indian Country and \$170,000 over enacted for Tribal Courts.

Partnerships in Conservation

\$000	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>Omnibus +/-</u>	<u>Omnibus +/-</u>
				<u>08 Enacted</u>	<u>09 Budget</u>
Challenge Cost Share					
Bureau of Land Management	9,309	9,199	9,500	+191	+301
Fish and Wildlife Service	6,593	6,593	7,593	+1,000	+1,000
National Park Service	<u>2,343</u>	<u>2,343</u>	<u>2,343</u>	<u>0</u>	<u>0</u>
Subtotal	18,245	18,135	19,436	+1,191	+1,301
Land Health Initiative					
Bureau of Land Management	4,922	14,922	7,797	+2,875	-7,125
U.S. Geological Survey	1,477	4,977	750	-727	-3,500
Fish and Wildlife Service					
Endangered Species - Candidate Conser.	[492]	[492]	0	[-492]	[-492]
Endangered Species - Consultation	[492]	[492]	0	[-492]	[-492]
Partners for Fish and Wildlife*	[246]	[738]	0	[-246]	[-738]
National Fish Habitat Action Plan*	<u>[246]</u>	<u>[246]</u>	<u>0</u>	<u>[-246]</u>	<u>[-246]</u>
Subtotal	6,399	19,899	8,547	+2,148	-10,625
Fish and Wildlife Service					
Coastal Program	14,054	13,210	14,736	+682	+1,526
Migratory Bird Jt Venture	10,893	14,883	12,942	+2,049	-1,941
Partners for Fish & Wildlife	50,135	48,022	52,943	+2,808	+4,921
Open Rivers Initiative		0		0	0
Fish Passage Base & Open Rivers Initiative	10,828	4,921	10,828	0	+5,907
Nat'l Fish Hab. Action Plan	<u>5,153</u>	<u>5,153</u>	<u>5,153</u>	<u>0</u>	<u>0</u>
Subtotal	91,063	86,189	96,602	+5,539	+10,413
FWS Conservation Grant Programs					
N. A. Wetlands Conserv. Fund	41,981	42,647	42,647	+666	0
Neotropical Migratory Birds	4,430	3,960	4,750	+320	+790
Coop End. Species Conserv. Fund	73,831	75,501	75,501	+1,670	0
State and Tribal Wildlife Grants	<u>73,830</u>	<u>73,830</u>	<u>75,000</u>	<u>+1,170</u>	<u>+1,170</u>
Subtotal	194,072	195,938	197,898	+3,826	+1,960
Departmental Management					
Take Pride in America	505	505	505	+0	0
TOTAL	310,284	320,666	322,988	+12,704	+3,049
				+4.1%	+1.0%
*These programs within the Healthy Lands Initiative are funded within the FWS program lines.					

The Act provides \$323.0 million for Partnership Conservation programs, which is \$12.7 million more than the 2008 enacted level.

Multinational Species Conservation Fund and Neotropical Migratory Birds.

\$000				Omnibus +/-	Omnibus +/-
	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>08 Enacted</u>	<u>09 Budget</u>
Neotropical	4,430	3,960	4,750	320	790
MSCF	<u>7,875</u>	<u>4,256</u>	<u>10,000</u>	<u>2,125</u>	<u>5,744</u>
Total	12,305	8,216	14,750	2,445	6,534
				+19.9%	+79.5%

The Act provides \$4.8 million for the Neotropical Migratory Bird grant program, an increase of \$320,000 over 2008 enacted. The Act provides \$10.0 million for the Multinational Species Conservation Fund, \$2.1 million over 2008. Rhinoceros and Tiger Conservation is funded at \$2.5 million; African elephant, Asian elephant, and Great Ape Conservation are funded at \$2.0 million each; and Marine Sea Turtle Conservation is funded at \$1.5 million.

Federal LWCF Land Acquisition

\$000				Omnibus +/-	Omnibus +/-
	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>08 Enacted</u>	<u>09 Budget</u>
BLM	8,939	4,475	14,775	5,836	10,300
FWS	34,596	10,171	42,455	7,859	32,284
NPS	44,367	21,832	45,190	823	23,358
Appraisal-DM	<u>7,670</u>	<u>8,012</u>	<u>8,012</u>	<u>342</u>	<u>0</u>
Total	95,572	44,490	110,432	14,860	65,942
				15.50%	148.20%

A total of \$110.4 million for Federal land acquisition, including \$102.4 million for land acquisition projects and \$8.0 million for consolidated appraisal services, is included in the 2009 enacted Act. This is an increase of \$14.9 million above the 2008 enacted level. The total funding provided in 2009 is composed of \$14.8 million for BLM, \$42.5 million for FWS, \$45.2 million for NPS, and \$8.0 million for consolidated appraisal services.

The Act funds all 11 line item projects identified as departmental priorities, but also includes funding for 43 additional line item projects. Specifics for each bureau follow:

BLM: The Act provides \$14.8 million in BLM land acquisition, \$5.8 million more than the 2008 enacted level. It funds all four of the line item projects identified as departmental priorities, along with for four additional projects totaling \$6.4 million.

FWS: The Act provides \$42.5 million for FWS land acquisition, \$7.9 million more than the 2008 enacted level. The Act includes funding for both of the two line item projects identified as departmental priorities. The Act also includes funding for 21 additional projects, totaling \$27.4 million. The FWS is directed to submit the proposed allocation of \$1.0 million in delayed project savings to the House and Senate Committees on Appropriation for approval.

NPS: The 2009 enacted level provides \$45.2 million for NPS land acquisition, \$823,000 more than the 2008 enacted level. The Act includes \$9.0 million for all five line item projects identified as departmental priorities and adds funding for 18 additional projects

totaling \$24.4 million. The Act rescinds \$2.5 million in unobligated balances and directs NPS to submit the proposed allocation of the rescission to the House and Senate Committees on Appropriation for approval. It also includes Act language authorizing \$4.0 million for matching grants to States, regional entities, and local communities to acquire significant Civil War Battlefield lands.

See Appendix C for project details.

Stateside LWCF Grants

\$000	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	Omnibus +/-	Omnibus +/-
				<u>08 Enacted</u>	<u>09 Budget</u>
Assistance to States					
State Conservation Grants	23,133	0	19,000	-4,133	+19,000
Administration Expenses	1,477	0	1,000	-477	+1,000
Cancellation of Prior-Year Balances	<u>0</u>	<u>-1,000</u>	<u>-1,000</u>	<u>-1,000</u>	<u>0</u>
Subtotal	24,610	-1,000	19,000	-5,610	+20,000
Gulf of Mexico Leases	<u>0</u>	<u>6,314</u>	<u>6,314</u>	<u>+6,314</u>	<u>0</u>
Total	24,610	5,314	25,314	704	+20,000
				-22.8%	-2000.0%

The Act provides a total of \$20.0 million in new budget authority for the Stateside LWCF Grants and grants administration, \$4.6 million less than the 2008 enacted level. The Act also permanently cancels \$1.0 million in prior year unobligated balances. Within the amount provided, the Act includes \$19.0 million for the State Assistance Program and \$1.0 million for administrative costs.

Beginning in 2009, funds are available from certain Gulf of Mexico leases for allocation to States. In 2009, \$6.3 million is available for this purpose. The Act also adds a new provision which permits NPS to retain for administrative purposes up to three percent of receipts collected under Section 105 (a) (2) (B) of the Gulf of Mexico Energy Security Act of 2006.

Maintenance

\$000	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	Omnibus +/-	Omnibus +/-
				<u>08 Enacted</u>	<u>09 Budget</u>
BLM	85,709	74,796	86,664	+955	+11,868
USGS	37,455	37,455	36,957	-498	-498
FWS	158,603	156,644	163,151	+4,548	+6,507
NPS	430,269	471,519	471,719	+41,450	+200
BIA	80,967	82,405	82,405	+1,438	0
FIRE	<u>6,137</u>	<u>6,137</u>	<u>6,137</u>	<u>0</u>	<u>0</u>
Total	799,140	828,956	847,033	47,893	18,077
				+5.0%	+1.7%

The Act provides \$847.0 million for annual, deferred, and cyclic maintenance programs in BLM, USGS, FWS, NPS, BIA, and Wildland Fire. This is comprised of \$86.7 million in BLM, \$37.0 million in USGS, \$163.2 million in FWS, \$471.7 million in NPS, \$82.4

million in BIA and \$6.1 million in Fire. This is an increase of \$47.9 million, or 5.0 percent, above the 2008 enacted level. The changes in the Act above 2008 include: BLM (\$955,000); USGS (-\$498,000); FWS (+\$4.5 million), NPS (+\$41.5 million); BIA (+1.4 million); and Wildland Fire at the 2008 level.

