



COMMITTEE ON APPROPRIATIONS

Norm Dicks, *Democratic Ranking Member*

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Rep. Norm Dicks' Statement on the Interior and Environment Appropriations bill for FY2012

WASHINGTON, D.C., July 6 -- House Appropriations Committee Ranking Democratic Member Rep. Norm Dicks made the following comments after release of the FY2012 Interior and Environment Appropriations bill text:

“The Republican leadership proposed an exceedingly low subcommittee allocation that has now resulted in a bill that would be devastating for the environment and for the preservation of America’s natural heritage, including the lowest level of spending in the Land and Water Conservation Fund in more than 40 years.

“Overall, the allocation for this bill is 7 percent below the amount enacted in the current year -- an irresponsible level that will have a negative impact on our natural resource agencies and on the Environmental Protection Agency (EPA). After the EPA took a substantial cut of 16 percent in the current fiscal year, the Republican Majority is now proposing a further reduction in the agency’s budget of 18 percent.

“This bill would substantially diminish the capacity of EPA to carry out its responsibilities -- which may actually be the goal of some of my colleagues on the other side. But the repercussions will be felt across the nation, including an ever-growing backlog of water treatment infrastructure projects and a decline in air and water quality.

“As was pointed out in a recent Washington Post article, the vast majority of the EPA’s funds pass through to states and localities that are already squeezed by budget cuts. These infrastructure projects create jobs in communities all across the country and provide one of the most basic services taxpayers expect: clean water. The Bush Administration’s EPA Administrator estimated that there was a \$688 billion nationwide backlog of clean water infrastructure projects, and that total is even larger today. That backlog will not disappear if we just ignore it but, as we have seen in so many cases this year, the Republican leadership has decided to push this problem farther down the road.

“In addition to the clearly insufficient levels of funding across the board in this legislation, we were surprised that the Majority also included a wish list of special-interest riders to the bill that will handcuff the EPA and the Department of the Interior. One of these riders is language that

would effectively block any funding for new listing activities under the Endangered Species Act. These types of riders are largely ideological, have no impact on deficit reduction and most will be rejected by the Senate and the President.”

Below is a brief summary of funding levels and other key provisions in the Interior and Environment bill:

Total Allocation: \$27.47 billion | **\$2.09 billion below** the FY2011 enacted level | **\$4 billion below** the President’s FY2012 Request.

Environmental Protection Agency: The bill provides **\$7.1 billion** total, **\$1.5 billion below** the FY2011 enacted level and **\$1.8 billion below** the President’s request.

Drinking Water State Revolving Fund: The bill provides **\$829 million** total, **\$134 million below** the FY2011 enacted level and **\$161 million below** the President’s request.

Clean Water State Revolving Fund: The bill provides **\$689 million** total, **\$833 million below** the FY2011 enacted level and **\$861 million below** the President’s request.

Department of the Interior: The bill provides **\$9.85 billion** total, **\$720 million below** the FY2011 enacted level and **\$1.2 billion below** the President’s request.

Land and Water Conservation Fund: The bill provides **\$62 million** total, **\$256 million below** the FY2011 enacted level and **\$838 million below** the President’s request.

U.S. Fish and Wildlife Service: The bill provides **\$1.19 billion** total, **\$314 million below** the FY2011 enacted level and **\$506 million below** the President’s request.

Bureau of Indian Affairs: The bill provides **\$2.53 billion** total, **\$64 million below** the FY2011 enacted level and **\$29 million above** the President’s request.

Indian Health Service: The bill provides **\$4.46 billion** total, **\$393 million above** the FY2011 enacted level and **\$162 million below** the President’s request.

Legislative Riders

- **Curtails ESA listing activities:** Contains language prohibiting funding for the U.S. Fish & Wildlife Service to list new species and to designate critical habitat for their recovery under the Endangered Species Act.
- **Pesticides in Rivers and Streams:** Contains language amending current law to eliminate requirements for chemical companies and large agricultural operations to obtain permits for pesticides entering rivers and streams.
- **Blocks Mountaintop Removal Regulations:** Contains language prohibiting the implementation and enforcement of specific mountaintop removal mining regulations. The Office of Surface Mining is prohibited from updating the Stream Buffer Rule which

would protect rivers and streams from the environmental impacts of mountaintop removal mining.

- **Blocks EPAs Ability to Regulate Greenhouse gas:** Contains language prohibiting the EPA from regulating greenhouse gas from stationary sources. The language also blocks civil tort or common law lawsuits and also prevents any applied-for permit from being federally enforced.
- **Blocks Greenhouse Gas Reporting:** Contains language prohibiting EPA from implementing a rule requiring reporting of greenhouse gases from manure management systems for large livestock operations.
- **Delisting Wolves as an Endangered Species:** Contains a provision that protects from judicial review any decision of the Secretary of the Interior to delist wolves in Wyoming or the Great Lakes region.
- **Blocks Regulation of Coal Ash:** Prohibits the EPA from regulating fossil fuel combustion waste, or “Coal Ash,” under the Solid Waste Disposal Act.
- **Impedes Implementation of Clean Water Act:** Prohibits EPA from changing or supplementing guidance or rules related to the jurisdiction of the Clean Water Act.
- **Blocks the Secretary of Interior from Protecting Grand Canyon from Uranium Mining:** Contains language that prohibits the Secretary of the Interior from implementing a land withdrawal to protect the Grand Canyon from new uranium mining claims.