Construction

\$000			Omnibus +/-		Omnibus +/-
	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>08 Enacted</u>	<u>09 Budget</u>
BLM	6,375	4,476	6,590	+215	+2,114
FWS	33,162	12,180	35,533	+2,371	+23,353
NPS	218,522	172,459	232,521	+13,999	+60,062
BIA	<u>203,754</u>	<u>173,261</u>	<u>217,688</u>	<u>+13,934</u>	<u>+44,427</u>
Total	461,813	362,376	492,332	30,519	129,956
				+4.9%	+30.3%

The Act provides a total of \$492.3 million for construction, comprised of \$6.6 million in BLM, \$35.5 million in FWS, \$232.5 million in NPS, and \$217.7 million in BIA. This is an increase of \$30.5 million, or 4.9 percent, above 2008.

The 2009 enacted Act includes funding for 19 of the 21 line item projects identified through the Department’s capital planning process, and also includes funding for 41 additional line item projects. Specifics for each bureau follow:

BLM. The Act provides \$6.6 million for BLM construction, which is \$215,000 above the 2008 enacted level. The Act funds both of the line item projects identified through the Department’s capital planning process, and funds two additional projects totaling \$2.1 million.

FWS. The 2009 enacted Act provides \$35.5 million for FWS construction, which is \$2.4 million above the 2008 enacted level. The Act includes the cancellation of prior-year balances of \$54,000. The Act funds both of the line item projects identified through the Department’s capital planning process. The Act also provides funding for 16 additional projects, totaling \$21.1 million. Specifically, the 2009 enacted level includes \$2.0 million for sustainable energy enhancements to install alternative and renewable energy applications such as solar, wind, and geothermal energy. These should be small-scale projects that can be used as demonstration projects for the public and surrounding communities. The Act also directs FWS to name the visitor center at the Theodore Roosevelt NWR in Mississippi the “Holt Collier Visitor and Interpretative Center”.

NPS. The Act provides \$232.5 million for NPS construction, which is \$14.0 million above the 2008 enacted level. The Act includes \$401,000 in savings from performance contracting and a rescission of \$10.6 million in unobligated balances. The Act funds 16 of the 17 line item projects identified through the Department’s capital planning process. It also funds 19 additional projects totaling \$75.0 million.

The 2009 enacted level includes \$60.0 million for the Modified Water Deliveries project at Everglades National Park. This includes a shift of \$50 million from the Corps of Engineers to allow construction of the first Tamiami Trail bridge to proceed expeditiously. The Committees direct NPS to immediately evaluate the feasibility of additional bridge length, including a continuous bridge, or additional bridges or some combination thereof for the Tamiami Trail to restore more natural water flow to Everglades National Park and the Florida Bay. The feasibility study and the recommendation should be submitted to Congress no later than 12 months from the date of enactment.

The Act includes language authorizing NPS to enter into a single procurement for multi-year work for construction work at the Jefferson Memorial, and also includes language authorizing a grant to the St. Louis Metropolitan Park and Recreation District for the purpose of planning and constructing a pedestrian bridge to provide safe visitor access to the Jefferson National Expansion Memorial Arch.

BIA. The Act provides \$217.7 million for BIA construction, which is \$13.9 million above the 2008 enacted level. The \$217.7 million for BIA construction is composed of \$128.8 million for education construction, \$39.4 million for public safety and justice, \$40.3 million for resources management, \$2.1 million for general administration and \$7.1 million for construction management.

Funding of \$4.4 million provided for employee housing in Education Construction should be used for new and existing housing needs in remote areas to promote recruitment and retention of teachers and other vital education staff. Education Construction Facilities Improvement and Repair is funded at \$85.0 million.

There is \$21.5 million for detention center replacement, \$3.5 million for employee housing and \$10.9 million for facilities improvement and repair in Public, Safety and Justice Construction within the 2009 enacted Act. The increased funds for employee housing are to be used for new and existing housing needs in remote areas to promote recruitment and retention of law enforcement officers.

The Act also includes \$2.0 million for mitigation of uranium contamination on the Navajo and Hopi Reservations within Resource Management Construction.

See Appendix D for project details.

Native American Programs

Office of the Special Trustee for American Indians

\$000				Omnibus +/-	Omnibus +/-
	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>08 Enacted</u>	<u>09 Budget</u>
Federal Trust Programs	179,487	181,648	181,648	2,161	0
ILCA	<u>9,844</u>	<u>0</u>	<u>0</u>	<u>-9,844</u>	<u>0</u>
Total	189,331	181,648	181,648	-7,683	+0
				-4.1%	---

The Act provides \$181.6 million for the Office of the Special Trustee, which is \$2.2 million above 2008 enacted. The Act includes no funding for Indian Land Consolidation. The Act does include language that caps historical accounting at \$56.4 million.

The Act includes language which allows the use of funds in the Act and unobligated balances from OST or BIA for trust management reform, other than historical accounting. It also includes a provision which prevents the statute of limitations from commencing on any claim in litigation pending on the date of enactment of the Act concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting. The Act also includes language that allows the transfer of unobligated balances for the purpose of complying with the Chief Financial Officers Act of 1990, the American Indian Trust Reform Act of 1994, and the Federal Managers' Financial Integrity Act.

Bureau of Indian Affairs

\$000				Omnibus +/-	Omnibus +/-
	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>08 Enacted</u>	<u>09 Budget</u>
Operation of Indian Programs	2,047,809	1,988,290	2,128,630	80,821	140,340
Construction	203,754	173,261	217,688	13,934	44,427
Settlements	33,538	21,627	21,627	-11,911	0
Guaranteed Loan Program	<u>6,178</u>	<u>8,186</u>	<u>8,186</u>	<u>2,008</u>	<u>0</u>
Total	2,291,279	2,191,364	2,376,131	+84,852	+184,767
				+3.7%	+8.4%

The Act funds Indian Affairs at \$2.4 billion, an increase of \$84.9 million, or 3.7 percent over 2008 enacted. The Act provides substantial increases for the Safe Indian Communities and Improving Indian Education Initiatives, as well as for construction.

Law Enforcement Initiative. The Act funds public safety and justice programs at \$57.1 million over the 2008 enacted level. The Act provides: \$26.9 million over 2008 for hiring and training law enforcement officers targeted at areas with the highest crime rates in Indian Country; \$170,000 over 2008 enacted for Tribal Courts; and \$25.0 million over 2008 for the replacement and repair of adult and juvenile detention centers, including \$3.5 million for employee housing in remote areas to promote recruitment and retention of law enforcement staff.

Improving Indian Education Initiative. The Act provides \$26.5 million over the 2008 enacted level for education programs. The Act provides an additional \$19.6 million over

2008 for education programs, targeted education program enhancements to promote student achievement, and rising student transportation costs, an additional \$3.5 million for post-secondary programs, and an additional \$2.9 million for education management.

BIA Construction. The Act provides \$217.7 million for BIA construction, which is \$13.9 million above the 2008 enacted level. The \$217.7 million for BIA construction is composed of \$128.8 million for education construction, \$39.4 million for public safety and justice, \$40.3 million for resources management, \$2.1 million for general administration, and \$7.1 million for construction management.

The joint explanatory statement directs BIA to use \$4.4 million for employee housing in Education Construction for new and existing housing needs in remote areas to promote recruitment and retention of teachers and other vital education staff.

Within the amount provided for construction, there is \$21.5 million for detention center replacement, \$3.5 million for employee housing, and \$10.9 million for facilities improvement and repair in Public, Safety and Justice Construction. The increased funds for employee housing are to be used for new and existing housing needs in remote areas to promote recruitment and retention of law enforcement officers.

The Act also provides \$2.0 million for mitigation of uranium contamination on the Navajo and Hopi Reservations.

Trust Natural Resources. The Act provides \$147.7 million for Trust Natural Resources programs, an additional \$552,000 over the 2008 enacted level. The Act provides \$1.7 million to fund the Timber-Fish-Wildlife conservation program at the enacted level; \$1.0 million for the Inter-Tribal Bison Cooperative to fund the program \$16,000 above enacted; \$345,000 for Lake Roosevelt law enforcement to fund the program at the enacted level; \$1.2 million for the Endangered Species Program to fund it at about the 2008 enacted level; \$360,000 for the general Fish, Wildlife and Parks Program; and \$500,000 above the enacted for the Fish Hatcheries program.

Welfare Assistance. The Act funds the Welfare Assistance program at \$74.9 million, \$4.0 million below the 2008 enacted level, and funds Welfare Assistance included in Self-Governance compacts. The Act also provides funding at the 2008 enacted level for Indian Child Welfare Act programs. The Act provides full funding to replace the Social Services Automated System used to manage welfare assistance payments to clients.

Housing Improvement Program. The Act provides \$13.6 million to fund the Housing Improvement program, the same as the 2008 enacted level. The Act reduces funding for HIP oversight in the regions by \$1.4 million.

Resource Management. The Act provides \$11.9 million for Irrigations Operations & Maintenance, almost level with the 2008 enacted level. The Act also provides an increase of \$1.0 million in Indian Irrigation Project Construction.

Tribal Priority Allocations. The Act sustains Tribal Priority Allocations. In addition to Tribal Courts, Welfare Assistance, ICWA, HIP, and Tribal Scholarships reported above, the Act maintains the \$26.0 million in the Roads Maintenance program.

The Act provides \$21.4 million for Johnson O’Malley grants, adds \$11.9 million for Job Placement and Training, a \$1.0 million increase, including \$3.5 million for economic development and \$400,000 for the National Ironworkers Training Program. The Act also provides \$1.2 million for community fire protection, essentially level with the 2008 enacted level.

Tribal Government. The Act provides an additional \$263,000 above enacted for implementation of the Western Shoshone Claims Distribution Act.

Uranium Remediation on Navajo Reservation. The Act provides \$2.0 million to investigate and remediate uranium contamination on the Navajo and Hopi Reservations.

Guaranteed Loan Program. The Act provides \$8.2 million for the Indian Guaranteed Loan Program, an increase of \$2.0 million over the 2008 enacted level.

Departmental Offices

\$000				Omnibus +/-	Omnibus +/-
	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>08 Enacted</u>	<u>09 Budget</u>
Office of the Secretary	99,573	105,895	106,264	6,691	369
N. Museum of Am. Latino	na	0	1,000	1,000	1,000
Federal Subsistence					
Management	na	-108	-108	na	0
Office of the Solicitor	58,326	62,050	62,050	3,724	0
Office of Inspector General	<u>43,877</u>	<u>44,823</u>	<u>45,953</u>	<u>2,076</u>	<u>1,130</u>
Total	201,776	212,660	215,159	+13,491	+2,499
				+6.7%	+1.2%

Office of the Secretary – Salaries and Expenses. The Act provides a total of \$107.3 million for the Office of the Secretary, a net increase of \$7.7 million above the 2008 enacted level. The Act provides an additional \$269,000 to support the Departmental efforts to help eradicate drugs on public lands and a general departmental direction increase of \$100,000. In addition, the Act provides \$1.0 million to offset Department of the Interior administrative support costs for a Commission to study the potential creation of the National Museum of the American Latino.

Federal Lands Subsistence Management. The Act rescinds \$108,000 of unobligated balances of funds originally appropriated in the FY 1999 Omnibus Appropriations Act.

Office of the Solicitor. The Act provides a total of \$62.1 million for the Office of the Solicitor, a net increase of \$3.7 million above the 2008 enacted. Increased funding will support improved records and information technology management.

Office of Inspector General. The Act provides a total of \$45.9 million for the Office of Inspector General, a net increase of \$2.1 million above the 2008 enacted. Of the total

amount funded, the Act provides an additional \$1.0 million to increase auditing and oversight related to energy financial activities.

Department-wide Programs

\$000				Omnibus +/-	Omnibus +/-
	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>08 Enacted</u>	<u>09 Budget</u>
Payments in Lieu of Taxes	228,901	195,000	0	-228,901	-195,000
Central Hazardous Materials Fund	9,799	10,148	10,148	349	0
Natural Resource Damage Asses	6,202	6,338	6,338	136	0
Working Capital Fund (FBMS)	<u>40,092</u>	<u>73,435</u>	<u>73,435</u>	<u>33,343</u>	<u>0</u>
Total	284,994	284,921	89,921	-195,073	-195,000
				-68.4%	-68.4%

Payments in Lieu of Taxes. This program was funded as a mandatory appropriation through 2012 in the Tax Relief Act of 2008. The PILT program will make payments of approximately \$378.0 million in 2009. The Act includes language under the Office of the Secretary heading, continuing the past practice of using \$400,000 of Payments in Lieu of Taxes funding for administration and preventing payments to counties that would receive less than \$100.

Central Hazardous Materials Fund. The Act provides a total of \$10.1 million for the Central Hazardous Material Fund, an increase of \$349,000 over 2008 enacted.

Natural Resource Damage Assessment and Restoration Program. The Act provides a total of \$6.3 million for the NRDAR program, \$136,000 over the 2008 enacted level.

Working Capital Fund (Financial and Business Management System). The Act funds the Financial and Business Management System project at \$73.4 million, a \$33.3 million increase above the amount enacted in 2008.

LEGISLATIVE PROVISIONS

Title I – General Provisions, Department of the Interior

Title I of the Act includes the following legislative provisions:

Emergency Transfers. The Act includes provisions that allow for the transfer of funds in cases of emergency and defined circumstances when authorized by the Secretary. (§101-102)

Administrative Provision. The Act includes a provision which allows for the use of appropriations for certain services such as the purchase, hire and replacement of motor vehicles. (§103)

Transfer of Funds (BIA & Office of the Special Trustee for American Indians). The Act includes a provision that permits the transfer of unobligated balances between the Bureau of Indian Affairs and the Office of the Special Trustee for American Indians for Indian trust and reform activities. (§104)

Tribal Priority Allocation Funds. The Act includes a provision that permits the redistribution of tribal priority allocation and tribal base funds to alleviate funding inequities. (§105)

Twin Cities. The Act includes a provision that allows for conveyance of properties at the Twin Cities Research Center and retention of receipts related to the use of the properties for the benefit of the National Wildlife Refuge System within the state of Minnesota. (§106)

Payment of Attorney Fees. The Act continues a provision that allows the Secretary to pay private attorney fees for employees and former employees incurred in connection with *Cobell v. Kempthorne*. (§107)

Mass Marking. The Act includes a provision requiring FWS to implement a system of mass marking of salmon intended for harvest that are released from Federally operated or funded hatcheries. (§108)

Lake Powell. The Act includes a provision precluding the Department from studying or implementing a plan to drain Lake Powell or reduce the level of the lake below the range of water levels required for operation of the Glen Canyon dam. (§109)

Ellis, Governors, and Liberty Islands. The Act continues a provision that authorizes the Secretary to acquire lands, waters, or interests therein to operate and maintain facilities in support of transportation and accommodation of visitors to Ellis, Governors, or Liberty Islands, by donation or with appropriated funds, including franchise fees, or by exchange. The provision also authorizes the Secretary to negotiate and enter into leases, subleases, concession contracts, or other agreements for the use of such facilities. (§110)

Environmental Documents for Minerals Management Service. The Act modifies a provision to amend the Minerals Management Service authorizing language to allow it to accept contributions to complete environmental documents prior to energy exploration and production. This authorization is effective for Fiscal Years 2008 and 2009 only. (§111)

Authorizations on Mojave National Preserve/Needles Field Office of the BLM. The Act contains a provision limiting funding for any proposal to store water, approve right-of-way, or similar authorizations on the Mojave National Preserve or the Needles Field Office of the Bureau of Land Management. (§112)

Cooperative Agreements. The Act includes a provision permitting the Secretary to enter into cooperative agreements with certain parties that shall not be subject to a competitive process. (§113)