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WASHINGTON POST

EPA budget cuts put states in bind

By Juliet Eilperin, Published: June 20, 2011

When congressional Republicans cut the Environmental Protection Agency’s budget 16 percent as part of a deal with President Obama in April to keep the government running, they hailed it as a blow to a federal bureaucracy that had overreached in its size and ambition.

But now that the agency has detailed how it is making the \$1.6 billion cut for fiscal 2011, the reality is somewhat different. Because the EPA passes the vast majority of its money through to the states, it has meant that these governments — not Washington — are taking the biggest hits. Already constrained financially at home, state officials have millions of dollars less to enforce the nation’s air- and water-quality laws, fund critical capital improvements and help communities comply with new, more stringent pollution controls imposed by the federal government.

Indian Head, Md., won’t get the nearly \$1 million it has requested to improve sewer lines and rehabilitate manhole covers. Wyandotte County, Kan., has suspended its hazardous-waste public awareness programs. And Virginia will scale back the studies it is conducting to evaluate nitrogen runoff into the Chesapeake Bay.

“The federal government and state grants are both shrinking while our demands are increasing exponentially,” said Andrew Ginsberg, air quality division administrator at Oregon’s Department of Environmental Quality. “We’re definitely feeling the crunch here.”

The EPA was a central target for Republicans during the spring budget battle, as they tried to curtail its authority to curb greenhouse gases, mercury and other pollutants. Although lawmakers failed to secure those provisions, they limited the agency’s activities through budget cuts.

But as lawmakers and local officials assess the impact of those cuts, few seem pleased with the outcome.

“We made some tough choices in there,” EPA Deputy Administrator Robert Perciasepe said in an interview. “We’re very close to the edge where you start to erode the capacity of the agency.”

S. William Becker, executive director of the National Association of Clean Air Agencies, said lawmakers didn’t realize that targeting EPA’s budget meant “that they’re cutting jobs at the state and local level. If they knew that, maybe Congress might have acted differently.”

Key Republicans say the cuts have failed to reshape the agency the way they had envisioned. “By stepping into the process in the middle of the year, we weren’t able to provide the kind of details you can when you’re doing an appropriations bill from the outset,” said Rep. Bob Goodlatte (Va.), vice chairman of the House Agriculture Committee and a frequent EPA critic.

“The EPA made a lot more decisions in how they made the cut, and I certainly don’t agree with how they made the cut or spent the money.”

In fact, many of the funding decisions the EPA made this year were based on a mandatory formula, since \$1 billion of the overall reduction affected just two programs helping underwrite clean-water and drinking-water projects.

“This is one of the problems with cutting EPA’s budget. You look at a lot of their programs and they are pass-through programs,” said House Interior and Environment Appropriations Subcommittee

Chairman Mike Simpson (R-Idaho), referring to programs whose funds flow directly from the agency to the states. “When you’re reducing the budget, those programs are going to go down substantially.”

Agency officials were able to protect some of the administration’s top priorities, such as providing more money to clean up the Chesapeake Bay.

It provided an additional \$4.3 million to the Chesapeake Bay program while cutting every other regional cleanup, including in the Great Lakes and Puget Sound. It allotted nearly \$4.6 million to research of endocrine disruptors, chemicals that have entered American waterways and pose a potential public health threat.

“We’re using the funds to proceed on some of the key things we’re trying to do,” Perciasepe said, adding that the EPA has identified 2011 as a critical year for finalizing Chesapeake Bay cleanup plans.

But Republicans succeeded in blocking more than \$8.5 million the EPA would have provided to help states cope with new rules limiting greenhouse gas emissions from power plants and refineries.

Simpson said he and other Republicans are going to look at whether they can target reductions at the EPA headquarters for the next fiscal year, perhaps by limiting the number of full-time-equivalent positions at the agency.

By doing so, he said, it might curb the EPA’s efforts to impose mandatory limits on greenhouse gases and other forms of pollution: “Many of us believe the EPA has gone beyond what Congress has wanted or authorized it to do,” he said.

In the meantime, state and local officials who oversee the nation’s air and water quality — most of whom were already dealing with smaller state budgets — are struggling to cope with the sudden dip in federal funding.

Walter Gills, program manager for Virginia’s clean-water revolving loan fund, said the state learned so late it was losing \$10 million for low-interest loans that it had to find money elsewhere and will cut the program much deeper next year.

“We just couldn’t pull the plug,” Gills said. He added that since EPA’s budget will probably shrink again in the next appropriations cycle, “it could actually be a double whammy next year.”

In Oregon, Ginsburg said, his agency has postponed hiring an environmental engineer and is reducing its pollution monitoring work.

Just as his agency is being asked by the federal government to enforce new smog, soot and greenhouse gas rules, it is facing a cut in federal assistance to execute the task.

“We’re just a microcosm of what’s going on around the country. The same thing is going on in every state,” Ginsburg said. “It’s just adding up to a crisis mode.”