Shenandoah Valley Battlefield NHD and Ice Age NST. The Act includes a provision allowing certain funds provided for land acquisition at the Shenandoah Valley Battlefield NHD and Ice Age NST to be granted to a State, a local government, or any other land management entity without any restriction of the Land and Water Conservation Fund Act. (§114)

Enforcement of Civil Penalty Requirements. The Act includes a new provision allowing new permanent authority to ensure that the Minerals Management Service can enforce Federal Oil and Gas Management Act civil penalties for solid mineral and geothermal energy projects. (§115)

Dwight D. Eisenhower National Fish Hatchery. The Act includes a provision that changes the name of the Pittsford National Fish Hatchery in Chittenden, Vermont to the Dwight D. Eisenhower National Fish Hatchery. (§116)

Baca National Wildlife Refuge. The Act includes a provision that amends the Great Sand Dunes National Park and Preserve Act of 2000 (16 U.S.C. 410hhh-4) that clarifies the purpose of the Baca National Wildlife Refuge as being to “restore enhance, and maintain wetland, upland, riparian, and other habitats for native wildlife, plant and fish species in the San Luis Valley. (§117)

Deer at Point Reyes National Seashore. The Act includes a provision that prohibits the use of funds to reduce the number of Axis and Fallow deer at Point Reyes National Seashore. (§118)

Title IV – General Provisions (Act-wide)

Consulting Services. The Act retains a provision limiting expenditures for consulting services to those that are a matter of public record and are available for public inspection. (§ 401)

Promoting Public Support. The Act retains a provision that precludes the publication or distribution of literature that promotes public support or opposition to any legislative proposal on which congressional action is not complete other than to communicate to members of Congress. (§ 402)

Availability of Appropriations. The Act retains a provision, which provides that appropriations in the Act are available only for the current fiscal year, unless otherwise stated. (§403)

Personal Services. The Act retains a provision prohibiting the use of funds for certain personal services. (§404)

Assessments. The Act retains a provision that requires overhead charges, deductions, reserves, or holdbacks to be presented in annual justifications. (§405)

Transfer of Funds. The Act retains a provision limiting transfer of funds except as provided in this or other Acts. (§406)

Giant Sequoia Timber Sales. The Act retains a provision prohibiting the use of funds to plan, prepare, or offer for sale, in a manner different than such sales were conducted in FY 2006, timber from trees classified as giant sequoia that are located on BLM lands. (§407)

Mine Patent Moratorium. The Act retains a provision limiting funds for patents for mining or mill site claims. (§408)

Contract Support Costs. The Act includes a provision that limits payments for BIA and HIS contract support costs in past years to the funds available in law. (§409)

National Monuments. The Act contains a provision limiting certain mineral, oil, and gas leasing activities within the boundaries of certain national monuments. (§411)

Reciprocal Agreements for Firefighters. The Act retains a provision providing liability coverage to foreign firefighters. (§412)

Awarding of Federal Contracts. The Act retains a provision pertaining to the awarding of Federal contracts by the Secretaries of Agriculture and Interior in certain disadvantaged communities. (§413)

Declarations of Taking. The Act includes a provision limiting the use of appropriated funds for the filing of declarations of taking or complaints in condemnation without approval of the appropriations committees. The provision does not apply to funds appropriated to implement the Everglades National Park Protection Act of 1989 or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes. The President's Budget proposed to delete this provision. (§415)

Service First. The Act contains a provision that extends the Service First authority until 2011. (§418)

Grazing Permits. The Act contains a provision to extend the authority to renew grazing permits that expire 2009 for the remainder of the year under the same terms and conditions or until the processing of these permits is completed, whichever comes first. (§426)

Job Corps. The Act retains a provision transferring three Job Corps centers from the National Park Service to the Forest Service. (§427)

Endangered Species Act. The Act contains a provision that allows the Secretary of the Interior and the Secretary of Commerce to withdraw the final rule relating to the "Interagency Cooperation under the Endangered Species Act"; and allows the Secretary of the Interior to withdraw the final rule relating to "Endangered and Threatened Wildlife

and Plants; Special Rule for the Polar Bear.” (§429)

LEGISLATIVE HISTORY

The House Interior, Environment, and Related Agencies Appropriations Act was reported out of Subcommittee on June 11, 2008. Following Subcommittee markup, full Committee action was not scheduled despite several attempts to do so. At a June 19, 2008 Appropriations Committee markup of the Labor-HHS-Education and Agriculture bills, the minority proposed through amendment to insert the Interior Act, including an amendment to delete a long-standing provision relating to Outer Continental Shelf activities. The markup ended and since that time there has been no further action on the 2009 Interior appropriation Act in the House.

Senate markup of the Interior, Environment, and Related Agencies appropriations Act, originally scheduled for July 23- 24, 2008, was postponed and not rescheduled.

The Chairman of the House Appropriations Committee introduced a Fiscal Year 2009 Omnibus appropriations Act on February 23, 2009 and filed a joint explanatory statement for Divisions A-J. Interior programs, excluding Reclamation and CUPCA are covered under Division E; and Reclamation and CUPCA are included under Division C. The House passed the Act by a roll call vote of 245 yeas and 178 nays. The Act was taken up by the Senate on March 3, 2009, and was subsequently passed on March 10, 2009 by voice vote. The President signed the Act on March 11, 2009 and it became P.L. 111-8.

Appendix A

Department of the Interior - 2009 Formulation

(dollars in millions)

	2008 Actuals w/o Disaster Supps	2009 Budget	2009 Omnibus	Chg from 2008 Enacted	Chg from Budget Request
Bureau of Land Management	1,007.9	977.4	1,038.6	30.7	61.2
<i>Naval Oil Shale cancellation of balances - in above total</i>		<i>[-24.7]</i>	<i>[-13.042]</i>	<i>[0]</i>	<i>[0]</i>
<i>APD fee spending authority - not in above total</i>	<i>[22.1]</i>	<i>[0]</i>	<i>[36.4]</i>	<i>[0]</i>	<i>[0]</i>
Minerals Management Service	161.1	160.4	163.7	2.6	3.3
OSM	170.4	149.3	164.7	-5.7	15.4
U.S. Geological Survey	1,006.4	968.5	1,043.8	37.4	75.3
Fish and Wildlife Service	1,366.3	1,301.7	1,440.5	74.2	138.7
National Park Service	2,390.5	2,404.3	2,525.6	135.1	121.3
National Mall Revitalization			0.0	0.0	0.0
Bureau of Indian Affairs	2,291.3	2,191.4	2,376.1	84.8	184.8
Dept Mgt S&E	99.6	105.8	106.2	6.6	0.4
Latino Commission grant			1.0	1.0	1.0
FBMS	40.1	73.4	73.4	33.3	0.0
Office of Insular Affairs	83.1	79.9	84.0	0.9	4.1
Solicitor	58.3	62.1	62.1	3.7	0.0
Office of Inspector General	43.9	44.8	46.0	2.1	1.1
Office of the Special Trustee	179.5	181.6	181.6	2.1	0.0
Indian Land Consolidation	9.8	0.0	0.0	-9.8	0.0
Wildland Firefighting w/ Supps	1,192.1	850.1	859.5	-332.6	9.3
PILT	228.9	195.0	0.0	-228.9	-195.0
Central Hazardous Materials	9.8	10.1	10.1	0.3	0.0
NRDAR (Restoration Office)	6.2	6.3	6.3	0.1	0.0
Interior and Related with Fire Supps	10,345.2	9,762.3	10,183.1	-162.0	420.8
Bureau of Reclamation	1,099.8	926.8	1,075.7	-24.1	148.9
Desert Terminal Lakes transfer	175.0	-175.0	0.0	-175.0	175.0
Friant surcharge CVRP proposal		-7.5	0.0	0.0	7.5
Central Utah Project Completion Act	43.0	42.0	42.0	-1.0	0.0
Energy and Water Development	1,317.8	786.3	1,117.7	-200.1	331.4
Current total w/ Fire Supps	11,663.0	10,548.6	11,300.9	-362.2	752.3
Range Improvements	-10.0		-10.0	0.0	-10.0
BLM Misc. Trusts	-20.1	-20.1	-20.1	0.0	0.0
Net receipts	-43.0		-47.0	-4.0	-47.0
Insular Affairs	-29.7	-29.7	-29.7	0.0	0.0
CUPCA	1.5				
BOR CVP (w/Friant proposal)	-46.9	-48.3	-48.3	-1.4	0.0
Net Discretionary	11,514.8	10,450.5	11,145.7	-369.0	695.3

* All bureau totals include applicable cancellations of unobligated balances proposals. The Water and Related bill has not been marked. The amounts in this column use the budget request amounts as placeholders for BOR

Appendix B

Department of the Interior 2009 BUDGET FORMULATION -- KEY NUMBERS

(total current budget authority, 000's of dollars)

* ALL AMOUNTS ARE NET CANCELLATION OF BALANCES except LWCF State Assistance

	2008 Enacted	2009 Budget	Omnibus Act	Omnibus Chg from 2008 Enacted		Omnibus Chg from Budget	
DOI Total Including BOR	11,663,055	10,548,581	11,300,869	-362,186	-3.1%	752,288	7.1%
Interior and Related	10,345,211	9,762,282	10,183,131	-162,080	-1.6%	420,849	4.3%
BIA/ Special Trustee Programs	2,480,610	2,373,012	2,557,779	77,169	3.1%	184,767	7.8%
Land Management Ops:	4,040,260	4,173,495	4,272,634	232,374	5.8%	99,139	2.4%
<i>BLM Operations</i>	962,453	973,080	1,000,143	37,690	3.9%	27,063	2.8%
<i>FWS Operations</i>	1,082,616	1,068,886	1,140,962	58,346	5.4%	72,076	6.7%
<i>NPS Operations (w/ USPP)</i>	1,995,191	2,131,529	2,131,529	136,338	6.8%	0	0.0%
<i>National Mall Revitalization</i>				0		0	
Wildland Fire Management w/ o supp	1,192,072	850,143	859,453	-332,619	-27.9%	9,310	1.1%
Federal Land Acquisition:	95,572	44,490	110,432	14,860	15.5%	65,942	148.2%
<i>Land Acquisition, BLM</i>	8,939	4,475	14,775	5,836	65.3%	10,300	230.2%
<i>Land Acquisition, FWS</i>	34,596	10,171	42,455	7,859	22.7%	32,284	317.4%
<i>Land Acquisition, NPS</i>	44,367	21,832	45,190	823	1.9%	23,358	107.0%
<i>Consolidated Appraisal Services</i>	7,670	8,012	8,012	342	4.5%	0	0.0%
Grant and Payment Programs	525,843	461,336	296,882	-228,961	-43.5%	-164,454	-35.6%
<i>State Land Acquisition & Assistance</i>	24,610		20,000	-4,610	-18.7%	20,000	
<i>State and Tribal Wildlife Grants</i>	73,830	73,830	75,000	1,170	1.6%	1,170	1.6%
<i>North American Wetlands</i>	41,981	42,647	42,647	666	1.6%	0	0.0%
* <i>Cooperative Endangered Species</i>	73,831	75,501	75,501	1,670	2.3%	0	0.0%
<i>Multi-National Species</i>	7,875	4,256	10,000	2,125	27.0%	5,744	135.0%
<i>Neotropical Birds</i>	4,430	3,960	4,750	320	7.2%	790	19.9%
* <i>Historic Preservation Grants</i>	70,385	66,142	68,984	-1,401	-2.0%	2,842	4.3%
<i>DOI PILT</i>	228,901	195,000		-228,901	-100.0%	-195,000	-100.0%
Interior Construction:	461,813	362,376	492,332	30,519	6.6%	129,956	35.9%
<i>BLM Construction</i>	6,375	4,476	6,590	215	3.4%	2,114	47.2%
* <i>FWS Construction</i>	33,162	12,180	35,533	2,371	7.1%	23,353	191.7%
* <i>NPS Construction</i>	218,522	172,459	232,521	13,999	6.4%	60,062	34.8%
<i>BIA Construction</i>	203,754	173,261	217,688	13,934	6.8%	44,427	25.6%
U.S. Geological Survey	1,006,480	968,516	1,043,803	37,323	3.7%	75,287	7.8%
Departmental Management S&E	91,903	97,883	98,252	6,349	6.9%	369	0.4%
FBMS	40,092	73,435	73,435	33,343	83.2%	0	0.0%
Insular Affairs	83,129	79,872	83,983	854	1.0%	4,111	5.1%
Other Dept Offices.SOL, OIG, NRDA	108,405	113,211	114,341	5,936	5.5%	1,130	1.0%
Minerals Management total	296,783	307,123	310,406	13,623	4.6%	3,283	1.1%
MMS offsett.collections in above	[135,730]	[146,730]	[146,730]	[11,000]	8.1%	[0]	0.0%
Office of Surface Mining	170,411	149,263	164,702	-5,709	-3.4%	15,439	10.3%
NPS Nat'l Recreation & Pres.	67,413	45,488	59,684	-7,729	-11.5%	14,196	31.2%
Water Management (BOR/ CUPCA)	1,317,844	786,299	1,117,738	-200,106	-15.2%	331,439	42.2%
above includes Desert Terminal Lakes	[175,000]	-[175,000]	[0]	-175,000	-100.0%	[175,000]	-100.0%
*Other - CHF, Rge Imprvt, etc	23,909	-17,370	9,431	-14,478	-60.6%	26,801	-154.3%

Appendix C

Federal LWCF (\$ in Thousands)

Bureau of Land Management

				Omnibus +/- Omnibus +/-				
				08 Enacted	09 Budget			
State	08 Enacted	09 Budget	Omnibus	08 Enacted	09 Budget			
BLM LWCF ACQUISITION TOTAL				8,939	4,475	14,775	+5,836	+10,300
Acq. Mgt/ Land Exchange Processing				1,673	1,531	1,850	+177	+319
Emergency/Inholdings				1,477	944	1,500	+23	+556
Line-Item Projects				5,789	2,000	11,425	+5,636	+9,425
Rank Line-Item Projects								
1	Upper Snake/S. Fork Snake River ACEC/SMRA	ID	1,230	300	500	-730	+200	
2	Meeteetse Spires ACEC	MT		1,000	1,000	+1,000	0	
3	Arkansas River SRMA	CO		200	2,200	+2,200	+2,000	
4	Sandy River/Oregon National Historic Trail	OR		500	1,350	+1,350	+850	
7	Henrys Lake ACEC	ID			2,000	+2,000	+2,000	
20	Cascade Sisiyou National Monument	OR			875	+875	+875	
none	Santa Rosa and San Jacinto NM	CA			1,300	+1,300	+1,300	
5	Upper Sacramento River ACEC	CA			2,200	+2,200	+2,200	
	Agency Priority Acquisitions					0	0	
	Other		4,558			-4,558	0	
Total, BLM Line-Item Projects				5,789	2,000	11,425	+5,636	+9,425

Federal LWCF
(\$ in Thousands)

Fish and Wildlife Service

		State	08 Enacted	09 Budget	Omnibus	Omnibus +/- 08 Enacted	Omnibus +/- 09 Budget
FWS LWCF ACQUISITION TOTAL			34,596	10,171	42,455	+7,859	+32,284
	Land Acquisition Management		8,013	3,240	8,140	+127	+4,900
	Cost Allocation Methodology (CAM)		1,477	1,494	1,500	+23	+6
	Emergencies and Hardships		0	1,500		0	-1,500
	Inholdings		2,953	1,500	3,000	+47	+1,500
	Exchanges		1,477	1,537	1,500	+23	-37
	Line-Item Projects		20,676	900	28,315	+7,639	+27,415
Rank	<u>Line-Item Projects</u>						
1	Alaska Maritime NWR	AK		400	400	+400	0
6	Upper Mississippi River NWR	MN,WI,IA,IL		500	500	+500	0
78	Great Swamp NWR				750	+750	+750
none	Suppawna Meadows NWR				1,500	+1,500	+1,500
63	Rappahannock River NWR				1,500	+1,500	+1,500
none	Highlands Conservation Act				1,500	+1,500	+1,500
none	Blackwater Maritime NWR	MD			1,000	+1,000	+1,000
64	Canaan Valley NWR	WV			2,250	+2,250	+2,250
47	Clarks River NWR	KY			750	+750	+750
51	Crystal River NWR	FL			1,500	+1,500	+1,500
8	Dakota Tallgrass Prairie	ND,SD			500	+500	+500
38	Driftless Area NWR	IA			250	+250	+250
65	James Campbell NWR	HI			7,000	+7,000	+7,000
71	Lake Umbagog NWR	NH			1,000	+1,000	+1,000
10	Lower Rio Grande Valley NWR	TX			500	+500	+500
12	Northern Tallgrass Prairie NWR	MN, IA			500	+500	+500
none	Ohio River Islands NWR	WV			500	+500	+500
54	Patoka River NWR	IN			500	+500	+500
none	Rainwater Basin WMA	ND			500	+500	+500
none	Rhode Island NWR Complex	RI			700	+700	+700
18	Rocky Mountain Front Conservation Area	MT			1,000	+1,000	+1,000
16	San Joaquin River NWR	CA			900	+900	+900
4	Silvio O. Conte NWR	MA,VT,NH,CT			3,815	+3,815	+3,815
80	Walkill NWR	NJ				0	0
	Agency Priority Acquisitions					0	0
	Delayed project savings				-1,000		
	Other		20,676			-20,676	0
Total, FWS Line-Item Projects			20,676	900	28,315	+8,639	+28,415

Federal LWCF
(\$ in Thousands)

National Park Service

		State	08 Enacted	09 Budget	Omnibus	Omnibus +/- 08 Enacted	Omnibus +/- 09 Budget
NPS LWCF ACQUISITION TOTAL			44,367	21,832	45,190	+823	+23,358
Acquisition Administration			9,352	8,832	9,250	-102	+418
Emergency/Hardships			2,461	2,000	2,500	+39	+500
Inholdings/Exchanges			2,461	2,000	2,500	+39	+500
Line-Item Projects			30,093	9,000	30,940	+847	+21,940
Rank	<u>Line-Item Projects</u>						
1	Gettysburg National Military Park	PA		2,215	2,215	+2,215	0
2	Guilford Courthouse National Military Park	NC		828	828	+828	0
3	Mount Rainier National Park	WA	1,182	1,807	1,807	+625	0
4	El Malpais National Monument	NM		150	150	+150	0
N/A	Civil War Battlefield Sites ^{1/}	Multi	2,954	4,000	4,000	+1,046	0
9	Big Thicket National Preserve	TX			1,000	+1,000	+1,000
64	Cumberland Gap NHP - Fern Lake	KY, TN			1,150	+1,150	+1,150
52	Delaware Water Gap	NJ, PA			1,000	+1,000	+1,000
142	Ice Age NST	WI			1,000	+1,000	+1,000
247	Appalachian National Scenic Trail	NH			1,375	+1,375	+1,375
101	Acadia National Park	ME			750	+750	+750
32	Cape Cod National Seashore	MA			1,750	+1,750	+1,750
169	Congaree National Park	SC			2,690	+2,690	+2,690
165	Gauley River National Recreation Area	WV			780	+780	+780
13	Golden Gate NRA - Rancho Corral de Tierra	CA			4,000	+4,000	+4,000
none	Harpers Ferry NHP	WV			2,000	+2,000	+2,000
45	Lake Chelan NRA	WA			900	+900	+900
none	Minidoka NHS	ID			350	+350	+350
235	New River Gorge National River	WV			500	+500	+500
none	Shenandoah Valley Battlefield Historic District	VA			1,985	+1,985	+1,985
59	Sleeping Bear Dunes National Lakeshore	MI			500	+500	+500
5	Virgin Islands National Park - Mayo Bay	VI			2,250	+2,250	+2,250
24	Whiskeytown NRA	CA			460	+460	+460
	Agency Priority Acquisitions					0	0
	Delayed project savings				-2,500	-2,500	-2,500
	Other		25,958			-25,958	0
Total, NPS Line-Item Projects			30,093	9,000	30,940	+847	+21,940

^{1/} Bills H.R.2933 and S.1921.IS were introduced on August 1, 2007 to extend authority for the Civil War battlefield grants.

Appendix D

Construction (\$ in Thousands)

Bureau of Land Management

Construction	State	08 Enacted	09 Budget	Omnibus	Omnibus +/- 08 Enacted	Omnibus +/- 09 Budget
Line-item Projects		6,064	4,066	6,166	+102	+2,100
Architectural and Engineering Services		311	410	424	+113	+14
TOTAL APPROPRIATION		6,375	4,476	6,590	+215	+2,114
Line-Item Requests						
Lemhi River TMDL Road Maintenance Phase III	ID		2,487	2,487	+2,487	0
Headwaters Forest Road Trail Phase II	CA		1,579	1,579	+1,579	0
California National Historic Trail	NV			1,500	+1,500	+1,500
King Range National Conservation Area	CA			600	+600	+600
Other		6,064			-6,064	
Total line-item projects		6,064	4,066	6,166	+102	+2,100

* Projects not specified.

Construction
(\$ in Thousands)

Fish and Wildlife Service

Construction	State	08 Enacted	09 Budget	Omnibus	Omnibus +/- 08 Enacted	Omnibus +/- 09 Budget
Line Item Construction		22,185	1,978	25,267	+3,082	+23,289
Core Engineering Services		9,747	8,970	8,970	-777	0
Dam Safety Program and Inspections		706	717	1,350	+644	+633
Bridge Safety Program and Inspections		524	569		-524	-569
Cancellation of Prior-Year Funds			-54	-54	-54	0
TOTAL APPROPRIATION (w/o h. supp)		33,162	12,180	35,533	+2,371	+23,353
Line-Item Request						
Replacement Survey Aircraft - Phase VI	multi states	500	1,178	1,178	+678	0
Patuxent Research Refuge	MD	4,000		3,000	-1,000	+3,000
Cahaba River NWR - P&D VC	AL			300	+300	+300
Clarks River NWR - P&D VC	KY				0	0
Don Edwards San Francisco Bay NWR - Salt Ponds	CA			4,000	+4,000	+4,000
Kealia Pond NWR - P&D VCO	HI			750	+750	+750
Ohio River islands NWR - Erosion	WV			800	+800	+800
Tennessee NWR - P&D VCO	TN			800	+800	+800
Theodore Roosevelt NWR - P&D VC	MS			600	+600	+600
Nisqually NWR	WA			750	+750	+750
Visitor enhancement projects - Servicewide	N/A			3,000	+3,000	+3,000
Mammoth Springs NFH - complete VCO	AR			1,750	+1,750	+1,750
Neosho NFH - Office and Visitor Center	MO		800	919	+919	+119
White River NFH - P&D VC	VT				0	0
White Sulphur Springs - facilities and water supply	WV			750	+750	+750
Great Lakes Mass Marking Equipment	MI			1,500	+1,500	+1,500
Donkey Creek Fish Passage	WA				0	0
Gig Harbor Fish Passage	WA			800	+800	+800
Red Wolf Breeding Facilities Relocation	WA			870	+870	+870
NCTC - telephone and road paving	WV			1,500	+1,500	+1,500
Sustainable Energy Enhancements				2,000	+2,000	+2,000
Other		17,685			-17,685	0
Total line-item projects		22,185	1,978	25,267	+3,082	+23,289

Construction

(\$ in Thousands)

National Park Service

Construction	State	08 Enacted	09 Budget	Omnibus	Omnibus +/- 08 Enacted	Omnibus +/- 09 Budget
Special Programs						
Emergency/Unscheduled		3,239	2,975	2,975	-264	0
Housing Replacement		4,996	5,000	6,000	+1,004	+1,000
Dam Safety		2,585	2,500	2,500	-85	0
Equipment Replacement		14,584	14,516	14,516	-68	0
Construction Planning		17,084	10,100	10,100	-6,984	0
Construction Program Mgmt. and Oper.		40,215	34,552	34,552	-5,663	0
General Management Planning		13,281	13,292	13,292	+11	0
Line-Item Projects		122,538	90,161	149,223	+26,685	+59,062
Cancellation of Prior-Year Funds		0	-637	-637	0	+637
TOTAL APPROPRIATION (w/o hurricane supplementals)		218,522	172,459	232,521	+14,636	+60,699
Line-Item Request						
Redwood National Park, Relocate & Replace Maintenance Facility - Phase 2 (Completion Phase)	CA	11,554	5,481	5,481	-6,073	0
Olympic National Park, Elwha River Ecosystem	WA	19,688	20,000	20,000	+312	0
Everglades National Park, Modify Water Delivery System (ongoing) - partnership project	FL	14,299	10,000	60,000	+45,701	+50,000
Ongoing Completion Subtotal		45,541	35,481	85,481	+39,940	+50,000
National Mall, Potomac Park Seawall Restoration	DC, VA		10,000	10,000	+10,000	0
Blue Ridge Parkway, Replace Guard Rails	NC	1,886	7,097	7,097	+5,211	0
Fort Raleigh National Historic Site, Rehabilitate Visitor Center	NC		7,213	7,213	+7,213	0
Boston National Historical Park, USS Cassin Young	MA		3,913	3,913	+3,913	0
Perry's Victory and International Peace Memorial	OH		5,100		0	-5,100
Big Bend National Park, Replace Basin Sewage Treatment Plant	TX		4,860	4,860	+4,860	0
Canyonlands National Park, Remove Needles Dump	UT		784	784	+784	0
Abraham Lincoln Birthplace National Historic Site, Abate Mold	KY	345	1,596	1,596	+1,251	0
Denali National Park & Preserve - Savage Area Reststops	AK		2,560	2,560	+2,560	0
Cuyahoga Valley National Park, Septic Systems	OH	1,723	1,873	1,000	-723	-873
Rocky Mountain National Park, Grand Lake Entrance Stations	CO	2,773	1,270	1,270	-1,503	0
Cape Hatteras National Seashore - Bodie Island Lighthouse	NC		3,090	3,090	+3,090	0
Bandelier National Monument, Rehabilitate Visitor Center	NM		3,178	3,178	+3,178	0
Vanderbilt Mansion National Historic Site -Roof	NY		2,547	2,547	+2,547	0
Unallocated savings from performance contracting			-400	-401	-401	-01
Roosevelt Island, GW Parkway, design and planning	VA			250	+250	+250
Booker T. Washington NM	VA			500	+500	+500
Jones Point Lighthouse, GW Parkway	VA			640	+640	+640
Moccasin Bend, Visitor Center, planning and design	TN			500	+500	+500
Valley Forge NMP, Welcome Center	PA			1,000	+1,000	+1,000
El Morro NM, lighthouse, canyons and interior walls	PR				0	0
Ice Age Scenic Trail	WI			125	+125	+125
Castle William Gateway NRA, Castle Clinton	NY			1,350	+1,350	+1,350
Joshua Tree NP	CA			300	+300	+300
National Historic Reserve, Vancouver	WA				0	0
California National Parks (mines)	CA			680	+680	+680
Golden Gate National Recreation Area (Pt Bonita)	CA			1,600	+1,600	+1,600
Manzanar National Historic Site (barracks)	CA			900	+900	+900
Yosemite National Park (tunnel)	CA			800	+800	+800
Boston Harbor Islands NRA (Pavilion)	MA			5,000	+5,000	+5,000
Jefferson National Expansion Memorial (riverfront bridge)	MO			1,500	+1,500	+1,500
Scotts Bluff National Monument	NE				0	0
Flight 93 National Memorial	NY			1,200	+1,200	+1,200
Great Smoky Mountains NP (p/d storage)	TN			90	+90	+90
Utah Public Land Artifact Pres. Act	UT			1,000	+1,000	+1,000
Apostle Islands NL (historic Lighthouses)	WI			5,000	+5,000	+5,000
Harpers Ferry National Historical Park	WV				0	0
New Rivers Gorge National River	WV			2,600	+2,600	+2,600
Other		78,511			-78,511	0
Unallocated funding for NPS priority construction projects					0	0
New initiative for decommissioning excess facilities					0	0
Use of prior year balances		-8,241		-10,000	-1,759	-10,000
Subtotal New Construction projects		76,997	54,680	63,742	-13,255	+9,062
Total line-item projects		122,538	90,161	149,223	+26,685	+59,062

Construction (\$ in Thousands)

Bureau of Indian Affairs

Construction Activity	State	08 Enacted	09 Budget	Omnibus +/-		
				08 Enacted	09 Budget	
Education Construction		142,935	115,376	128,837	-14,098	+13,461
Public Safety and Justice Construction		14,393	11,433	39,399	+25,006	+27,966
Resources Management Construction		38,309	37,306	40,306	+1,997	+3,000
General Administration Construction		2,081	2,060	2,060	-21	0
Construction Program Management		6,036	7,086	7,086	+1,050	0
TOTAL APPROPRIATION		203,754	173,261	217,688	+13,934	+44,427

Line Item Requests

EDUCATION CONSTRUCTION

Replacement School Projects

2008	Project Shortfalls	Multi				
2009	Dennehotsso Boarding School	AZ				
All	Advanced Planning & Design	Multi				
Subtotal, Replacement School Projects			46,716	22,405	22,405	-24,311

Replacement Facility Projects

2008	Standing Rock Community School	ND				
2008	St. Stephens High School	WY				
2009	Chinle Boarding School	AZ				
All	Advanced Planning & Design	Multi				
Subtotal, Replacement Facility Projects			9,748	17,013	17,013	7,265

School Facilities Improvement and Repair Projects

2008	Project Shortfalls	Multi				
2008	Standing Rock Community School	ND				
2009	Congressional add-on	TBD				
All	Advanced Planning & Design	Multi				
Subtotal, School Facilities Improvement and Repair Projects			84,529	74,363	84,974	445

School Employee Housing Improvement and Repair Projects

	School Employee Housing FI&R	Multi	1,942	1,595	4,445	+2,503
Subtotal, Housing Projects			1,942	1,595	4,445	+2,503
TOTAL EDUCATION PROJECTS			142,935	115,376	128,837	-14,098

PUBLIC SAFETY & JUSTICE (Detention Facilities) CONSTRUCTION

Replacement Detention Facility Projects

2009	Congressional add-on Adult and Juvenile Detention Centers	TBD			21,500	+21,500
Subtotal, Replacement Detention Facility Projects			0	0	21,500	+21,500

Construction

(\$ in Thousands)

(Bureau of Indian Affairs continued)

Construction Activity		State	08 Enacted	09 Budget	Omnibus	Omnibus +/- 08 Enacted	Omnibus +/- 09 Budget
Major Detention Facilities Improvement & Repair Projects							
2008	Fort Peck Law Enforcement Center	MT					
2008	Wind River Detention Center	MT					
2008	Fort Totten Law Enforcement Center	ND					
2009	Medicine Root Detention Center	SD					
2009	Congressional add-on	TBD					
All	Advanced Planning & Design	Multi					
Subtotal, Major Detention Facilities Improvement & Repair			10,938	7,975	10,941	+3	+2,966
2009	Fire Safety Coordination		176	179	179		
2009	Fire Protection		3,279	3,279	3,279		
2009 Law Enforcement Housing Projects							
	Congressional add-on	TBD			3,500		
Subtotal, Law Enforcement Housing Projects			0	0	3,500	3,500	3,500
TOTAL PS&J PROJECTS			14,393	11,433	39,399	+25,003	+27,966
RESOURCES MANAGEMENT CONSTRUCTION							
All	Navajo Indian Irrigation Project	NM	12,414	12,421	12,421	7	0
	Irrigation Projects		984		1,000	16	1,000
	Uranium Contamination - Navajo				2,000	2,000	2,000
	Engineering and Supervision		2,103	2,106	2,106	3	0
	Survey and Design		292	292	292	0	0
	Federal Power Compliance		672	655	655	-17	0
Safety of Dams Projects							
2008/09	Captain Tom Dam Construction	NM					
2008	Tsaile Dam Final Design	AZ					
2008	Red Lake Dam Planning	NM					
2008	Lauer Dam Construction	CA					
2008	Bog Tank Dam Final Design	AZ					
2009	Weber Dam	NV					
All	Safety of Dams	Multi	19,939	19,918	19,918	-21	0
All	Dam Maintenance	Multi	1,905	1,914	1,914	9	0
Subtotal, Safety of Dams Projects			21,844	21,832	21,832	-12	0
TOTAL RESOURCES MANAGEMENT PROJECTS			38,309	37,306	40,306	1,997	3,000
GENERAL ADMIN CONSTRUCTION							
	Telecommunications Improvements and Repair				881		
	Facilities Improvement and Repair				1,179		
	Construction Program Management				7,086		
TOTAL GENERAL ADMIN CONSTRUCTION			8,117	9,146	9,146	1,029	0
Total line-item projects			203,754	173,261	217,688	13,934	44,427

**RESULTS OF CONGRESSIONAL ACTION ON THE FISCAL YEAR 2009
ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT**

The Energy and Water Development Act provides \$1.1 billion for the Bureau of Reclamation and Central Utah Project. This is \$200 million or 16 percent below the 2008 funding level. The 2008 enacted level includes \$175 million in supplemental funding for Desert Terminal Lakes. If you exclude this from the 2008 level for comparison, the 2009 consolidated Act is \$33 million below the 2008 level, a reduction of 3 percent.

Funding Overview

Highlights of the Act for Interior’s programs include the following:

Bureau of Reclamation

\$000				Omnibus +/-	Omnibus +/-
	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>08 Enacted</u>	<u>09 Budget</u>
Water & Related Resources	949,882	779,320	920,259	-29,623	+140,939
Policy and Administration	58,811	59,400	59,400	+589	0
California Bay-Delta Restoration	40,098	32,000	40,000	-98	+8,000
Central Valley Project Restoration Fund	51,053	56,079	56,079	5,026	0
Sub-total -- Current Authority	1,099,844	926,799	1,075,738	-24,106	+148,939
DTL Supplemental	175,000	-175,000	0	+175,000	+175,000
Total -- Current Authority	1,274,844	751,799	1,075,738	+150,894	+323,939

The Act funds Reclamation at \$1.08 billion, which is \$32.2 million below the 2008 enacted, excluding a proposed rescission of the \$175.0 million for Desert Terminal Lakes (DTL). The Act does not accept the proposal to rescind these funds in the 2009 President’s Budget.

Water & Related Resources Account. The Act funds Water and Related Resources, Reclamation's primary operating account, at \$920.3 million, which is \$29.6 million below the 2008 enacted level.

The following key projects are funded as follows:

- Animas La Plata: \$50.0 million, \$10.6 million below 2008 enacted.
- Central Arizona Project: \$25.4 million, \$1.8 million below 2008 enacted.
- Colorado River Storage Project: \$6.3 million, \$4.2 million below 2008 enacted.
- Klamath: \$23.0 million, \$1.6 million below 2008 enacted.
- Loan Guarantee program: \$1.0 million, \$16,000 above 2008 enacted.
- Lower Colorado River Operation: \$15.0 million, \$141,000 below 2008 enacted.
- Middle Rio Grande: \$26.1 million, \$12.8 million below 2008 enacted.
- Native American programs: \$19.3 million, \$165,000 below 2008 enacted.
- Pick-Sloan Missouri Basin: \$39.2 million, \$1.1 million below 2008 enacted.
- Rural Water Projects: \$142.7 million, \$2.1 million below 2008 enacted.
- Safety of Dams: \$88.3 million, \$12.5 million above 2008 enacted.

- Title XVI: \$39.5 million, \$6.9 million above 2008 enacted.
- Water for America \$15.0 million, \$4.9 million below 2008 enacted.
- Yakima River Basin: \$16.5 million, \$870,000 above 2008 enacted.

Projects funded in the Act that were not in the President’s budget. The Act funds 37 projects (\$82.5 million) that were not identified by the Bureau of Reclamation as priority projects in 2009. Of these 37 projects; 23 were also funded by Congress last year. Projects funded at a minimum of \$1.0 million are:

- Albuquerque Metro Area Water & Reclamation Reuse: \$1.1 million, \$363,000 below 2008 enacted.
- Bay Area Regional Water Recycling Program: \$8.0 million.
- City of North Las Vegas: \$2.7 million, \$781,000 above 2008 enacted.
- Ft. Peck Reservation/Dry Prairie Rural Water System: \$10.0 million, \$160,000 above 2008 enacted.
- Hi-Desert Wastewater Collection and Reuse: \$1.0 million, \$508,000 above 2008 enacted.
- Inland Empire Regional Water Recycling Project: \$5.0 million, \$4.0 million above 2008 enacted.
- Jicarilla Apache Reservation Rural Water: \$3.0 million.
- Lewis and Clark Rural Water System: \$27.0 million, \$432,000 above 2008 enacted
- Long Beach Desalination R&D: \$1.1 million, \$319,000 above 2008 enacted
- Perkins county Rural Water System: \$2.3 million, \$687,000 below 2008 enacted.
- Rocky Boys/North Central MT Regional Water: \$7.0 million, \$1.1million above 2008 enacted.
- San Gabriel Basin Restoration Fund: \$3.5 million.
- Watsonville Area Water Recycling Project: \$1.7 million, \$746,000 above 2008 enacted.
- Yuma East wetlands: \$1.5 million

CALFED

\$000			Omnibus +/-		Omnibus +/-	
	08 Enacted	09 Budget	Omnibus	08 Enacted	09 Budget	
Environmental Water Account	7,000	7,000	6,550	-450	-450	
Water Use Efficiency	1,500	0	0	-1,500	0	
Water Quality	5,250	5,000	7,000	+1,750	+2,000	
Storage	11,770	6,450	8,150	-3,620	+1,700	
Conveyance	6,348	7,050	7,050	+702	0	
Ecosystem Restoration	3,000	1,500	5,500	+2,500	+4,000	
Science	4,000	3,000	3,000	-1,000	0	
Planning & Management	1,230	2,000	2,750	+1,520	+750	
Total	40,098	32,000	40,000	-98	+8,000	

The Act funds the California Bay-Delta Restoration program at \$40.0 million, \$98,000 below 2008 enacted.

Other Accounts. The Act funds the Central Valley Project Restoration Fund at \$56.1 million, \$3.0 million below 2008 enacted. The Act directs the bureau to use the \$7.5 million in Friant surcharges to undertake the San Joaquin River Settlement Act activities until such time as the proposed Friant legislation is enacted.

The Act funds the Policy and Administration account at \$59.4 million, \$589,000 above 2008 enacted. Act language directs that \$10.0 million from this account must be transferred to the Water and Related Resources account if the Secretary has not submitted the Bureau’s five-year budget plan within 90 days following enactment. The Department submitted the report, as requested, in January 2009.

Central Utah Project Completion Act

\$000			Omnibus +/-		Omnibus +/-
	<u>08 Enacted</u>	<u>09 Budget</u>	<u>Omnibus</u>	<u>08 Enacted</u>	<u>09 Budget</u>
CUPCA Total	43,000	42,000	42,000	-1,000	0

The Act funds the Central Utah Project at \$42.0 million, \$1.0 million below the 2008 enacted level.

Selected Legislative Provisions

In addition to that already described, the Act or report includes the following:

Interceptor drain for the San Luis Unit. Consistent with prior years, the Act states that none of the funds may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit, until development of a plan by the Secretary and the State of California, which shall conform to the water quality standards of [California] as approved by the Administrator of the Environmental and Protection Agency.

Costs of the Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program. Consistent with prior years, the Act states that the costs of these programs shall be classified by the Secretary as reimbursable or nonreimbursable and collected until fully repaid pursuant to the “Cleanup Program-Alternative Repayment Plan” and the “SJVDP-Alternative Repayment Plan” described in the report “Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995.” It further directs that any future obligations of funds by the U.S. regarding drainage services or studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries.

Desert Terminal Lakes. In a 2009 Budget Amendment, the President proposed to rescind all funding (\$175.0 million) appropriated in the Food, Conservation, and Energy Act of 2008 for Desert Terminal Lakes. The Act does not rescind the funding.

Underfinancing. There is no underfinancing in the Act.

Transfer from Corps. In the report language in the Army Corps of Engineers section, it states:

Columbia River Treaty fishing Access Sites, Oregon [and] Washington. – Within the funds provided, \$2,900,000 shall be used to complete construction of Celilo Village and transfer funds to the Department of Interior for the operation and maintenance of the completed site.